

HOCKWOLD CUM WILTON PARISH COUNCIL

COMPLAINTS POLICY

1. Introduction

Hockwold cum Wilton 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 the Council, or are unhappy about an action, or lack of action, that has been taken by us, the procedure set out in this policy explains how you may complain to the Council and how we shall try to resolve your complaint.

As Councils are not subject to the jurisdiction of the Local Government Ombudsman, and there are no provisions for another body to which complaints can be referred, the Council will therefore do its utmost to settle complaints and satisfy complainants in the interest of the good reputation of the Council.

This policy only applies to complaints about the administration, procedures and decisions of the Council. It also includes complaints about how the Council has dealt with your concerns. The following are excluded from this policy:

- Complaints about financial irregularity should be referred to the Council's auditor, the name and address of whom may be obtained from the Clerk.
- Complaints of criminal activity should be referred to the police

2. Where should complaints be sent?

Parish Clerk
1 Clingos Way
Hockwold cum Wilton
IP26 4QD
Email: parishclerkhockwold@gmail.com

3. When a complaint is received

The Clerk will acknowledge receipt of a complaint within 48 hours / 2 working days and, wherever possible will try to resolve your complaint immediately. Where this is not possible, we will contact you, within 10 working days of the Council receiving the complaint, to either give you a progress report or explain why more time is needed to investigate the complaint further. Any complaint will be treated in confidence and your personal data will not be shared outside of the Council unless you give permission for us to do so.

The following procedure has been approved by Hockwold cum Wilton Parish Council as a way of ensuring that complainants can feel satisfied that, at the very least, their complaint has been properly and fully considered.

A file of all complaints received shall be kept by the Clerk and each complaint shall be held for a period of 7 years following a conclusion reached.

Adopted: [3.3.2023]

Next Review: [3.10.2026]

Complaints Procedure

4. Complaints against a Councillor

All Councillors are bound by the rules within the Code of Conduct for Members, which was reviewed and adopted by the Parish Council in May 2021. If a complaint against a Councillor is received, it will firstly be acknowledged in writing within 5 working days after it is received by the Clerk.

After acknowledgement, the Clerk and Chair (or Vice Chair in their absence) will investigate the complaint. The complainant will be advised that the investigation findings will be presented to the Council, in a closed to the public meeting, and may be referred to the Monitoring Officer at Kings Lynn & West Norfolk Borough Council.

The Chair (or Vice Chair in their absence or if the complaint is about the Chair) will raise the complaint with the particular Councillor, preferably in person or on the phone initially. If the Councillor does not wish to be present at a closed meeting to discuss the complaint, it will still be held with as many of the Councillors as possible, keeping to normal quorate meeting rules. The meeting must include the Chair or Vice Chair. The Clerk must also be present to take a record of the meeting. The closed meeting should decide whether the complaint can be resolved locally or should now be referred to the Monitoring Officer.

Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer, Legal Services, Borough Council of King's Lynn & West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

5. Complaints against the Clerk to the Council

Any complaint regarding the conduct of the Clerk to the Council shall be considered by the HR Advisory Committee.

At the meeting the designated committee shall decide whether the circumstances of the complaint warrant the exclusion of the public and press whilst the matter is being considered.

The complainant or their representative shall be given the opportunity to speak during the meeting. They should then outline the grounds for complaint and thereafter may be asked questions by councillors or the Clerk.

The Clerk will be given an opportunity to speak and questions may be asked by the complainant or committee members.

The Clerk and the complainant (and any representative) will then be asked to leave the room whilst committee 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.

The Clerk and the complainant shall 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 to be communicated to them. The decision, and any further action to be taken, shall be confirmed in writing to the Clerk and complainant within seven working days.

Any decision on a complaint shall be announced at the next Parish Council meeting, in public.

Adopted: [3.3.2023]

Next Review: [3.10.2026]

6. General Complaints

The Council receives queries, problems and comments as part of its day to day running and it is not appropriate for every comment to be treated as a formal complaint. Every effort will be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

All complaints will be deemed to be informal complaints unless a written complaint states that it is a formal complaint. The complaints procedure will not be implemented for complaints made anonymously.

6.i. Informal Complaints

An informal complaint may be made by telephone, email, in person or in writing to the Clerk. If the complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example), he or she should be advised to write to the Chair of the Parish Council.

