

# WELBOURN PARISH COUNCIL

## COMPLAINTS PROCEDURE POLICY

Adopted by Welbourn Parish Council at the Parish Council meeting on 8<sup>th</sup> November 2017

Next review 2018

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## COMPLAINTS PROCEDURE POLICY

The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Dissatisfaction may be expressed concerning Council's action, lack of action or standard of service, whether the action/service was undertaken by the Parish Council or a person or organisation acting on behalf of the Council.

Complaints about a policy decision made by the Council will be referred to the Council for consideration.

**This procedure does not cover complaints about any member of the Parish Council who has allegedly failed to comply with Council's code of conduct. Any such complaints should be directed to, The Monitoring Officer, North Kesteven District Council.**

1. The complainant will be asked to put the complaint in writing (letter/e-mail) to the Clerk to the Council.
2. Receipt of the complaint will be acknowledged advising that every effort will be made for the complaint to be dealt within 28 days of receipt. The complainant will be asked if he/she wishes the complaint to be treated confidentially. [Even if confidentiality is waived, Council will still comply with its obligations under the Data Protection Act 1998 relating to unlawful disclosure of personal data].
3. If the complainant prefers not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) he or she will be advised to write to the Chairman.
4. On receipt of a written complaint, the Clerk to the Council (except where the complaint is about his or her own actions) or Chair of Council (if the complaint relates to the Clerk), will seek to settle the complaint on an informal basis directly with the complainant. This will not be done without first notifying any person complained about and giving him/her the opportunity to comment].

Efforts will be made to resolve the complaint at this stage.

5. The Clerk to the Council (or Chair) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
6. The Clerk to the Council (or Chair) will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered, and the complainant will be offered an opportunity to explain the complaint to the Council (or appropriate committee) verbally. The complainant will be provided with a full explanation of

how the meeting will proceed. [The complainant may be accompanied by a relative/friend to provide support during the meeting].

7. The Council will consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public (See note 2. above)
8. If the complaint seeks redress for injury or damage or financial loss the Council should notify its insurers immediately. The Council must take instruction from its insurers on how to respond to such a complaint and comply with that advice.
9. As soon as possible after the decision has been made (and in any event not later than 7 days after the meeting) the complainant will be notified in writing of the decision, the reasoning behind the decision and any action to be taken.
10. The Council may defer dealing with any complaint if it believes issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received.

#### UNREASONABLE OR VEXATIOUS COMPLAINTS

11. Where a complainant persists in wishing to proceed when the complaint clearly has no reasonable basis or when the council has already taken account of the complaint and responded, the Council may decide that no further action can usefully be taken and will inform the complainant to that effect, making it clear that only new and substantive issues will merit a response.

Where the council considers the complaint is vexatious it may refuse to deal with the complaint, stating the reasons for the refusal. A vexatious complaint may be perceived when it forms a part of a series of complaints about minor matters generally directed at members of the council or its officer in such a manner as to be considered unreasonable. The council may take into account an abusive, verbally aggressive, harassing, threatening or bullying manner or any combination of these

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