

DIDDLEBURY PARISH COUNCIL

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DIDDLEBURY PARISH COUNCIL COMPLAINTS POLICY

As reviewed and amended 28th April 2021

1 Introduction

Diddlebury Parish Council (DPC) is committed to providing its services efficiently and to as high a standard as possible. DPC takes any complaints very seriously.

An up-to-date copy of this Policy shall be maintained on DPC’s website, which is www.diddleburyparish.co.uk

This Policy sets out the procedures for dealing with complaints by members of the public about DPC.

The purpose of this Policy is to ensure that DPC has a clear procedure for dealing with complaints in order to:

- Have the opportunity to respond and resolve any issues that arise
- Learn from mistakes and prevent them from happening in the future
- Review policies and procedures where necessary

2. Scope

There are three main types of complaints:

- Code of Conduct Complaints relating to Councillors
- Complaints relating to employees
- Complaints relating to DPC’s administration, actions and procedures

3. Code of Conduct Complaints relating to the conduct of a Councillor should be referred directly to: The Monitoring Officer, Shropshire Council, Shirehall, Shrewsbury, Shropshire SY2 6ND

If the Monitoring Officer upholds a Code of Conduct Complaint against a Councillor there are a number of sanctions which can be applied to the Councillor. The Monitoring Officer will recommend a sanction that is considered to be appropriate. The relevant parish council is responsible for the imposition of sanctions in relation to its Councillors

There is no right of appeal against a decision of the Monitoring Officer.

If a complainant feels that Shropshire Council has failed to deal with a complaint properly, the complainant may make a complaint to the Local Government Ombudsman.

4. Complaints relating to a DPC employee are to be dealt with internally, as an employment matter. Any complaints relating to an employee should be referred in the first instance to the Chairman.

5. DPC's Complaints Policy Procedure for dealing with complaints relating to DPC's administration, actions or procedures.

Complaints relating to the administration, actions or procedures of DPC should be referred in the first instance to the Clerk or in her absence, to the Chairman.

Proviso: Whilst DPC will always endeavour to adhere to the following procedures, complainants are advised that the Clerk is employed for only 5 hours per week and there is no cover for her during absences due to holidays or illness: such absences will inevitably lead to a delay in matters being processed.

Complaints about procedures, actions or administration should be discussed with the Clerk. Mistakes and misunderstandings are often resolved informally at this stage. If the Clerk cannot resolve the complaint informally, the following steps should be taken:

- The complainant will be asked to put any complaint about DPC's procedures, actions or administration in writing to the Clerk, providing their name, postal and email address and contact number, together with the nature of the complaint. If the complainant does not wish to put the complaint to the Clerk then it may be put to the Chairman or nominated deputy. By providing their name, address and contact number the complainant agrees to allow DPC to hold this data on its secure files and IT system for the duration of this matter, after which it will be deleted.
- The complainant should indicate whether they wish to have the complaint treated confidentially.
- The complaint shall be acknowledged in writing within seven working days and the complainant advised of the date when the matter will be considered by DPC. Complaints will usually be discussed at the next full meeting of the parish council. However, if the nature of the complaint is complex or urgent, then a specially convened meeting may be necessary.
- The complainant will be invited to attend the relevant meeting where the complaint is to be considered and may bring with them such representatives as they wish. DPC must be informed in advance of who will be attending and in what capacity.
- At least seven working days before the meeting the complainant will need to provide DPC with copies of any documentation or other evidence which may be referred to at the meeting. DPC will likewise provide the complainant with copies of any documentation which it may refer to during the meeting.

Procedure at the Meeting

- DPC shall consider whether the nature of the complaint and the complainant's expressed wishes concerning confidentially warrants the exclusion of the public at the parish council meeting. Any decisions on a complaint will be announced in public.
- The Chairman will introduce everyone and will explain the procedure.

- The complainant will be asked to outline the grounds for their complaint.
- If relevant, the Clerk will explain DPC's position in relation to the complaint.
- Councillors will then have an opportunity to ask questions.
- The complainant will then be offered the opportunity to provide a closing statement and will then leave the room whilst the councillors decide whether or not there are grounds for a complaint to be upheld.
- The complainant will then be invited back to hear either DPC's decision or will be advised when a decision will be made.

Procedure following the meeting

- The decision made by DPC regarding the complaint will be confirmed in writing within seven working days of being made. Included with this will be details of any action to be taken. The complainant will have seven working days following the written confirmation to appeal the decision.

Appeals process

- The complainant must inform DPC in writing if they wish to appeal against the decision.
- The request for an appeal shall be acknowledged in writing and the complainant advised of when the matter will be re-considered by DPC. The complainant shall be invited to attend the relevant meeting where the appeal is to be considered and may bring with them such representatives as they wish.
- The appeal process will follow the same procedure as that outlined above, providing the complainant with the opportunity to explain their grounds for appeal.
- Following the appeal DPC will confirm its final decision in writing within seven days, together with details of any action to be taken.

