

Barwick in Elmet and Scholes Parish Council

Complaints Procedure

This Complaints Procedure was adopted by the Parish Council at its meeting held on 9th January 2023.

Aim of the Complaints Procedure

1. The 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. In any organisation things sometimes go wrong. Where people contact us to say we have not provided a satisfactory service, we treat this as a complaint and take it very seriously. 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. The Council aims to learn from complaints and, where they are found to be justified, to ensure that appropriate measures are taken to improve services.
3. Our aim is to swiftly investigate all complaints in an impartial manner and to find a solution locally, whenever possible, to the satisfaction of both the complainant and the Council.
4. It will:

- Acknowledge a complaint efficiently and within a reasonable time;

All complaints will be dealt with in confidence, and the name of the complainant will not be revealed by the Parish Council, except where it is the wish of the complainant.

What is a Complaint?

1. The Parish Council will investigate a complaint from residents if it concerns the administration or procedures of the Parish Council.
2. The Complaints Procedure does not cover:
 - Where a person wishes to disagree with a Council decision or policy or makes a request under the Freedom of Information Act, whereby there are alternative processes for representation in place.
 - Complaints between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - The complaints procedure does not cover initial reports to the Council about problems or defects (such as damage to play equipment) but if you are not satisfied with the response you can use the Complaints procedure.
 - Neither is it an appeals system against Council decisions which were properly taken, or as a means of arbitration. It exists to check that everything is done properly and that correct procedures and policies were followed. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
 - Regrettably anonymous complaints will not be considered.

How to Make a complaint

A formal written letter of complaint must be sent to the Clerk or if the complaint involves the Clerk, the letter should be sent to the Chair of the Parish Council. Those making verbal complaints will be asked to put their complaint in writing.

How the complaint will be handled

1. Within ten working days* of receipt of the complaint, the Clerk will give written acknowledgement of it, direct the complainant to the complaints procedure on the website and ascertain whether the complainant wishes the matter to be treated confidentially. * Note that the Clerk is the sole employee of the Parish Council and may be on leave.
2. The formal complaint will be considered at the next meeting of the Council.
3. At the meeting the Council may resolve to exclude members of the public and press to ensure confidentiality.
4. At the meeting, the Council will consider the complaint and will also include on the agenda the appointment of three members to a committee with delegated power to continue handling the complaint (if necessary). The committee will have full delegated power to bring the complaint to a conclusion. The Council will also resolve which member will be the Chair of the Committee.
5. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.
6. The Council (and/or Committee with delegated power) may appoint an independent person to the committee if it resolves to do so, as an independent impartial arbitrator.
7. After the meeting, the Clerk will write to the complainant explaining the outcome of the Council's consideration of the complaint and explaining how to take matters further if they believe this is necessary.
8. If the complainant wishes to pursue the matter, they must notify the Council in writing with their reasons for wanting to do so and a meeting of the committee will be convened for the purpose of investigating the complaint further.
9. Notice of the committee meeting will be advertised in the usual way to members of the committee, i.e. a summons and with three clear days' notice.
10. Complainants will be given opportunity by formal letter to attend the committee meeting and will be informed that they may be accompanied by another person. At the meeting the Council may resolve to exclude members of the public and press to ensure confidentiality.
11. At the commencement of the meeting, the Committee Chair will explain how the meeting will proceed.
12. Complainants may be asked to provide any new information or supporting evidence to the committee and will be invited to make a verbal representation to the meeting.
13. Members of the committee will be invited by the Chair to ask questions of the complainant if the complainant is in attendance.
14. The Chair of the Complaints Committee and then the complainant will summarise their respective positions
15. The complainant will then leave the meeting and the committee will consider the further findings.
16. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
17. The Committee Chair will report the outcome of the process to the next meeting of the Parish Council.
18. Minutes of the committee meeting will be kept and will be available to all parties involved in the complaint

Revision history

Version	Date	Status	Reference
1	03/11/14	Adopted	Minute 6/2014/8.6 page 331
1	06/06/22	Rescinded	Minute 2/2022/7.5 page 685
2	09/01/23	Adopted	Minute 8/2022/7.5 page 714