

CHIEVELEY PARISH COUNCIL
Complaints Guidance, Policy and Procedure for
Parish Council Procedures, Administration and Decision Making

Adopted: 13 October 2015

Chieveley Parish Council is committed to providing its services efficiently and to as high a standard as possible. However, we do encourage individuals to bring shortcomings to our notice so that we may:-

- have the opportunity to resolve your issue
- learn from our mistakes so that they may be prevented in future
- review policies and procedures where necessary

We take all complaints very seriously and it will depend on the type of complaint as to how it is handled. There are three types of complaint, namely -

- an Employee
- a Councillor
- Administration and Procedures

This Complaints Procedure does not apply to:

- Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- Complaints against councillors are covered by the Code of Conduct for Members adopted by the Parish Council on 13 May 2014. If a complaint against a councillor is received by the Parish Council it will be referred to the Monitoring Officer, West Berkshire Council, Market Street, Newbury, Berkshire RG14 4LD. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of West Berkshire Council.

Please note that the appropriate time for influencing Parish Council decision-making is by raising any concerns and information that may assist the Parish Council in making a decision before the Parish Council debates and votes on the matter. This may be done by writing to the Parish Council in advance of the meeting at which the item is to be discussed. There is also the opportunity to raise your concerns in the public participation section at the Parish Council meetings. Please note that the Parish Council will not re-open issues for six months from the date of the decision as stated in the Standing Orders, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

This policy sets out the procedure for dealing with complaints by members of the public about Chieveley Parish Council's administration and procedures and may include complaints about how Parish Council employees have dealt with your concerns.

Chieveley Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or visitors to the locality. If anyone is dissatisfied with the standard of service from this Parish Council, or are unhappy about an action or lack of action by the Parish Council, its officer and members, this complaints procedure sets out how a complaint can be made and how we shall try to resolve your complaint.

Complaints Procedure regarding Parish Council Procedures, Administration and Decision Making

Preliminary Stage

1. Complaints about procedures or administration should be discussed with or emailed to the Clerk who is also the Proper Officer of the Council or to the Chairman. It is anticipated that shortcomings or mistakes that may have occurred have the potential to be resolved quickly at this preliminary stage. However if the Clerk or Chairman cannot resolve the concern or issue to your satisfaction at a preliminary stage then a complaint procedure is available.

Stage 1

2. Please put your complaint in writing to the Clerk, heading the letter or email 'Complaint' and detailing the procedure or administration you wish to complain about. Please provide your title, name and address and contact details. If you do not wish to send the complaint to the Clerk it may be sent to the Chairman.

Parish Council Office

Clerk: Mrs T Snook, Parish Clerk, 16 Middle Farm Close, Chieveley, Berkshire
RG20 8RJ . Email: chieveley.pc@btinternet.com

Or addressed for the attention of the Chairman marked confidential to the Parish Council office.

3. The Clerk will acknowledge receipt of your complaint within five working days and provide a copy of this Complaints Procedure. The Clerk will maintain a detailed register of all correspondence, telephone calls, meetings and action taken relating to the complaint. The receipt of a complaint will be reported to the Parish Council at the next available meeting.
4. The Clerk or Chairman of the Parish Council (as appropriate) will investigate complaints, obtaining further information as necessary from you and /or from staff or members of the Parish Council.
5. The Clerk or the Chairman of the Parish Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Parish Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
6. The Clerk to the Council shall report to the next available meeting of the full Parish Council any written complaint that has been resolved by direct action with the complainant.

Stage 2

7. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Parish Council.

8. The Clerk shall acknowledge the receipt of your written request and advise you of the date of the next available meeting when the Parish Council will consider the matter. A specific agenda item will be included for the meeting for members to consider and make a decision on the complaint.
9. You will be invited to the meeting at which the complaint will be considered and you may bring with you 2 representatives if you wish. There will be the opportunity for you or one of your representatives to speak during the public participation part of the meeting.
10. At least 10 working days before the meeting, you will need to provide Chieveley Parish Council with copies of any documentation or other evidence, which you may wish to refer to at the meeting. The Parish Council will similarly provide you with copies of any documentation they wish to rely on at the meeting. If more information or more time is required because of the complexity of the complaint or information cannot be gathered in time for the next meeting, you will be notified. All supporting information from the complainant eg documents must be with the clerk 10 working days before the meeting.
11. The Parish Council shall consider whether the nature of the complaint warrants the exclusion of the public and press from the meeting.

The following procedure will be followed:-

- i. The Chairman will introduce everyone.
 - ii. The Chairman will explain the procedure.
 - iii You will be asked to outline the grounds of your complaint.
 - iv If relevant, the Clerk will explain Chieveley Parish Council's position.
 - v Councillors will then have the opportunity to question you and the Clerk.
 - vi You and the Clerk will then be offered the opportunity of any last words.
 - vii You and the Clerk will be asked to leave the room whilst the Councillors decide whether or not the grounds for the complaint have been made, (if a point of clarification is necessary, both parties are to be invited back).
 - viii You and the Clerk return to hear the decision, or to be advised when the decision will be made.
12. The Parish Council shall consider the complaint at the meeting and shall whenever possible make a decision at that meeting on whether to take further action or not regarding the complaint. Any decisions on a complaint shall be announced at the Parish Council meeting in public and the content and result of the complaint will be included in the public minutes of that meeting
 13. If a complaint cannot be decided at the Parish Council meeting, the complainant shall be kept informed of the Parish Council's actions and any progress that has been made.
 14. The Clerk or the Chairman of the Parish Council will notify you in writing within 20 working days of the outcome of your complaint and of what action (if any) the Parish Council propose to take as a result of the complaint. In exceptional circumstances the 20 working days timescale may have to be extended. If it is the complainant will be kept informed.

Unreasonable 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 Clerk with a summary of the issues and of 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.

Conduct of Members

Complaints relating to the conduct of Members shall immediately be referred to West Berkshire Council's Monitoring Officer and shall not be dealt with under the Parish Council's Complaints Procedure.

Financial Irregularity

When a complaint relates to a financial irregularity, local electors will be informed that they have a statutory right to object to the Council's audit of accounts pursuant to s.16 Audit Commission Act 1998.

Criminal Matters

Complaints relating to criminal activity of any Members or Officers of the Council shall immediately be referred to the Police.

Contacts

The Clerk of Chieveley Parish Council Mrs Tracy Snook 16 Middle Farm Close Chieveley Newbury Berkshire RG20 8RJ Email: chieveley.pc@btinternet.com	Monitoring Officer West Berkshire Council Council Offices Market Street Newbury Berkshire RG14 5LD Email: dholling@westberks.gov.uk
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