

COMPLAINTS PROCEDURE

AIM OF THE COMPLAINTS PROCEDURE

The Council aims to learn from complaints and, where they are found to be justified, ensure that appropriate measures are taken to improve services.

It will:

- ensure that anyone who wishes to make a complaint knows how to do so,
- respond to a complaint efficiently and within a reasonable time,
- ensure that service users are satisfied that the complaint has been taken seriously and, where possible, reasonable measures have been taken to improve services.

All complaints will be dealt with in confidence, and the name of the complainant will not be revealed by the Parish Council, except where it is the wish of the complainant.

WHAT IS A COMPLAINT?

The Parish Council will investigate a complaint from a person, or their nominated representative, if it is one of the following:

- an expression of dissatisfaction about the failure to provide or meet the expected standard of a service.
- neglect or delay in responding to a contact with the Council.
- failure to observe the Parish Council's policies or procedures.
- harassment, bias, or discrimination.
- discourteous or dishonest conduct by a member of staff.

The Complaints Procedure does not cover:

- Complaints about the conduct of Councillors.
 - Complaints about the conduct of a councillor should be reported to the Monitoring Officer at Calderdale Metropolitan Borough Council.
- Where a person wishes to disagree with a Council decision or policy or makes a request under the Freedom of Information Act, whereby there are alternative processes for representation in place.
- Anonymous complaints.

TO MAKE A COMPLAINT

To make a complaint about the Council's service provision . . .

- The complainant, or their nominated representative, must send a formal written letter of complaint to the Clerk.

To make a complaint about a member of staff . . .

- The complainant, or their nominated representative, must send a formal written letter of complaint to the Chairman of the Parish Council.

HOW THE COUNCIL WILL HANDLE A COMPLAINT

If the complaint is about the Council's service provision . . .

- Within five working days, the Clerk will give written acknowledgement of the letter, provide a copy of this complaints procedure, and ascertain whether the complainant wishes the matter to be treated confidentially.

If the complaint is about a member of staff . . .

- Within five working days, the Chairman of the Parish Council will give written acknowledgement of the letter, provide a copy of this complaints procedure, and ascertain whether the complainant wishes the matter to be treated confidentially.

The complaint will then be considered at the next meeting of the Council.

AT THE COUNCIL MEETING

1. The complaint will be included on the agenda of the next meeting of the council.
2. The Council may resolve to exclude members of the public and press to ensure confidentiality.
3. At the meeting, the Council will consider the complaint and decide whether to convene a committee with delegated power to continue handling the complaint.
4. If the Council decides the complaint warrants the convening of a committee, the Council will appoint three members to this committee to continue handling the complaint if members have not been formerly appointed. This committee will have full delegated power to bring the complaint to a conclusion. The Council will also resolve which member will be the Chairman of the Committee.
 - a. If the complaint is about the Council's service provision, the committee will be a Complaints Committee.
 - b. If the complaint is about a Council member of staff, the committee will be a Disciplinary Committee.
5. The Council or the Committee may appoint an independent person to the committee as an independent impartial arbitrator if it resolves to do so.

AFTER THE COUNCIL MEETING

If the complaint pertains to the Council's service provision . . .

- the Clerk will write to the complainant and explain the outcome of the Council's consideration of the complaint and how to take matters further if they believe this is necessary.

If the complaint pertains to a member of staff . . .

- the Chairman will write to the complainant and explain the outcome of the Council's consideration of the complaint and how to take matters further if they believe this is necessary.

IF THE COUNCIL HAS RESOLVED TO CONVENE A COMPLAINTS COMMITTEE MEETING

1. If the complainant wishes to pursue the matter, the complainant must notify the Clerk in writing with reasons for wanting to do so, and a meeting of the Complaints Committee will be convened for the purpose of investigating the complaint further.
2. Notice of the committee meeting will be advertised in the usual way to members of the committee: i.e. a summons and with three clear days' notice. A public notice will also be displayed in the usual way: i.e. posted online and giving three clear days' notice.
3. Complainants will be asked by formal letter to attend the committee meeting and will be informed that they may be accompanied by another person.
4. **Seven** clear working days prior to the meeting, the complainant shall provide the committee with copies of any documentation or other evidence that they wish to refer to at the meeting. The committee shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.
5. At the commencement of the meeting, the Committee Chairman will explain how the meeting will proceed.
6. Complainants will be asked to provide any new information or supporting evidence to the committee and will be invited to make a verbal representation to the meeting.
7. Members of the committee will be invited by the Chairman to ask questions of the complainant.
8. The Chairman of the Complaints Committee and then the complainant will summarise their respective positions.
9. The complainant will then leave the meeting and the committee will consider the further findings.

10. The Clerk will inform the complainant by formal letter of the conclusions of the process within five working days of the committee meeting.
11. The committee chairman will report the outcome of the process to the next meeting of the Parish Council.
12. Minutes of the committee meeting will be kept and will be available to all parties involved in the complaint.

IF THE COUNCIL RESOLVES TO CONVENE A DISCIPLINARY COMMITTEE MEETING

1. If the complainant wishes to pursue the matter, the complainant must notify the Chairman of the Council in writing with reasons for wanting to do so, and a meeting of the Disciplinary committee will be convened for the purpose of investigating the complaint further.
2. The procedure will follow the Parish Council's disciplinary policy and process.
3. The complainant will be informed, in due course, as to whether their complaint has been upheld or not upheld.

Adopted: Resolution **19060, page 6856, 4 April 2024.**

Date for review: 4 April 2025.