

MANCETTER PARISH COUNCIL

COMPLAINTS PROCEDURE

November 2012

Reviewed at the Council meeting on Tuesday 18th March 2014

Reviewed at the Council meeting on Tuesday 24th March 2015

MANCETTER PARISH COUNCIL

Complaints Procedure

Definition of a complaint

A complaint is an expression of dissatisfaction by one or more members of the public 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.

Introduction

Pursuant to Local Government Act 1974, the Local Government Ombudsman has no jurisdiction over Parish Councils in England.

The council receives queries, problems and comments as part of the day to day business and these should not be regarded as complaints. However, a procedure should be in place to determine who should deal with a complaint should one be lodged.

The aim of Mancetter Parish Council is to provide a Complaints Procedure which is:

- Easy to use and understand
- Helpful and receptive
- Fair and objective
- Decisive and capable of putting things right where necessary

This procedure will be available from:

- www.mancetter.org.uk
- The Monitoring Officer, North Warwickshire Borough Council
- The Parish Clerk

Informal Complaints

It is not appropriate to deal with all complaints from members of the public under the formal complaints procedure. It is hoped that less formal measures or explanations provided to the complainant by the Parish Clerk or Chairman will resolve most issues raised by members of the public.

Any informal complaint will be brought to the Council by the Chairman and recorded in the minutes of the next meeting.

Formal Complaints

It will not be appropriate for Mancetter Parish Council to deal with complaints relating to the following types of conduct.

Type of Conduct	Refer to
Financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s. 16 Audit Commission Act 1998. Other matters will be referred to either the Internal or External Auditor.
Criminal activity	The police
Member conduct	A complaint relating to a member's failure to comply with the council's code of conduct must be submitted to North Warwickshire Borough Council.
Employee Conduct	Internal disciplinary procedure

Procedure for Formal Complaints to be considered by Mancetter Parish Council

- The complainant must put the complaint about the council's procedures or administration in writing to the Parish Clerk or the Chairman.
- The Parish Clerk will acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council.
- The complainant will be invited to attend a meeting and to bring with them a representative if they wish.
- Seven clear working days prior to the meeting, the complainant will provide the council with copies of any documentation or other evidence relied on. The council will provide the complainant with copies of any documentation upon which they wish to rely at the meeting and will do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the meeting

- The council will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be announced at the council meeting in public.
- The chairman, or the person nominated to chair the meeting, will introduce everyone and explain the procedure.
- The complainant will outline the grounds of the complaint and, thereafter questions may be asked by the Parish Clerk or other nominated officer and members of the council.
- The Parish Clerk or other nominated officer will have the opportunity to explain the council's position and questions may be asked by the complainant and then the Council members.
- The Parish Clerk or other nominated officer and then the complainant will be offered the opportunity to summarise the position.
- The Parish Clerk or other nominated officer and the complainant will be asked to leave the room while council members decide whether or not the grounds of the complaint have been made. If a point of clarification is required, *both* parties will be invited back.
- The Parish Clerk or other nominated officer and the complainant will be given the opportunity to wait for the decision, but if it is unlikely to be reached that day they will be advised when the decision is likely to be made and when it is likely to be communicated to them.
- When determined, the decision will be confirmed in writing within seven working days, together with any action to be taken.