



South Wonston Parish Council

Complaints Policy

Adopted by South Wonston Parish Council 11th September 2017

Reviewed and Updated 8th October 2018

Reviewed 10th February 2020

Reviewed 12th July 2021

Reviewed 13th December 2021

Reviewed 12th December 2022

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Residents and customers have a right to expect good quality services from the Parish Council (PC) and comments and feedback are welcome in order to improve our performance. When complaints arise, the PC aims to resolve them by following the procedure set out in this policy. Anyone living in or near South Wonston who is affected by PC decisions has a right to complain.

The Complaints Policy covers concerns relating to the administration and procedural affairs of the PC. It does not deal with grievance issues from staff (disciplinary and grievance measures are available for this), nor with any matters relating to third parties that do not relate to action taken by the PC, nor does it cover alleged financial irregularity (local electors have a statutory right to object to the PC's audit of accounts in line with the Audit Commission Act 1998 s16 or the PC may consult its internal or external auditors), alleged criminal activity (which should be reported to the Police), alleged breach of the Code of Conduct adopted by the PC (which relates only to councillors, not staff, and should be reported to Winchester City Council's Monitoring Officer), or personal injury, financial loss or legal claims (which will be immediately referred to the PC's insurance providers for investigation and resolution) or safeguarding issues (the complainant should contact Hampshire County Council's Hampshire Safeguarding Children Board).

An informal complaint may be made by email or written communication to the Clerk, Chair, Vice-Chair or any Parish Councillor. The complaint will be dealt with by the most appropriate person depending on the nature of the complaint. Hopefully most complaints can be dealt with informally, but if an informal complaint does not seem to the complainant to have resulted in a satisfactory response, or is very serious, a formal complaint may be more appropriate.

Complaints received will be acknowledged and logged and receive a full and fair investigation. A response will normally be sent within 15 days of receipt, depending on the outcome of the investigation. The procedure will respect desire for confidentiality and anonymity unless waived. Please note that Data Protection Regulations apply. The response will address all the points at issue and provide

effective and appropriate redress where the fault of the PC has been proven and acknowledged.

The procedure will be followed as below:

STAGE 1

The complainant should direct their complaint by email or letter to the Clerk, or the Chair, especially where the Clerk is involved in the matter in question. An acknowledgement email or letter will be sent within 3 working days of receipt of the complaint. The complainant will be given, after full investigation, a written response within 15 working days. If the complaint is very serious or complex or insufficient time has been allowed for gathering information, the PC reserves the right to extend the response time but will notify the complainant and contact them for additional information as required. In all cases the PC will endeavour to resolve all complaints as quickly as possible.

STAGE 2

If the complaint is not resolved to the complainant's satisfaction at the above stage, they may ask for a review of the case by the Chair (where Clerk has initially handled the complaint), who should respond within 7 working days. Where the complaint has been initially handled by the Chair, the complainant may ask their case to be heard by the Vice Chair, who will respond within 7 working days.

STAGE 3

If the complainant is still unsatisfied, their complaint can be considered by a committee of the PC to which the complainant may be invited with such representation as they wish. Seven days prior to the committee meeting, the complainant shall provide the PC with any documentation or other evidence to which they wish to refer and the PC shall provide copies of any document it wishes to rely on. The committee shall be appointed by the Chair. Persons who have been involved in the complaint must be excluded and at the meeting the committee shall elect a Chair to conduct the business. The meeting shall be held as the PC determines with respect to place, time, notice requirements (if any; the committee will decide, given the factors of confidentiality and anonymity, whether public and press are to be excluded), with a quorum of no less than 3, in accordance with Standing Orders. At the meeting, the rules of conduct and the grounds of complaint will be outlined by the Chair or Clerk as appropriate. Committee members may question both parties. If appropriate, Clerk or Chair will explain the PC's position. They may be questioned and they and the complainant or their representative may in that order have the last word. Every involved party will be asked to leave while members decide whether or not the grounds for complaint are justified. Involved parties may be summoned again for points of clarification. They may return when the decision is to be announced or notice given when the decision will be made if the committee wish to hold a private discussion. The decision and details of any action to be taken will be confirmed in writing within 7 working days. The report will also cover opportunities for better future practice and refund of fees as appropriate. The PC may express regret or apologise if it is found liable for an inadequate service.

STAGE 4

Stage 4 Appeals might be better as follows:

If the complainant is still dissatisfied, they can put their concerns in writing to the Parish Council within fourteen days of receipt of the result of the committee's proceedings. These will be considered by an Appeals Panel consisting of previously uninvolved councillors. The panel will, within twenty-one days of receipt of the appeal, look into all the information relative to the complaint and the way it was handled. It may contact the appellant for further information or invite them to a meeting for continued dialogue, at which the appellant may have their preferred representation. The appellant will be notified of the result of the appeals process within seven days. If the panel finds that the complaint was dealt with correctly, the appellant will be notified that their appeal was unsuccessful. The decision is final. If it is found that the complaint was mishandled, it will be referred back to the original committee or a full council meeting for consideration. The appellant will be notified of the outcome within fourteen days. This may involve rejection of the Appeal Panel's conclusion with strong justification, or acceptance with a resolution to improve performance. Either way, the case will now be closed.

MONITORING ARRANGEMENTS

Clerk will produce half yearly reports of all complaints and actions taken. This policy will be reviewed annually.