

Stoughton Parish Council



Complaints Procedure

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

It will not be appropriate to deal with all complaints from members of the public under this complaint's procedure. Certain other bodies may have responsibility for dealing with a particular case.

Appropriate use of this complaint's procedure

Type of conduct	Refer to
Alleged Financial Irregularity	Local elector's statutory right to object to a Council's audit of accounts (s.16 Audit Commission Act 1998)
Alleged Criminal Activity	The Police
Members' conduct alleged to breach the Code of Conduct adopted by the Council	A complaint relating to failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at Harborough District Council. (H.D.C.)

Procedure

The procedure set out in the attached appendix applies to complaints made against the Council as a body corporate it is not appropriate for use where a complaint is made against an individual. The attached procedure is designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or Chairman.

A complaint against the Council which involves a complaint about the conduct of its employees will be handled according to this Complaints Procedure. If, following the outcome of the complaint, the Council decides that there may be a need to take disciplinary action, this will be carried out in accordance with the Council's internal disciplinary procedure.

In certain circumstances it may be necessary for the Council to notify its insurers of a complaint and any such complaint will be dealt with according to the advice received.

The Parish Council has adopted a standard, formal procedure for considering complaints either made by complainants directly or which have been referred to the Council from other bodies. This procedure ensures that a complainant feels satisfied that their grievance has been properly and fully considered. A complaint may be processed by the Council exclusively through written communications. Where appropriate the Council may decide to invite the Complainant to make representations verbally at a meeting.

Confidentiality

All complaints will be treated in strict confidence and the Council will always comply with its obligations under the Data Protection Act 2018 (and as amended) to safeguard against the unlawful disclosure of personal information.

Timing Objectives

Acknowledgement of receipt of a complaint will be made within 7 days. The Council will endeavour to deal with a complaint from receipt to resolution within a twelve-week time frame. Clearly, some flexibility is required to deal with lengthier and more complex complaints and/or those that require referral where timing is not solely in the hands of the Council.

Considerations

Stoughton Parish Council will consider whether: - action taken by or on its behalf in the exercise of its functions amounts to, or may amount to, maladministration, and a person has been, or may have been, adversely affected by that action.

APPENDIX – COMPLAINTS PROCEDURE

Submitting a Complaint

1. The Complainant should put any complaint in writing to the Clerk and send it to:

Clerk to the Council, 22 Rockingham Road, Mountsorrel, Leicestershire LE12 7UJ

or by email to clerk@stoughtonpc.org.uk

2. If the complaint relates to the Clerk, the Complainant should address the complaint to:

Chairman of the Council, 3 The Byways, Stoughton, Leicester LE2 2FL

It should be marked “Private and Confidential” or by email direct to the Chairman, as listed on the website.

3. The Clerk or Chairman shall acknowledge receipt of the complaint and the Complainant will be kept fully informed as to its progress.

Investigating the Complaint

4. The Clerk, Chairman or appropriate Members of the Working Group established to deal with the complaint will investigate the facts of the complaint and collate relevant evidence. Any new, relevant information should be exchanged between the Council and the Complainant during this period.

Should the Council decide to offer a meeting the following will apply:

Meetings with the Complainant (where applicable)

5. The Complainant shall be invited to attend a meeting with the Clerk, Chairman and appropriate Members of the Working Group. The Complainant may bring a representative if they wish.

6. Seven clear working days prior to the meeting, the Complainant shall provide the Council with copies of any new information or other evidence relevant to the complaint. The Council shall also provide the Complainant with copies of any new information or other evidence relevant to the complaint.

7. The Chairman of the meeting should introduce everyone and explain how the meeting will proceed.

8. The Complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk, the Chairman or other Members of the Working Group.

9. The Clerk will have an opportunity to explain the Council’s position and questions may be asked by the Complainant (or representative).

10. The Clerk and the Complainant (or representative) should be offered the opportunity to summarise their respective position.

11. The Clerk and the Complainant (and representative) should be asked to leave the room while Members decide whether the complaint should be upheld. If a point of clarification is necessary, both parties shall be invited back.

12. Should a decision be unlikely to be finalised at the meeting, the Complainant should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the complaint has been decided

13. Conclusions will be confirmed in writing within seven working days of the decision together with details of any action to be taken.

14. The Right of Appeal is open to all complainants and must be exercised within 10 working days of notification of the decision. Appeals will be dealt with independently of the original procedure.