If a complaint is made to a Councillor, it is their duty to notify the Clerk or the Chair immediately. The Clerk or the Chair will speak directly to the complainant and will attempt to resolve the complaint and to ensure that the complainant feels satisfied that their grievance had been fully considered, taken seriously and acted upon accordingly.

If the Clerk or the Chair cannot resolve the issue in an informal way, or if the complaint is deemed particularly serious, then the Formal Complaints Procedure will be instigated.

6.ii. Formal Complaints

If a complaint about the Parish Council is notified orally to the Clerk or Chair and the complaint is unresolved, the complainant shall be asked to put the complaint in writing to the Clerk by letter (as outlined below) or attached form. The Clerk will acknowledge receipt of the complaint within 5 working days and advise the complainant when the matter will be considered by the Council. If the complainant does not wish to put the complaint to the Clerk, they should be advised to address it to the Chair of the Parish Council.

The letter should contain:

- Name, address and telephone number of the complainant
- Details of the complaint about the Council's procedures or administration
- How the issue has affected the complainant
- Copies of any relevant documents or other evidence
- Details of third parties and their involvement
- What action the complainant believes will resolve their complaint

The Clerk or the Chair will carry out an initial investigation into the complaint and will, within 10 working days, provide the complainant with an update on progress or a suggested resolution. If the complainant is satisfied with the resolution the Clerk or the Chair will report to the next full Parish Council any written complaint that has been resolved by direct action with the complainant, but will exclude the names and other personal data of the complainant and the complaint is closed.

If the complaint remains unresolved, or the complainant is not satisfied with the proposed resolution, the matter will be referred to a Complaints Panel of the Council.

Adopted: [3.3.2023]

Next Review: [3.10.2026]

6.ii.a Complaints Panel

When necessary, the Council will appoint a Complaints Panel, with a minimum membership of 3 councillors, one of which will be the Chair, to fully investigate the complaint. The Panel has delegated authority from the Council to review and decide on complaints.

It is expected that the Panel will meet within 10 working days of being notified of the complaint by the Clerk and a letter will be sent to the complainant with the date of the Panel meeting. If the Panel is unable to meet within this time, all parties will be notified of the date of the meeting and the reason for the delay.

The complainant shall be invited to attend the meeting and to bring with them a representative if they wish, though it should be noted that these meetings are not legal proceedings and neither side shall be permitted to have legal representatives present, in any capacity.

7 clear working days prior to the meeting, the complainant shall provide the Parish Council with copies of any documentation or evidence upon which he/she wishes to rely. The Council shall provide the complainant with copies of any documentation which they wish to refer to at the meeting and shall do so within the same timescale, allowing the complainant the opportunity to read the material in good time for the meeting.

The Clerk shall maintain a detailed log of all correspondence, telephone calls, meetings and action taken relating to the complaint.

6.ii.b. At the meeting

The Council shall consider whether the circumstances of the complaint warrant the exclusion of the public and press whilst the matter is being considered.

The Chair should explain the procedure. All present shall be required to conduct the proceedings in a polite and calm manner at all times. If the Chair feels that this condition is not being adhered to by all parties, after one warning he/she may require the meeting to be re-scheduled.

The Council shall consider the complaint and shall, whenever possible make a decision at that meeting on whether to take further action or not regarding the complaint.

If a complaint takes more time to investigate than a single meeting of the Parish Council will allow, the complainant shall be kept informed of the Council's action, any progress that has been made and, if appropriate notify the complainant of the date on which the complaint will be considered further.

6.ii.c. After the meeting

The decision should be confirmed in writing by the Clerk within 5 working days] together with details of any action to be taken. Should the complainant be unhappy with the decision reached, they should contact the Clerk in the first instance, who will assist the complainant in identifying any further options that may be available, in order to pursue the matter. The announcement of any decision will be made in public at the next full meeting of the Parish Council.

Adopted: [3.3.2023]

Next Review: [3.10.2026]

HOCKWOLD CUM WILTON PARISH COUNCIL

FORMAL COMPLAINT FORM

Your name:

Address:

Email Address;

Telephone Number:

Please give details of your complaint (if necessary please continue on a separate sheet of paper)

Have you spoken/written to anyone at the Council in connection with your complaint? YES/NO

If so, please give their name

What happened as a result of this contact?

What outcome are you looking for (what would be the best way for the Parish Council to resolve your complaint?)

Signed:.....

Date:.....

Please return this form to the Parish Clerk or Chairman at Hockwold cum Wilton Parish Council.