

## Creech St Michael Parish Council

<b>Policy Title</b>	Complaints Policy and Procedure
<b>Applies to</b>	All Parties, including Members of the Public.
<b>Date Created</b>	3 <sup>rd</sup> February 2023
<b>Date Approved by Council</b>	6 <sup>th</sup> March 2023
<b>Minute Reference</b>	16
<b>Author</b>	Clerk and RFO
<b>Review Cycle</b>	Annually
<b>Review Dates</b>	

## **1.0 Introduction**

- As an organisation, Creech St Michael Parish Council is committed to getting things right first time, every time, but recognises that sometimes things will go wrong.
- Complaints can arise when the Parish Council has failed to.
  - Provide the standard or quality of service promised,
  - follow its own policies,
  - respond promptly to an enquiry or request for service,
  - treated a member of the community fairly or with the courtesy that should be expected.
- Not every query should be dealt with as a complaint. Everyday problems, queries and comments are periodically received by the Parish Council and are dealt with without being regarded as complaints. These are routine matters that are generally resolved quickly to the individual's satisfaction. If an individual is dissatisfied with the original service or response they have received and wishes to take the matter further, then the issue would be recognised as a complaint.

## **2.0 Other Policies**

This policy should be read in conjunction with the following Parish Council policies.

- Councillor Code of Conduct
- Standing Orders
- Financial Regulations
- Civility and Respect Pledge
- General Privacy Notice
- Freedom of Information Policy

## **3.0 Other Bodies**

- Other bodies have responsibility for handling certain types of complaint and a complainant should address their concerns to these organisations.:

Allegations relating to financial irregularity – PKF Littlejohn LLP External Auditor.

Allegations relating to misconduct by a Member of the Parish Council – Somerset Council Monitoring Officer.

## **4.0 Data Protection and Confidentiality**

- The Parish Council is expected to treat complaints in confidence. To ensure the Parish Council complies with its obligations under the Data Protection Act. The Parish Council cannot disclose the identity, contact details or other personal data about an individual complainant unless they consent to disclosure.

## **5.0 Anonymous Complaints**

- Anonymous complaints will not be accepted.

## **6.0 The Complaints Procedure**

A complaint should be made to the Parish Council in writing.

There are three stages to the Parish Council's complaints procedure.

### **Initial Stage**

- The receipt of a complaint will be acknowledged in writing within 5 days, together with confirmation of whether the complaint is to be treated as confidential and confirmation of the next steps of the complaints procedure.

Complaints to the Parish Council should be submitted to:

Creech St Michael Parish Council  
1 Impens Cottages  
North Newton  
Somerset  
TA7 0BB

clerk@creechstmichael.net

- If the complaint concerns the Clerk and RFO, the complaint should be sent to the Chair of the Parish Council, using the same address.
- On receipt of a written complaint the Clerk and RFO (except where the complaint is about the Clerk and RFO) will respond directly to the complainant and attempt to settle the complaint at this stage. If the complaint concerns the Clerk and RFO, the Chair will respond and attempt to settle the complaint.
- This response to the complaint must be provided within 14 days of receipt of the original complaint.
- The complaint and attempts to resolve the complaint, will be reported to the next ordinary meeting of the Parish Council. The Parish Council will consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public.

### **Review Stage**

- Should the complainant not feel satisfied with the response to their complaint, they can request a review of the response to their complaint. This request must be received within 28 days of the date of the initial complaint.
- The grounds for the request to review should be set out clearly in any correspondence and can only relate to the following.

- The response to the complaint failed to address the complaint.
  - A failure by the Parish Council to adhere to the complaints policy and procedure.
  - That significant new evidence has come to light pertaining to the complaint, since the initial complaint was submitted.
- On receipt of a written request to review the response to the complaint, a panel of 3 councillors will be convened to consider the request to review. Panel members must not have been involved in the complaint to date.
  - A response to the complainant's request must be provided with 14 days of receipt of the request to review.
  - The outcome of the review of the complaint, will be reported to the next ordinary meeting of the Parish Council. The Parish Council will consider whether the circumstances attending any review warrant the matter being discussed in the absence of the press and public.

### **Final Stage**

- If following the review, a complainant remains dissatisfied with the outcome of the complaints process, they can approach the Local Government & Social Care Ombudsman.

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### **7.0 Vexatious Complaints**

- On occasions the Parish Council may receive complaints where the complainant displays unreasonable behaviour or becomes unreasonably persistent in their demands for information or contact with the Parish Council.
- Unreasonable behaviour does not mean that a complaint is not justified and the Parish Council will always do its best to pursue its open and fair approach to complaint management. But if this is deemed to not be working then the complaint will be handled in the following ways.
  - Declaring a complainant to be vexatious, abusive or an unreasonably persistent is not something to be undertaken lightly and it will only ever be undertaken by resolution of the Parish Council at a Parish Council meeting.
  - If a complainant is declared 'vexatious' the Parish Council will communicate in writing to the complainant with a clear explanation that sets out proposals on how they can approach the Parish Council on this issue and explain how the Parish Council will respond. Alternatively, the Parish Council will make clear that it no longer respond to the complainant and give the reasons for this course of action.

- If following this process, a complainant can approach the Local Government & Social Care Ombudsman and raise a complaint.

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