

Complaints Procedure



April 2018

COXHOE PARISH COUNCIL

COMPLAINTS PROCEDURE

This procedure covers complaints about the administration, procedures or services of the Council.

Complaints about individuals are a separate matter; complaints about an employee would be dealt with as an employment issue and complaints about a Councillor should be made to the Standards Board for England. Complaints against policy decisions made by the Council shall be referred back to Council (taking note of Standing Order 14).

Coxhoe Parish Council takes the views of local people seriously and need to be aware when there is dissatisfaction in the services which the Council delivers. The outcome of a complaint will assist the Council in reviewing and where necessary changing the way services are delivered.

Complaints shall be dealt with by the Complaints Committee, which shall be made up of 5 Members of the Council and convened as and when necessary. The complaints committee shall report its conclusions to the next Parish Council meeting following any hearing and any decision on a complaint shall be announced at the Council meeting in public.

Making a Complaint

- 1.** Complainants should make complaints about the Council's services, procedures or administration in writing to the Clerk. If the complainant prefers not to address the complaint to the Clerk (usually where the complaint relates to the Clerk), complaints should be sent to the Chair of the Council.
- 2.** Within five working days of receipt of a complaint, the Clerk (or Chair) shall acknowledge the receipt of the complaint in writing to the complainant and try to settle the complaint directly.
- 3.** Where the Clerk or Chair receives a written complaint about the Clerk's actions, this will always be referred to the Chair. The Clerk will be formally advised and will be given the opportunity to comment.
- 4.** The Clerk or other officer shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

5. Where a complaint cannot be settled directly, within seven working days of receipt of a complaint, a date shall be set for a complaints committee meeting and the complainant advised in writing of this date.
6. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
7. Not less than seven clear working days prior to the meeting, the complainant shall provide the Clerk/Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Clerk/Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting

8. The Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
9. The Chairman of the meeting shall introduce everyone.
10. The Chairman of the meeting shall explain the procedure.
11. The complainant (or their representative) shall outline the grounds for complaint.
12. The members of the committee may ask any question of the complainant.
13. If relevant, the Clerk or other officer shall explain the Council's position.
14. Members may ask any question of the Clerk or other officer.
15. The Clerk, or other officer and the complainant shall be offered the opportunity of last word (in this order).
16. The Clerk, or other officer and complainant shall be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties shall be invited back).
17. The Clerk, or other officer and the complainant shall return to hear the decision, or to be advised when decision shall be made.

18. A flowchart illustrating the process is supplied at Appendix 1.

After the Meeting

19. The decision shall be confirmed in writing within seven working days together with details of any action to be taken.

20. All records of complaints are to be kept by the Clerk, in accordance with the Council's Retention of Documents Policy.

Freedom of Information Complaints

21. If a complainant believes that information has not been released in accordance with the Freedom of Information Act, this should first be considered by the Council using its usual procedure and can then be referred to the Information Commissioner (see Appendix 2 for details) if the complainant is not satisfied.

Complaints regarding Data Protection

22. Complaints regarding data protection concerns should be made to the Clerk either by email or in a letter.

23. Depending on the nature of the complaint, the complainant may be asked to provide proof of identity.

24. A complaint will be dealt with during the 30 days following a validated complaint.

25. If the complainant is not satisfied with the conclusion or solution offered by Coxhoe Parish Council, the complainant can take the complaint directly to the Information Commissioner's Office (see Appendix 2 for details).

This Code of Practice for Handling Complaints was formally adopted by the Council at its meeting on 7th March 2018.

Signed:

(Chair)

Date:

Appendix 1

Flowchart process for complaints

Complaint received by Clerk/Chair in writing



Complaint acknowledged in writing attempting to settle complaint directly within five working days



Where complaint settled directly, details are reported to next Council meeting.

Where not settled directly, within seven working days of receipt, complainant is advised of a date set for a Complaints' Committee Meeting and is invited to attend



Not less than seven working days before the meeting, complainant to provide Clerk/Council with copies of documentation or other evidence and Clerk/Council to provide complainant with copies of documentation



Meeting held to decide outcome



Complainant is written to within seven working days to confirm the decision



If the complaint relates to Freedom of Information or data protection, the complainant if not satisfied can contact the Information Commissioner's Office.

Appendix 2

Contact details

Coxhoe Parish Council Clerk

Email address:

clerk@coxhoeparishcouncil.gov.uk

Postal address:

Parish Council Clerk

Coxhoe Village Hall

Front Street East

Coxhoe

Durham

DH6 4DB

Chair of Coxhoe Parish Council

Email address:

chair@coxhoeparishcouncil.gov.uk

Postal address:

Chair, Coxhoe Parish Council

Coxhoe Village Hall

Front Street East

Coxhoe

Durham

DH6 4DB

Information Commissioner's Office

Website address:

<https://ico.org.uk/concerns/>

Postal address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.