

Combe Parish Council

COMPLAINTS PROCEDURE

2020/21

Combe Parish Council Complaints Procedure

You have the right to expect good quality services from the Parish Council and the Council welcomes contact from its residents. If something has gone right the Council would 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.
- For a thorough investigation, the procedures will respect people's desire for confidentiality.
- The Council's response will address all points at issue and will attempt to provide effective and appropriate redress where fault on the part of the Council has been acknowledged.
- Where relevant the Council will learn from complaints and provide appropriate information to line managers within the Council so that services can be improved and systems altered where necessary.

Complaints Procedure

Stage 1

1. The Complainant should address the complaint about the Council's procedures or administration, in writing to the Clerk of the Council. This can be by letter or e-mail. Verbal complaints can only be dealt with if the subject matter is very straightforward.
2. If the Complainant does not wish to put the complaint to the Clerk of the Council, then it should be sent to the Chairman of the Council. This would only be relevant if the matter is one that the Clerk has been closely involved.
3. The Clerk of the Council will send an acknowledgement letter or e-mail within 3 working days of receipt.
4. The Clerk of the Council (or the Chairman if paragraph 2 above 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

1. Complaints initially handled by the Clerk of the Council – if not resolved at 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.

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2. Complaints initially handled by the Chairman of the Council – if not resolved at Stage 1 – the Complainant may ask for a review of the case by the Vice-Chairman of the Council, who should respond to the Complainant in writing within 7 working days.

Stage 3

1. If the Complainant is still unhappy, their case can be presented either in person or writing to the remainder of the Parish Council, which will consider the matter in the absence of any members who have previously been involved.
2. The Complainant shall be invited to attend the relevant meeting and bring with them such representation as they wish.
3. Seven clear working days to the meeting, the Complainant shall provide the Council with copies of any documentation or other evidence which they wish to refer to at the meeting. The Council shall similarly provide the Complainant with copies of any documentation upon which they wish to rely on at the meeting.

At the meeting

4. The Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and press.
5. If the Chairman or Vice-Chairman of the Council has previously been involved, they will have to withdraw from the committee and a Chairman will need to be elected to conduct the business of the complaint.
6. The Chairman of the committee or the member presiding will introduce everyone and explain the procedure.
7. The Complainant or representative will outline the grounds of the complaint.
8. Members may ask any question(s) of the Complainant.
9. If relevant the Clerk of the Council will explain the Council's position.
10. Members may ask any question(s) of the Clerk to the Council.
11. The Clerk of the Council and the Complainant will be offered the opportunity of last word (in this order).
12. The Clerk of the Council and the Complainant and representative/s will be asked to leave the room while members decide whether or not the grounds for complaint have been justified. If a point of clarification is required both parties will be invited back.
13. The Clerk of the Council, Complainant their representative/s and any other Council members will return, along with members of the public and press (if excluded in para 1 above) to hear the decision or to be advised when the decision will be made.
14. If a member presiding has been elected under para. 2 that member will resume Chairmanship.

After the meeting

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

The investigation Report should contain

- 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 the issues raised and necessary to avoid this happening in the future.
- On receipt of the report of the investigation the Chairman or the Clerk will prepare a response including determining if a refund of fees is appropriate.
- Recommendations of how to avoid this type of complaint in the future will be sent to relevant people.

Redress

The following ranges of response will enable the Council to ensure that responses are fair and impartial, and demonstrates that it welcomes comments on the quality of its service:

- Expression of regret whenever possible and appropriate.
- Apology when a fault on the part of the Council is identified.
- Correction of organisational deficiency where appropriate, which will be recognised in the response where appropriate.
- Maximum liability is normally limited to the refund of fees or charges already paid if the Council is found liable for not providing adequate services.

Monitoring Arrangements

The Council will receive monthly reports from the Clerk, reporting all complaints received and any actions taken.

What this Policy and Procedure does 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 it will be passed on to the appropriate authority.

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

- Complaints about one council employee against another council employee or between a council employee and the council as an employer.
- Complaints against Councillors – these are covered by the Code of Conduct and complaints should be received by Monitoring Officer for West Oxfordshire District Council who will decide what further action is necessary.
- Allegations of financial irregularity – in the first instance discussion with the Parish Council or the designated external auditor.
- Criminal Activity – the complaint should be reported to the Police.
- Safeguarding – Oxfordshire County Council.