

Stanton Drew Parish Council Complaints Procedure

1. Introduction

Stanton Drew Parish Council (The Council) Complaints Procedure is intended to assist local residents to deal with complaints against actions of the Council's staff or its administration.

Councillors are volunteers committed to serving the community and working together to address local issues. The Council aims to operate in a way that is open, transparent and fair and to provide efficient and appropriate services to the community of Stanton Drew.

The Council welcomes constructive criticism and feedback, which helps us to improve our work. We encourage residents to engage in respectful and productive discussions at all times.

Complaints must always be directed through the Clerk or Chairman of the Council, not through other individual Councillors.

A Complainant may advise a Councillor of the details of the complaint, but individual Councillors are not authorised to resolve complaints

Stanton Drew Parish Council will not acknowledge or consider, under any circumstances, complaints that are submitted anonymously.

2. Informal Complaints handled by the Council Office

If a complaint is made to the Council either in person, by telephone, letter or email to the Clerk or the Chairman of the Council, on receipt of the complaint the Clerk, will ascertain the category of the complaint with reference to the complaint category detailed in Appendix 1.

If the complaint falls into category "B", "C", or "D" The Clerk will take the relevant action and The Chairman and Complainant will be informed.

If a complaint falls into category "A" The Clerk will try to resolve the complaint informally in a timely manner.

It is hoped that most complaints can be resolved quickly and amicably through this route.

If the Complainant is not satisfied by the response / actions taken then The Clerk will discuss the complaint with The Chairman and at least 1 other Councillor, they will continue to try and resolve the complaint.

In the event that the informal process does not satisfy a member of the public, Stanton Drew Parish Council has a formal complaints procedure that should be followed.

3. Formal Complaints handled by the Parish Council

If a Complainant is not satisfied by the informal actions taken, or wish to make a direct formal complaint, they should submit their formal complaint in writing addressed to the Clerk or Chairman of the Parish Council as appropriate.

The complaint should clearly outline their complaint and provide as much detail as possible, including dates and supporting documentation where relevant.

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If a formal complaint is submitted:

- a. The Clerk or Chairman of the Parish Council will acknowledge receipt of the complaint, in writing, within 10 working days.
- b. The Clerk, in consultation with the Chairman of the Parish Council, will ascertain the category of the complaint and take the relevant action with reference to the complaint category detailed in Appendix 1. The Complainant will be informed of which category the complaint falls under and the action required.
- c. If the formal complaint falls under category "A" (see Appendix 1), the Clerk or Chairman of the Parish Council will arrange to include the complaint on a council agenda (the Procedure in Appendix 2 will be followed at the meeting). They will advise the Complainant when the matter will be considered, giving at least 14 working days notice of the meeting.
- d. The Complainant will be advised that the complaint will be treated as confidential regarding the Agenda notice and advised whether the circumstances of the complaint warrant the exclusion of the public and press from the Council meeting.
- e. The Complainant will be invited to attend the Council Meeting. Only the Complainant will be allowed to address the meeting.
- f. The Clerk or Chairman of the Parish Council will ensure that all Councillors have details of the complaint and a brief summary of any previous attempts of resolution. Note that these details will exclude the names of the complainants and any Council staff involved.

4. Repeated or Vexatious Complaints

A small percentage of complaints may be persistent or complain in a way that appears to be obsessive, harassing or repetitious.

Whilst everyone has the right to make a legitimate complaint, they are not entitled to do so in a way that is unreasonable, or which has the effect of intimidating or harassing staff.

5. Document Review

This procedure shall be reviewed as needed by the Parish Council or on an annual basis.

Appendix 1 - Complaint Category

	Complaint Category	Action
A	Operational Complaint	Category A complaints are “expressions of dissatisfaction by one or more members of the public about the Council’s action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body action on behalf of the Council”. These will be heard by the Complaints Committee established by the Council which has delegated authority to deal with complaints on its behalf.
B	Member conduct	A complaint against an individual Councillor is not covered by this Complaints Policy. If anyone wishes to make a complaint about the behaviour of an individual Councillor, they must write to the Monitoring Officer at Bath and North East Somerset Council. The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. The Monitoring Officer will not deal with complaints about matters that are not covered by the Councillors Code of Conduct, complaints that are about people employed by the Parish Council, incidents that happened before a member was elected or chose to serve on the Council, incidents that happened before the authority adopted its Code of Conduct, the way an Council conducts or records its meetings, the way the Council has or has not done something, a decision of the Council or one of the services it provides.
C	Employee conduct	This would be dealt with as a disciplinary procedure. A complaint against a member of the Council’s staff could result in disciplinary action or in cases of gross misconduct, dismissal from the Council’s employment. The Council, will not under any circumstances, enter into any correspondence or discussion with any complainant about any action taken, formally or informally against any member of staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.
D	Criminal activity	The Clerk should refer the Complainant to the Police.

Appendix 2 - Formal Procedure - Category A

Who will be at the meeting?

- a. The Members of the Parish Council.
- b. The Clerk to the Council or a suitably appointed substitute.
- c. The Complainant who may be accompanied by one other person for support as set out above.
- d. Members of the public if the meeting is not deemed confidential (see 3(d) above).

At the meeting

- a. At the appropriate item on the agenda The Chairman or their substitute will confirm whether the circumstances of the meeting warrant the exclusion of the public and press.
- b. The Chairman or their substitute will introduce everyone and explain the procedure:
 - i. The Complainant should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk, Chairman and/or Members.
 - ii. The Chairman or their substitute will have an opportunity to explain the Council's position and questions may be asked by the Complainant and Members.
 - iii. The Chairman or their substitute, and then the Complainant should be offered the opportunity to summarise their position.
 - iv. The Clerk and the Complainant and any person attending in support of the Complainant and all members of public (if it is an open meeting) will be asked to leave the room (they will be given the opportunity to wait for the decision) while Members decide whether or not the grounds for the complaint have been made.
 - v. All parties will reconvene for the decision.

After the meeting

The decision should be confirmed in writing within 10 working days together with details of any action to be taken.

Right of Appeal

The Council's decision is final.