HATFIELD BROAD OAK PARISH COUNCIL

Adopted by the Full Parish Council: 11.03.2020
Reviewed: 08.05.2024
Next Review Date: May 2025

Complaints and Compliments Policy

Introduction:

Hatfield Broad Oak Parish Council is committed to providing a quality service to residents of the Parish and to anyone who deals with the Parish Council. It is committed to conducting its business in a fair and equitable manner and the aim of this policy is to ensure that compliments are recorded and all complaints are investigated promptly and in an impartial manner and to find a solution which is satisfactory to both the complainant and the Council.

The Council is always happy to receive compliments and these can be given verbally or in writing to the Parish Clerk or any councillor, who will report them at the next Parish Council meeting where they will be recorded in the minutes.

Parish Councils as corporate bodies are not subject to the jurisdiction of the Local Government Ombudsman, and there are no provisions for another body to which complaints can be referred. The Council will therefore do its utmost to settle complaints and satisfy complainants in the interest of the good reputation of the Council.

Hatfield Broad Oak Parish Council's complaints procedure does not cover complaints against an individual Councillor. If you wish to make a complaint about the behaviour of an individual Councillor, you must contact the Monitoring Officer at Uttlesford District Council.

Definition of a Complaint:

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 provided by the Council itself or a person or body acting on behalf of the Council.

The following are excluded from this procedure:

Type of Conduct	Refer to
Financial irregularity	Complaints about financial irregularity should be referred to the Councils auditor, the name and address of whom may be obtained from the Clerk *(Local electors' right to object Local Audit and Accountability Act 2014 Sections 26 & 27 The Accounts and Audit Regulations 2015 (SI 2015/234)*
Criminal activity	The Police

Complaints and Compliments Policy

Councillor/Member conduct Hatfield Broad Oak Parish Council have a Code of Conduct for Councillors which can be viewed on the Parish Council's website www.hatfieldbroadoakpc.gov.uk	The Monitoring Officer Uttlesford District Council,Council Offices London Road Saffron WaldenEssex CB11 4ER Or, your complaint can be sent electronically by email to The Monitoring Officer: monitoringofficer@uttlesford.gov.uk The Monitoring Officer can only deal with complaints about the behaviour of a Councillor and will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Complaints must be about a Councillors failure to follow the Code of Conduct.
Employee Conduct	Internal disciplinary procedure. Complaints concerning a memberof staff should be made in writing to the Clerk. If the complaint concerns the Clerk, the complaint should be made in writing to the Chair of Hatfield Broad Oak Parish Council. All complaints relating to employees will first be received by the Personnel Committee.

The procedure is for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council or relevant committee as appropriate, for consideration.

The Council receives queries, problems and comments as part of its day-to-day running, and 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.

All complaints will be deemed to be informal complaints unless a written complaint states that it is a formal complaint.The complaints procedure will not be implemented for complaints made anonymously.

Complaints and Compliments Policy

Informal Complaints:

An informal complaint may be made by telephone, email, in person or in writing to the Clerk. If the complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example) he or she should be advised to write to the Chair of the Parish Council.

If a complaint is made to a Councillor, it is their duty to notify the Clerk or the Chair of the Parish Council immediately.

The Clerk or the Chair will speak directly to the complainant and will attempt to resolve the complaint and to ensure that the complainant feels satisfied that their grievance has been fully considered, taken seriously and acted upon accordingly.

If the Clerk or the Chair cannot satisfy a complaint in an informal way, then the Formal Complaints Procedure will be instigated.

The Clerk's contact details are on the Parish Council's website and notice board and any councillor will help to ensure that a complaint reaches the Clerk or the Chair of the Parish Council.

Formal Complaints:

The complainant will be asked to put their complaint about the Council's procedures or administration in writing to the Clerk. If the complainant does not wish to put the complaint to the Clerk, they should be advised to address it to the Chair of the Parish Council. If the complainant needs help to put a complaint into writing, then a scribe will be provided.

The letter should contain:

- Name, address and telephone number of the complainant
- Details of the complaint about the Council's procedures or administration
- How the issue has affected the complainant
- Copies of any relevant documents or other evidence
- Details of third parties and their involvement
- What action the complainant believes will resolve their complaint

The Clerk will acknowledge receipt of the complaint within four working days, will advise the complainant when the matter will be considered by the Council and confirm if it will be treated as confidential.

The complainant shall be invited to attend the meeting and to bring with them a representative if they wish.

Any documents not already supplied must be sent to the Clerk seven clear working days before the meeting.

Complaints and Compliments Policy

The Council shall provide the complainant with copies of any documentation upon which they wish to refer at the meeting within the same timescale.

At the meeting:

The Council shall consider whether the circumstances of the complaint warrants the exclusion of the public and press. Any decision on a complaint shall be announced at the Council meeting in public.

The Chair should introduce everyone and explain the procedure.

The complainant (or their representative) should outline the grounds for complaint and afterwards questions may be asked by the Clerk and Councillors.

The Clerk or a nominated Councillor will present the Council's position relating to the complaint (if necessary) and afterwards questions may be asked by other Councillors.

The Clerk or the nominated Councillor and the complainant will be offered the opportunity to summarise their position.

The Clerk or the nominated Councillor and the complainant will be asked to leave the room (unless the meeting is open to the public) while Councillors decide whether or not the grounds for the complaint have been met. If a point of clarification is necessary, both parties will be invited to respond.

The Clerk or the nominated Councillor and the complainant will be given the opportunity to wait for the decision, but if the decision is unlikely to be finalised on that day, they should be advised when the decision is likely to be made and when it will be communicated to them.

After the Meeting:

The decision will be confirmed in writing within seven working days, together with details of any action to be taken.

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 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.

Complaints and Compliments Policy

What to do if you are still not satisfied?

The decision of the Parish Council is final with no appeal process as the Local Government Ombudsman does not consider complaints in respect of Parish Councils.

– End of Policy –