

KESSINGLAND PARISH COUNCIL



COMPLAINTS POLICY & PROCEDURE

ADOPTED 18 JULY 2018

Kessingland Parish Council



Complaints Policy & Procedure

The public has a right to expect good quality services from the Parish Council and the Council welcomes contact from its residents and customers. If something has gone right the Council will be delighted to hear from you but if something has gone wrong and you are not satisfied with the service you have received, please let us know.

The Council views the use of this procedure as an efficient way of dealing with contact from the public about the Council's procedures or administration and as a means of preserving the good reputation of the Council through a transparent process.

Complaints Policy

- The Complaints system will be easily accessible.
- It will be simple to understand and use and its operation will be regularly reviewed.
- Complaints received will be acknowledged and logged on a computerised database.
- All complaints will receive a full and fair investigation.
- A response will normally be sent within 15 working days of receipt, subsequent to outcomes of the investigation.
- Subject to the need for a thorough investigation, the procedures will respect people's desire for confidentiality.
- The Council's response will address all the points at issue.
- Where relevant the Council will want to learn from complaints and provide appropriate information to the Parish Council so that services can be improved.
- Vexatious and persistence complaints will be dealt with under the Council's 'Persistent and Vexatious Complainants Policy'.

Procedure before the Meeting

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk, clearly stating the nature of the complaint and the remedy sought. Verbal matters can only be dealt with if the subject matter is straightforward.
2. If the complainant does not wish to put the complaint to the Clerk, they may be advised to put it to the Chairman of the Council or his / her deputy. This would be relevant if it is a matter in which the Clerk has been closely involved.
3. The Clerk shall acknowledge the receipt of the complaint within 3 working days.
4. The Clerk of the Council (or the Chairman of the Council or his / her deputy if paragraph 2 applies) will let the complainant have a response in writing within 15 working days. If the complaint is very serious or complex, it may take longer, in which case, the complainant will be advised accordingly.

Stage 2

5. Complaints will initially be handled by the Clerk of the Council – If the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Chairman of the Council, who should respond to the complainant, in writing within 7 working days.

6. Complaints initially handled by the Chairman of the Council – If the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Vice Chairman, who will respond to the complainant, in writing within 7 working days.

Stage 3

7. If the complainant is still unhappy, their complaint can be presented in writing to an Independent Person who will review the complaint and how it has been dealt with.
8. The Parish Council has appointed Jayne Cole from the Local Council Public Advisory Service (LCPAS) to act as an Independent Person to review Stage 3 complaints. The contact details for the LCPAS are:

**Jayne Cole - Chief Executive Officer
Local Council Public Advisory Service**

The Vision Centre
5 Eastern Way
Bury St Edmunds Suffolk
IP32 7AB

Tel: 01284 766885

Phone: 07443009607

www.lcpas.co.uk

9. The Parish Council and the complainant may be invited to attend a meeting and if so, the complainant may be accompanied, such attendees to be notified in advance. The decision as to whether the matter is dealt with via written correspondence and / or via a meeting will rest with the Independent Person, whose decision will be final.
10. Seven clear working days prior to the meeting, the complainant shall provide the Independent Person copies of any documentation or other evidence regarding their complaint.
11. Similarly, the Parish Council will be required to provide the Independent Person with copies of relevant documentation.

At a Meeting

12. Any meeting held with the Independent Person will be held in private and no public and press shall be permitted to be present.
13. The Independent Person presiding will introduce those present and will explain the procedure.
14. The complainant or their representative will outline the grounds for the complaint.
15. The Independent Person may ask any questions of the complainant.
16. If relevant, the Clerk of the Council will explain the Council's position.
17. The Independent Person may ask any questions of the Clerk of the Council and / or relevant Councillor.
18. The Clerk of the Council and complainant will be offered the opportunity to summon their position (in this order).
19. The Clerk of the Council, complainant and any representative(s) will be asked to leave the room while the Independent Person decides whether or not the grounds for the complaint have been justified. If a point of clarification is required, both parties will be invited back.

20. The Clerk of the Council, complainant, their representative(s) will return to hear the decision or to be advised when the decision will be made.

After the Meeting

21. The decision will be confirmed in writing to all involved parties within 7 working days together with details of any action to be taken.

Investigation Report

An Investigation report should be produced including the following information:

- Full details of the outcome of the investigation.
- A recommendation whether they believe the complaint is: Upheld / Partially Upheld / Not Upheld.
- Any actions proposed to deal with issues raised and necessary to avoid similar incidents happening in the future.
- The outcome of the consideration of any complaint will be formally notified to the Parish Council (with the exclusion of the public and press where confidential, contractual or personal information may be disclosed), along with any recommendations for improvements to policy, procedure or administrative practices.

What this Policy and Procedure do not cover

Please note that this procedure is designed for dealing with complaints about the Council's administration or its procedures. If your complaint is about anything that is not the Parish Council's responsibility, we will, subject to receiving your consent, pass the details on to the appropriate authority.

If your complaint is about any of the following, there are separate procedures in place:

- A Complaints by one Council employee against another Council employee, or between a Council employee and the Council as employer**
These matters should be dealt with under the Council's disciplinary and grievance procedures.
- B Complaints against Councillors**
These are covered by the Code of Conduct for Members and complainants should contact the Monitoring Officer of Waveney District Council, or its successor authority, East Suffolk Council who will decide if further action is necessary.
- C Allegations of Financial Irregularity**
Local electors may object to the Council's Annual Accounts under Section 16, Audit Commission Act 1998. On other matters the Council may need to consult its internal auditor or External Auditor.
- D Criminal Activity**
The complainant should be advised to contact the Police.
- E Safeguarding**
The complainant should be advised to contact the Suffolk County Council Safeguarding Team.
- F Data Protection**
The complainant should contact the Parish Clerk in the first instance and if not satisfied may wish to refer a complaint to the Information Commissioner:

Tel: 0303 123 1113

Email: ico.org.uk

Parish Council Office, First Floor, Marram Green, Hall Road, Kessingland, NR33 7PP
Telephone: 01502 744367 E Mail: clerkkessingland@outlook.com
Website: Kessingland.onesuffolk.net