

# Policy

## Complaints Policy

This Procedure is a document that sets out the organization's approved and agreed practices. Any deviation must be discussed with the originating author.

<b>DOCUMENT NO:</b>	PCD016		
<b>Lead author(s):</b>	Cllr A Catlett		
<b>Developed by:</b>	Cllr. T Cassidy Cllr. K Locke Cllr. A Catlett		
<b>Approved by:</b>	Full Council		
<b>Ratified by</b>	Full Council		
<b>Ratification date:</b>	11 May 26		
<b>Due Review date:</b>	May 2027 (annual Meeting)		
<b>Version no:</b>	7		
<b>Version Control and Revisions:</b>			
1	First Published		March 2016
Version	Point	Description of change	Date
2	All	Review and format change	March 2021
3	All	Annual Review. No changes	August 2022
4		Annual Review. No changes	May 23
5		Annual Review. No changes	May 24
6	Parsa 5-9	Minor changes to paras 5, 6 & 7 in line with Oct 24 NALC model. Old paras 8 and 9 removed.	May 25
7		Annual review. No changes	May 26

### **THIS IS A CONTROLLED DOCUMENT**

Whilst this document may be printed, the electronic version maintained on the Billingham Parish Council website is the controlled copy. Any printed copies of this document are not controlled.

© Billingham Parish Council. Not to be reproduced without written permission.

## 1. DOCUMENT CONTROL SHEET

<b>Purpose of document:</b>	This document sets out the Billingham Parish Councils approach to the handling of complaints.
<b>Dissemination:</b>	This policy will be disseminated to all staff and council members and be made available on the parish website
<b>Implementation:</b>	This document will be accessible via the parish council website and is applicable to all staff and council members.
<b>Review:</b>	This document will be reviewed in 2027 at the Annual Meeting unless there are significant changes in legislation or practice in which case it will be reviewed earlier.
<b>Documents replaced or superseded by this document:</b>	
<b>This document supports (enter Standards and Legislation):</b>	Local Government Ombudsman (LGO) 'Principles of Good Complaints Handling'
<b>Key related documents:</b>	Whistleblowing Policy PCD014 Confidential Reporting Policy PCD015
<b>Financial Implications:</b>	This document has no financial implications for the Billingham Parish Council.
<b>Key word search</b>	Complaints

## **2. TABLE OF CONTENTS**

<b>1. DOCUMENT CONTROL SHEET</b>	<b>2</b>
<b>2. TABLE OF CONTENTS</b>	<b>3</b>
<b>3. INTRODUCTION</b>	<b>3</b>
<b>4. DUTIES OF THE PARISH CLERK</b>	<b>4</b>
<b>5. PRIOR TO MEETING WHERE ANY COMPLAINT IS TO BE HEARD</b>	<b>4</b>
<b>6. AT THE MEETING</b>	<b>5</b>
<b>7. AFTER THE MEETING</b>	<b>5</b>

## **3. INTRODUCTION**

a. This policy describes how Billingham Parish Council (hereafter referred to as 'the Council') will respond to complaints. The policy advocates adherence to the principles of good complaint handling as defined by the Local Government Ombudsman:

- i. Getting it right.
- ii. Being customer focused.
- iii. Being open and accountable.
- iv. Acting fairly and proportionately.
- v. Putting things right.
- vi. Seeking continuous improvement

b. A complaint under this policy could be in relation to any of the following examples:

- i. There has been a significant delay in providing a service.
- ii. A mistake has been made in the way a service has been provided.
- iii. There has been a failure in the delivery of a service; this could relate to the quality, standard or service level.
- iv. The Council has considered to not have listened properly.
- v. The council processes or policies have not been followed.
- vi. The Council's legal or regulatory obligations have not been met.
- vii. The council has not delivered against a commitment or promise.
- viii. The council staff have not been helpful or have not conducted themselves correctly.

c. It will not be appropriate to deal with all complaints from members of the public under a complaint's procedure. The Council will need to refer or use procedures / bodies in respect of the following types of complaint:

i. Individual member's conduct alleged to breach the Code of Conduct adopted by the Council. The relevant principal authority Monitoring Officer should be contacted; the district council has responsibility for such matters

ii. Alleged financial irregularity. Local electors have a statutory right to object to a Council's audit of accounts (Audit Commission Act 1998 s.16)

iii. Alleged criminal activity. These complaints should be made direct to the Police

d. A member of the public may also consider a criticism about a service (e.g. an untidy park area or unclean public toilet) or a fee (e.g. the level of charge for an allotment) to be a complaint, but these do not fall within the formal complaints procedure unless the Council has acted improperly and should be treated as normal service requests.

#### **4. DUTIES OF THE PARISH CLERK (AS RESPONSIBLE OFFICER OF THE COUNCIL)**

a. The Parish Clerk has overall responsibility for the maintenance and operation of this policy and will maintain a record of complaints raised and the outcomes (but in a form which does not endanger individual confidentiality) and will report as necessary to the Council.

#### **5. PRIOR TO MEETING WHERE ANY COMPLAINT IS TO BE HEARD**

a. Any complaint about the Council's procedures or administration should be made in writing to the Parish Clerk (see website for details).

b. If the complainant does not wish to make the complaint via the Parish Clerk, it should be addressed to the Chairman of the Council.

c. The Clerk / Chair will acknowledge receipt of the complaint and advise when the matter will be considered either by the council or a nominated Committee working on behalf of the Council.

d. Please be aware that any complaint will be treated as confidential, and that the council is obliged to comply with its duties under the Data Protection Act 2018 at all times to safeguard against the unlawful disclosure of personal data.

e. The complainant will be invited to attend the meeting at which the complaint will be considered and be offered the opportunity to be accompanied by a representative, if required.

f. Seven clear working days prior to the meeting, the complainant is required to provide the Council with copies of any documentation or other items on which the complaint is based.

g. The Council shall provide the complainant with copies of any documentation upon which it wishes to rely on at the meeting and shall do so promptly, allowing the opportunity to read the material in good time for the meeting.

## **6. AT THE MEETING**

a. The Council / Committee shall exclude the public and press whilst discussion of the matter takes place. Any decision on a complaint shall subsequently be announced at a meeting in public, whilst taking into account any duties to safeguard personal data as under 5d above.

b. The Chairman will introduce everyone at the meeting and explain the procedure to be followed.

c. The complainant will be asked to outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and (ii) members of the Council.

d. The Clerk will then have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and then (ii) members of the Council.

e. The complainant will be offered the opportunity to summarise their position.

f. The Clerk will be offered the opportunity to summarise the position on behalf of the Council.

g. The Clerk and complainant will both 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.

h. The complainant will be given the opportunity to await the outcome but if a decision is unlikely to be finalised quickly will be advised when a decision is likely to be made and the arrangements in place to communicate the decision to them.

## **7. AFTER THE MEETING**

a. Any decision will be confirmed to the complainant within seven working days, together with details of any further action to be taken.

b. The Council's decision on the matter will be final, and no further appeal process will be offered.