
Trysull & Seisdon Parish Council Complaints Procedure

Adopted 15th July
2020

TRYSULL & SEISDON PARISH COUNCIL COMPLAINTS PROCEDURE

Introduction

Trysull and Seisdon 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.

For the purposes of this policy, the Parish Council define a complaint as ‘an expression of dissatisfaction about the council’s action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council’.

If you are dissatisfied with the standard of service you have received from the Parish 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.

This Complaints Procedure applies to complaints about Council administration and procedures and may include complaints about how Council employees have dealt with your concerns.

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. The Parish Council would welcome such participation in preference to formal or informal complaints but understands that in certain circumstances this may not be perceived as sufficient or adequate and has therefore adopted the following procedures:

Informal complaints

It is hoped that most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone, email or a visit during our Meetings. The complaint will be handled by the Clerk and the response will be filed with the Parish Council.

Complaints should always be directed through the Clerk, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Parish Councillors are not in a position to resolve staffing and general complaints directly.

Wherever possible, the Clerk to the Parish Council will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days, however, please note that our Clerk is only a part time employee.

The Council appreciates that on occasions if an informal approach has not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed. If your complaint involves the Clerk to the Council, you may then make your complaint directly to the Chairman of the Council who will report your complaint to the Council.

Formal complaints

A formal complaint can only be submitted in writing to the Parish Council; it should be addressed to the Clerk to the Council and marked “Confidential – Formal Complaint.” The Council encourages contact by email and telephone, but as a formal complaint is a serious matter the Council will only accept these in writing. Please refer to ‘Contact Us’ details on our web-site trysullandseisdonparishcouncil.org

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The Clerk to the Parish Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or Members of the Council.

The Clerk to the Parish Council or the Chairman of the Council will notify you within thirty working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the thirty working days timescale may have to be extended. If it is, you will be kept informed.)

If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Finance and Governance Committee of the Parish Council.

Next steps

The Finance and Governance Committee is a properly formed committee of the Parish Council. The Committee will nominate three members who will review a complaint; this will ensure that the number of Members present is not excessive.

The Committee is subject to all meeting notification, agenda and minute requirements, as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed when a meeting is called.

It is expected that the Committee will be able to meet within seven working days of being notified by the Clerk and receipt of any necessary evidence (see below), whichever is later.

Prior to the meeting

At least seven clear working days before the Committee meeting the complainant will provide the Parish Council with copies of all documentation, or other evidence (such as photographs) that they intend to introduce to the meeting.

At the meeting

The Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and press*.

The Chairman shall explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.

The complainant (or representative) shall be invited to outline the grounds for complaint and Members given the opportunity to ask any questions of the complainant.

If relevant, the Clerk will explain the Council's position and panel members shall ask any questions of the Clerk.

The complainant is to be offered the opportunity of a last word as means of summing up their position.

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The Clerk and complainant shall be asked to leave the room while the panel members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.

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The announcement of any decision will be made in public, at the next full Council meeting.

* Public Bodies (Admission to meetings) Act 1960 and the Local Government Act 1972 s100 & 102

Impact on staff

A formal complaint is a serious matter. A complaint against a member of the Council's staff could result in disciplinary action; or in the cases of gross misconduct dismissal from the Council's employment. The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

Complaints against Councillors

This policy does not cover complaints against an individual Councillor.

A complaint about a Parish Councillor should be addressed to:

The Monitoring Officer
South Staffordshire Council
Wolverhampton Road
Codsall
WV8 1PX

South Staffordshire Council can only deal with complaints about the behaviour of a Parish Councillor. It will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Complaints must be made about a Councillor's failure to follow the Code of Conduct.