

STALMINE WITH STAYNALL PARISH COUNCIL

Complaints Procedure

1. This Policy sets out procedures for dealing with any complaints that anyone may have about Stalmine with Staynall Parish Council's **administration and procedures**. It applies to Stalmine with Staynall Parish Council's employees. Councillors are covered by Code of Conduct adopted by Stalmine with Staynall Parish Council on 16 July 2012 and subject, therefore, to separate procedures.

The Importance of Complaints

2. 2.1 Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.
2.2 It is essential that complaints are dealt with positively. The Parish Council is anxious to hear people's comments and is committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

Definition of A Complaint

3. 3.1 A complaint is *an expression of dissatisfaction, about the standard of service, actions or lack of action by the Parish Council or its staff which affects an individual, customer, or group of customers.*

3.2 What the complaints procedure will deal with:

The complaints procedure will deal with matters of maladministration, which is if the Parish Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice or conduct.

3.3 What the complaints procedure will not deal with:

- complaints for which there is a legal remedy or where legal proceedings already exist.
- complaints about employment matters - the Parish Council operates alternative procedures to deal with grievances or disciplinary matters against staff.

4. Complaints against **policy decisions** made by the Council shall be referred back to Council [but note paragraph 7(a) of the Council's Standing Orders which says that issues shall not be re-opened for six months].
5. A complaint within the scope of this procedure should not be made verbally to a Councillor or to the Clerk of the Council. The complainant is asked to put the complaint in writing to the Clerk to the Council. If the complaint relates to the Clerk to

the Council the complainant is asked to put the complaint in writing to the Chair. Details of the clerks/chair email addresses can be found on the council's website.

6. On receipt of a written complaint the Chair or the Clerk to the Council (*except where the complaint is about his or her own actions*), shall try to settle the complaint directly with the complainant. This shall not be done without first giving the person against whom the complaint has been made the opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.
7. The Clerk to the Council or the Chair shall report to the next meeting of the Council any written complaint dealt with by direct action with the complainant.
8. The Clerk to the Council or the Chair shall bring any written complaint that has not been settled to the next meeting of the Council. The Clerk to the Council shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint to the meeting. However, this opportunity will not be given if the matter relates to an ongoing or potential disciplinary or grievance matter where it is likely to prejudice the employee's right a fair hearing.
9. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
10. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.
11. A Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.