

# **Lockton Parish Council**

## **Complaints Policy and Procedure**

Lockton Parish Council has a positive approach to reporting and managing complaints that might arise during the discharge of its duties. In order to manage these effectively the Council has established a rigorous system to manage and learn from all complaints it receives in order to minimise the risk of such complaints occurring again.

### **Scope**

This policy applies to all Councillors, full-time, part-time and zero hour contracted employees, volunteers and contracted third party organisations.

### **Policy Statement**

The Council will:

- seek to minimise all complaints by Councillors, staff, volunteers and contractors acting appropriately, politely and responsively at all times;
- give due prominence to the complaints in its written materials;
- respond to any complaint promptly, accurately and courteously; and
- endeavour to identify learning points from complaints so that the level, relevance and/or quality of services can be improved.

### **Definition and Explanation of Terms**

For the purposes of this policy, a complaint is an expression of dissatisfaction by someone other than a Councillor, member of staff or volunteer about:

- a service provided or contracted by the Council;
- an activity organised, or supported, by the Council; or
- an action by the Council, a Councillor or a member of staff or volunteer when dealing with parishioners, contractors, other statutory and voluntary bodies, stakeholders and/or the general public.

Councillors, staff or volunteers wishing to express any dissatisfaction along these lines should first speak to the Chair of the Council or, if the dissatisfaction is with the Chair, the Vice Chair.

### **Responsibilities**

All complaints should be sent to the Parish Council Clerk who will discuss with the Parish Council Chair who should deal with it, except for complaints about the Clerk which should be sent to the Chair.

## **Dealing with a Complaint**

### **Prevention**

Any issue that emerges about the way in which the Council undertakes any activity must be addressed immediately by the Councillor, member of staff or volunteer on the spot and, if appropriate, the incident reported in the normal way. By proper risk management and appropriate immediate action, the number and/or severity of complaints can be minimised but the learning points can still be identified and used for the improvement of the Council's activities.

### **Verbal Complaint**

Any verbal complaint should be dealt with on the spot by the Councillor, member of staff or volunteer to whom the complaint is made or, if that person cannot deal with it adequately, it should be referred to the Council Chair or Clerk, as above, from when it will be treated as a written complaint.

Once the matter has been satisfactorily resolved the complaint and any subsequent explanation and/or action should be recorded and sent to the Clerk to be noted in the complaints log and filed.

If the complaint cannot be resolved there and then and becomes a written complaint, the person to whom the complaint was made should make a written note of the complaint and, if possible, get the complainant to countersign the complaint as being accurate before sending it to the Chair or Clerk.

### **Written Complaint**

On receipt of a written complaint, including a verbal complaint now being treated as such, the Chair or Clerk will:

- enter the complaint in the Council's complaints log;
- send a written acknowledgement of the complaint by first class post within a week of receiving it; and
- initiate an investigation of the complaint by at least two members of the Council (at least one of whom will be a Councillor).

The person dealing with the complaint will:

- keep contemporaneous notes of the investigation;
- invite the complainant to a meeting at which s/he is afforded the opportunity to make verbal representations about their complaint. At least a week's notice should be given of such a meeting and the complainant informed that any new information or evidence should be submitted to the person hearing the complaint at least two days before the date of the meeting. The complainant may be accompanied by a

friend at the meeting for support. If the complainant declines the invitation to such a meeting, the complaint should be considered as it was submitted in writing;

- conduct any further inquiries as they think fit;
- respond to the complaint in writing and, additionally and if it would assist the complainant to better understand the outcome of the investigation, meet with him/her and provide an additional verbal response. This response should also inform the complainant of how s/he may appeal against the outcome of the complaint should s/he so wish; and
- note the outcome of the complaint in the complaints log and file with that log the original complaint, a copy of the acknowledgement, the notes of the investigation, a copy of any holding letter(s) sent, a copy of the final response and, if appropriate, notes of any subsequent meeting with the complainant.

If a complaint has not been resolved within a month of its receipt, the investigating manager should inform the Chair or Clerk who will review progress and, if appropriate appoint a different investigating person.

### **Timescale**

The following timetable for dealing with complaints should be adhered to:

- complainants should receive a written acknowledgement within a week of the receipt of the complaint unless a full reply can be sent within a fortnight; and
- a full response is made within a month of the receipt of the complaint or, if the enquiry into the complaint has not been completed, a holding letter explaining the reason for the delay is sent after a month and a full reply is sent within 5 days of a conclusion being reached.

### **Appeals**

In the response to a complaint, complainants should be informed that they have a fortnight from the date of that letter to appeal against the way in which the complaint was handled and/or the outcome of the complaint, and that they should do so in writing to the Chair or Clerk, as appropriate. In so doing, they should provide details of the grounds for the appeal.

The Chair or Clerk will initiate consideration of any appeals by at least two members of the Council (at least one of whom will be a Councillor).

Receipt of an appeal will be recorded in the complaints log alongside the original entry and an acknowledgement sent by first class post within a week of its receipt.

In considering the appeal, the persons so doing will review the documentation for the complaint and, as they think fit, interview the person who considered the complaint and/or conduct any further inquiries as they think fit.

A response will normally be sent to the appellant within a month of its receipt. If that is not possible, a holding letter will be sent every two weeks until a full reply can be dispatched.

Whilst written responses must always be given, the opportunity to meet with the complainant and explain the outcome of an appeal face-to-face may be in some circumstances appropriate and should be offered.

The outcome of the appeal should be noted in the complaints log and copies of all correspondence and notes filed along with the complaint documentation.

### **Councillor, Staff and/or Volunteer Disciplinary Procedures**

If, at any time during the course of an investigation into a complaint or an appeal against an outcome of a complaint, the possibility of internal action against a Councillor, member of staff or volunteer becomes apparent, the complaints/appeals procedure should be suspended until those aspects have been finalised in accordance with the appropriate Council procedures. This is to ensure that any consequent procedure is not prejudiced in any way and so protect the Council and the individuals involved. In those circumstances, the complainant/appellant will be informed that the investigation into the complaint/appeal is in abeyance pending the conclusion of such action; thereafter, the normal timetable for dealing with complaints/appeals will be used. Individuals who have been the subject of a complaint for which there was no ensuing action will be informed of the outcome of the investigation and the nature of the response to the complainant.

### **Reporting Arrangements**

The possibility of internal action against a Councillor, member of staff or volunteer necessarily precludes the discussion of any complaint until it has been resolved by the Council at any its meetings. However, the Council will periodically review all complaints received and resolved and consider any further action that need to be taken, including training.