Kingston St Mary Parish Council

Complaints Policy

INTRODUCTION

The aim of this Policy is to ensure that Kingston St Mary Parish Council adopts a reasonable, accessible and transparent process for dealing with complaints.

A complaint is an expression of dissatisfaction by one or more members of the public about the Parish 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 Parish Council itself or a person or body acting on behalf of the Parish Council.

Kingston St Mary Parish Council will do its utmost to settle complaints and satisfy complainants that any grievance has been properly and fully considered in the interest of the good reputation of the Parish Council.

Complaints should be made in writing to the Parish Clerk, except for complaints about the Parish Clerk, in which case the Chair takes the place of the Parish Clerk in managing the process. Anonymous complaints will be disregarded.

As the Local Government Ombudsman does not consider complaints in respect of Parish Councils, the decision of the Parish Council is final with no appeal process. However, in certain circumstances bodies/procedures other than the Parish Council may be appropriate in respect of the following types of complaint.

Type of Complaint	Complain to
Financial Irregularity	Complaints about financial irregularity should be referred to the Parish Council's auditor, whose name and address can be obtained from the Parish Clerk.
Criminal Activity	Police.
Member Conduct	A complaint relating to a Member's failure to comply with the Code of Conduct should be submitted to the Monitoring Officer of Somerset West & Taunton District Council PO Box 866 Taunton, TA1 9GS. Telephone 0300 304 8000
Employee Conduct	Internal disciplinary procedure.

INFORMAL COMPLAINTS PROCEDURE

It is not appropriate to deal with all complaints from members of the public under the formal complaints procedure. It is hoped that less formal measures or explanations provided to the complainant by the Parish Clerk/Chair, will resolve most issues raised by a member of the public. All informal complaints will be reported to the Parish Council for information.

If the complaint cannot be resolved informally, the Parish Clerk/Chair will instigate the Formal Complaints Procedure.

FORMAL COMPLAINTS PROCEDURE

The Parish Clerk/Chair will advise the complainant when the matter will be considered by the Complaints Committee of three Parish Councillors, established for the purpose of hearing complaints. The Parish Clerk should normally represent the Parish Council through the proceedings but a nominated Parish Councillor may act instead.

Before the Meeting:

- The complainant should put their complaint in writing to the Parish Clerk or to the Chair of the Parish Council. Assistance will be given to the claimant if necessary.
- The complainant will be advised when the matter will be considered and a copy of this procedure will be given to them.
- The complainant will be invited to attend a meeting with a representative if they wish.
- Not later than seven clear working days prior to the meeting, the complainant and the Parish Council will exchange copies of any documentation or other evidence to be relied on.

At the Meeting:

- The Chair of the meeting will introduce everyone and explain the procedure.
- The complainant (or their representative) will outline the grounds for the complaint before any questions from the Parish Clerk and members of the Complaints Committee.
- The Parish Clerk will explain the Parish Council's position before any questions from the complainant and members of the Complaints Committee.
- The complainant and the Parish Clerk will then summarise their position, before leaving the room while the Complaints Committee members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties will be invited back.
- The Parish Clerk and the complainant will be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they will be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting:

- The decision will be confirmed in writing within seven working days together with details of any action to be taken. The complainant will be advised that they have the right to appeal against the decision to the Parish Council, excluding the members of the Complaints Committee.
- The result of the proceedings will be reported at the next Parish Council meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately respected.

APPEALS

Should the complainant not agree with the decision of the Complaints Committee, they are entitled to appeal the decision to the Parish Council within fourteen days of receipt of the result of the proceedings.

The Parish Councillors nominated to handle the appeal should, within twenty-one days of receiving the appeal, examine the way in which the Complaints Committee dealt with the complaint. If procedures were correctly handled then the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly it must be referred back to the Parish Council for consideration.

The appellant will be notified of the result of the appeals process within fourteen days.

UNREASONABLE, HABITUAL AND VEXATIOUS COMPLAINTS

There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Parish Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should, or has been taken.

These matters will be referred to the Parish Council by the Parish Clerk with a summary of the issues and the attempts made to resolve the complaint. The Parish Council may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and inform the complainant so, making it clear that only new and substantive issues will merit a response.

The Parish Council may have to initiate further action, if the complainant behaves in ways which can: impede the investigation of the complaint; have significant resource implications; hinder the complaints process for others; be offensive, abusive or threatening.