

# Winterbourne Parish Council

## Complaints Policy and Procedure

1. **Winterbourne 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 an action or lack of action by this Council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about Council decisions and procedures and may include complaints about how the Council has dealt with your concerns or requests. The Council frequently receives reports of problems, needs for repair and maintenance and these will normally be dealt with as a matter of routine council business.
3. **This Complaints Procedure does not apply to:**
  - 3.1. Complaints between a Council employee and the Council as employer. These matters are dealt with under the Council's disciplinary and grievance procedures.
  - 3.2. Complaints concerning the conduct of individual Councillors. Such complaints should be referred to The Monitoring Officer, Wiltshire Council, Trowbridge, Wiltshire, BA14 8JN<sup>1</sup>
  - 3.3. Complaints concerning decisions, procedures or services of other organisations. These should be directed to the relevant organisation.
  - 3.4. The Parish Council may decline to consider complaints that could be reasonably considered to be vexatious.
4. **Making a complaint**
  - 4.1. You may make your complaint about the Council's decisions or procedures to the Clerk. You should do this in writing (including email) to the Clerk. The addresses and numbers are set out below.
  - 4.2. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council.
  - 4.3. Complaints must include name, postal address, telephone number and email address. These data are to assist the council with consideration of the complaint and communication with the originator and will not be made public.
  - 4.4. All complaints will be acknowledged by the Clerk within 5 working days. Complainants will be asked if they wish the matter to be kept confidential.

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<sup>1</sup> Or online at <https://cms.wiltshire.gov.uk/mgGeneric.aspx?MD=ComplainaboutaCouncilMember&bcr=1>

## **5. Review of complaints**

- 5.1. All complaints received by the council or any councillor will be initially reviewed by the Chairman and Clerk.
- 5.2. The Council will try to resolve your complaint promptly through informal discussion. This will normally be through the Chairman, or another councillor.
- 5.3. Complaints that cannot be promptly resolved, and/or require investigation, will be considered at a meeting of the Parish Council.
- 5.4. All complaints will appear on the agenda for discussion at the next full meeting. The Council believes that complaints can provide useful information and feedback.

## **6. Dealing with the Complaints at a Meeting of the Council**

- 6.1. Prior to the meeting The Clerk or the Council (as appropriate) will investigate the complaint, obtaining further information as necessary from the relevant parties.
  - 6.2. The Council shall consider whether the circumstances of the meeting, any complainant's request for confidentiality, the Data Protection Acts 2018 and General Data Protection Regulations, warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
  - 6.3. The Chairman should introduce everyone and explain the procedure, which shall include nomination of a representative for the Council (which will normally be the Clerk).
  - 6.4. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
  - 6.5. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
  - 6.6. The Clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
  - 6.7. The Clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
  - 6.8. The Clerk or other nominated officer and the complainant should 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 is likely to be communicated to them.
7. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

## **8. Appeal**

8.1. The decision of that Parish Council will be final. Pursuant to the Local Government Act 1972 the Local Government Ombudsman has no jurisdiction over parish and town councils in England and there is no mechanism therefore for appeal.

## **9. Contacts:**

The Clerk of Winterbourne Parish Council (Tekla Hicks)

Email: [clerk-parishcouncil@thewinterbournes.org.uk](mailto:clerk-parishcouncil@thewinterbournes.org.uk)

The Chairman of Winterbourne Parish Council (Roy Judd)

Email: [chair-parishcouncil@thewinterbournes.org.uk](mailto:chair-parishcouncil@thewinterbournes.org.uk)

*This policy was adopted at the Winterbourne Parish Council meeting held on 15/7/20*