

Bitterley Parish Council Complaints Procedure

Introduction

Not all queries or concerns raised by our Parishioners are complaints and Bitterley parish Council wants to ensure that any problems are resolved in an honest and effective way, so they don't develop into complaints.

However, if you are not satisfied with the way in which your concern or query was handled you have the right to complain.

It is not possible for the council to deal with all complaints from members of the public under this procedure. Where such complaints are outside the remit of this procedure the following bodies should be contacted.

Type of Conduct	Refer to
Financial Irregularity	Parish Council Auditors
Criminal Activity	The Police
Councillor Conduct	The Monitoring Officer Shropshire Council
Employee Conduct	Chair of Bitterley Parish Council

In order for your complaint about the Parish Council to be dealt with, the following Code of Practice has been adopted so that you can be assured that your grievance will be properly and fully considered.

Code of Practice

1. All complaints about the Council's procedures or administration should be given in writing to the Parish Clerk
2. If the complainant does not wish to write to the Parish Clerk, the complaint should be addressed to the Council Chair.
3. Receipt of the complaint shall be acknowledged by the Parish Clerk and the complainant will be advised when the matter will be considered by the council as soon as is practicable/
4. Receipt of a complaint about the Parish Clerk will be acknowledged by the Chair.

5. A meeting will be arranged for the complaint to be heard and complainant will be invited to attend. The complainant is entitled to bring a representative if they wish. (Though this cannot be a legal representative.)
6. At least 7 clear working days before the meeting, the complainant shall provide the Council with supporting documentation or evidence to substantiate the complaint against the council. The meeting will not take place unless this is adhered to. The complainant will also be provided with relevant documentation to which the Council will rely upon when the complaint is heard at the meeting.
7. Under Public Bodies (Admission to meetings) Act 1960 the Council will decide whether the complaint warrants the exclusion of the public and press. The decision of the Council, however, will be made public at the conclusion of the meeting.

The Meeting

Prior to the meeting full council will nominate three Councillors to deal with the complaints. They should not be directly involved with the particular case. The Clerk should normally represent the council through the proceedings, but a nominated councillor may act instead.

At the Meeting

- 1.1. The Chair to introduce everyone and explain the procedures.
- 1.2. The Complainant will outline the nature of the complaint.
- 1.3. The Councillors and Clerk can then question the complainant.
- 1.4. The clerk will set out the Councils position
- 1.5. The Councillors and Complainant can then question the clerk.
- 1.6. The Complainant and the Clerk (in that order) will be given the opportunity of a last word.
- 1.7. The complainant, representative if present and clerk will be asked to leave the room whilst councillors decide whether the grounds of the complaint have been made. Where clarification is necessary both parties shall be invited to return to the meeting.
- 1.8. The Clerk and Complainant return to hear the decision or if no decision can be reached, both parties shall be advised when a decision will be made.
- 1.9. The Complainant will be notified of the decision in writing within 7 working days together with details of any action to be taken.

After the Meeting

- 2.1 The decision will be confirmed in writing within seven working days together with details of any action to be taken.
- 2.2 The result of the proceedings will be reported at the next council meeting after the appeal period has passed.

Appeals Process

- 3.1 Should the complainant not agree with the decision they will be entitled to appeal the decision within fourteen days of receipt of the result of the proceedings.
- 3.2 The councillors nominated to handle the appeal will, within twenty on days of receiving the appeal, examine the way in which the council dealt with complaint.
- 3.3 If procedures were correctly handled by the council, then the appellant will be notified that the appeal had not been successful. If the complaint was not handled correctly, it will be referred back to the complaints committee for consideration.
- 3.4 The appellant will be notified of the result of the appeals process within fourteen days.

Please note that the decision of the Parish Council is final – the Local Government Ombudsman does not consider complaints in respect of parish Councils.

CODE OF PRACTICE FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS

From time to time the Parish Council receives complaints from members of the public. Some complaints are received by telephone or in writing. In order to deal with complaints efficiently and effectively the Parish Council has a Complaints Policy. The Parish Council's administration is carried out by a part time Parish Clerk. In the event that a complainant begins to make frequent contact with the Parish Clerk and hinders the normal day to day running of the Parish Council, the Parish Clerk will implement a policy for dealing with frequent or vexatious complainants, since such complaints can be time consuming and could lead to unnecessary additional cost to the council taxpayer. The Parish Council's policy for dealing with unreasonable and

persistent complainants will become operative if the complainant is deemed to be unreasonably persistent either by written or oral communication.

PROCEDURE

A vexatious complainant will be notified that the Council's Policy for dealing with unreasonable and persistent complaints is to be enforced, together with the reason why.

The complainant will then be asked to adopt one or all of the following procedures.

- request contact with the Parish Council in a particular form (for example, letters only);
- Request contact to take place with a councillor present.
- Restrict telephone calls to specified days and times; and/or be asked to enter into an agreement about future contact with the Parish Council.

The Council will decide how long it will spend on any one complaint and whether it feels the complaint has been sufficiently dealt with. In all cases where a complainant is deemed to be unreasonable and persistent, the Council will write to the complainant to justify its course of action and explain for how long it will be operative.

The complainant may challenge the Council's decision, although proof that the complaint has not been sufficiently dealt with will be required. However, if deemed to be a fair challenge the Council will conduct a review of the complaint and will reconsider whether the complaint should still be treated as unreasonable and/or vexatious.