

Stradbroke Parish Council

Complaints Procedure

This Complaints Procedure applies to complaints about council administration and procedure.

The Complaints Procedure **does not** apply to:

A. Complaints about a Parish Councillor

Complaints that refer to individual Councillors, in relation to their conduct, will be handled by Mid Suffolk District Council's Standards Committee and should be addressed to them at <https://www.babergh.gov.uk/the-council/making-a-complaint-about-a-councillor/> or by post to:

The Monitoring Officer
Mid Suffolk District Council
Endeavour House, 8 Russell Road
Ipswich
Suffolk IP21 2BX

B. Complaints about an employee of the Parish Council

Any complaint about an employee of the Council should be sent in writing to the Chairman of the Personnel Committee and marked "CONFIDENTIAL" to:

The Chairman – Personnel Committee
Stradbroke Parish Council
c/o Mill Hill House
Church Lane
Wickham Skeith
Suffolk IP23 8NA

C. Complaints of financial irregularity – complaints will be forwarded to the Council's internal auditor

D. The Complaints Procedure is not a means of redress for members of staff; these matters are dealt with under the Council's disciplinary and grievance procedures.

Complaints Procedure

1. Introduction

1.1. Stradbroke Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about any action or lack of action by this council, this procedure sets out how you may complain to the Council and how the Council shall try to resolve your complaint.

1.2. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There is also an opportunity to raise your concerns in the public forum section of full Council and Committee meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

1.3. The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

1.4. Resolution and Remedies

The aim in dealing with all complaints is to reach a resolution or remedy that satisfies the complainant, whether it is the remedy they were originally seeking or not. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy.

2. Definition of a Complaint

2.1. A complaint is *any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Parish Council or its staff which affects an individual or group.*

2.2. 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:

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

2.3. What the complaints procedure will not deal with: -

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

3. Equal Opportunities

- 3.1. The Parish Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 3.2. Complaints by members of the public of discrimination and/or harassment against the Parish Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

4. Complaints Officer

- 4.1. The Complaints Officer for the Parish Council is the Clerk. Their main duties are:
 - (i) The day to day operation and management of the procedure, including providing a reference point for staff queries on informal complaints.
 - (ii) To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
 - (iii) To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
 - (iv) To identify improvement points arising from any complaints.
 - (v) To identify staff training issues.

5. Informal Complaints

During the course of daily business, minor complaints are made to the Clerk about the services the Council provides. These will usually be dealt with at the time as appropriate. It is not appropriate for every comment to be treated as a formal complaint. Every effort will be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

6. Formal Complaints - Stages of The Procedure

6.1. All formal complaints against the Council must be communicated in writing using the contact information in [section 10](#); this includes any complaint from someone unsatisfied with the outcome of an informal complaint who may wish to take the matter further. The complainant must clearly stipulate that they are submitting a formal complaint.

6.2. Receipt of Complaint

- 6.2.1. The complainant will be asked at the outset to confirm if they want the complaint to be treated confidentially.
- 6.2.2. Receipt of a complaint will be acknowledged in writing within 14 working days, indicating the following information:
 - Who will be dealing with the complaint

- The timeframe for investigating the complaint
- Whether there will be an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur.
- The timeframe for determining the complaint
- Whether there is an opportunity to appeal the outcome of the complaint and an explanation of the appeal process
- Whether the complaint will be treated as confidential
- Confirm the next step in the complaints procedure.

6.3. Investigating the complaint

- 6.3.1. The Clerk will investigate the facts of the complaint and collate relevant evidence.
- 6.3.2. The complainant may request a meeting with a panel of Councillors at this point.
- 6.3.3. If no meeting is requested then the Clerk will notify the complainant within 20 working days of the outcome of their complaint and or what action (if any) the Council proposes to take as a result. (In exceptional circumstances the 20 working days timescale may have to be extended. If it is, the complainant will be kept informed).
- 6.3.4. If the complainant is not satisfied with the response, they will be advised of their right to have the complaint referred to a Councillors' Panel.

6.4. Councillors' Panel

- 6.4.1. The panel will consist of the Chairman of the Council, and two other Councillors appointed by the Council who have not had previous involvement with the complaint or are referred to in the complaint. The Clerk will serve as note taker for the meeting.
- 6.4.2. The panel will be convened within 14 working days.
- 6.4.3. Meeting with the complainant:
 - a. The complainant may bring a friend to any meeting.
 - b. The complainant shall provide the Clerk with any new information or other evidence relevant to the complaint.
 - c. The Clerk will also provide any new information or other evidence relevant to the complainant.
 - d. The Clerk will explain to the complainant how the meeting will proceed.
 - e. The complainant should outline the grounds for complaint and thereafter questions may be asked by the Clerk.
 - f. The Clerk will have the opportunity to explain the Council's position and questions may be asked by the complainant.
 - g. The complainant and the Council will be offered the opportunity to summarise their position.
 - h. The complainant will be advised when a decision about the complaint is likely to be made and when this will be communicated to them.
- 6.4.4. The outcome of the Panel will be issued 14 workings after the hearing, this will include any action that is proposed to be taken.
- 6.4.5. The outcome of all formal complaints dealt with by the panel will be advised to the Council.

7. Appeal

- 7.1. If the complainant is dissatisfied with the response to their complaint, they may ask for the complaint to be referred to the Full Council for a review.
- 7.2. The complainant will be notified of the outcome of the review within eight weeks.
- 7.3. The outcome of this review will be final and there will be no further appeal available.

8. Unreasonable and Vexatious Complaints

The Parish Council has an adopted policy for dealing with unreasonable or vexatious complaints.

9. Anonymous Complaints

Anonymous complaints should be referred to the Parish Clerk, and may be acted on at their discretion, according to the type and seriousness of the allegation.

10. Contact Information

Postal: Stradbroke Parish Council
Mill Hill House
Church Lane
Wickham Skeith
Suffolk IP23 8NA

Email: clerk@stradbrokepc.org