

# Barwell Parish Council

## Complaints Procedure

Re-Drafted and Adopted by Barwell Parish Council on 7<sup>th</sup> October 2021

### Customer Service Standards.

1. Barwell 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.
2. If you are dissatisfied with the standard of service you have received from this Parish Council or are unhappy about an action or lack of action by the Parish Council, this complaints procedure sets out how you may complain and the procedure on how we shall try to resolve your complaint.

### What is a complaint?

3. A complaint is an expression of dissatisfaction about the Parish Council's actions, or lack of actions, or about the standard of a service, whether the action was taken, or the service was provided by the Parish Council or a person or body acting on behalf of the Parish Council.
4. This complaints procedure applies to complaints about Parish Council administration and procedures and may include complaints about how Parish Council employees have dealt with your concerns.

A formal complaint can be made when you believe:

- A Parish Council service has let you down;
- We have not done something we said we would do;
- We did something wrong;
- The service we provided was unfair.

### What is not a complaint?

5. This complaints procedure **does not apply** to:

- Complaints against Parish Councillors are covered by the Code of Conduct for Members adopted by the Parish Council (a copy is available to download from our website). If a complaint against a Parish Councillor is received by the Parish Council, it will be referred to the Monitoring Officer of Hinckley & Bosworth Borough Council.

Further information on the process of dealing with complaints against Parish Councillors may be obtained from the Monitoring Officer of the Hinckley & Bosworth Borough Council, Hinckley Hub, Rugby Road, Hinckley LE10 0FR.

- services offered or provided by an authority other than the Parish Council (for example, Hinckley & Bosworth Borough Council or Leicestershire County Council). We will let you know if this is the case and provide you with the contact details of these authorities.
  - complaints by one Parish Council employee against another Parish Council employee, or between a Parish Council employee and the Parish Council as employer. These matters are dealt with under the Parish Council's disciplinary and grievance procedures.
6. The appropriate time for influencing Parish Council decision-making is by raising your concerns before the Parish Council debates and votes on a matter. You may do this by writing to the Parish Clerk in advance of the meeting at which the item is to be discussed. There is also the opportunity to raise your concerns in the public participation section of Parish Council meetings.
  7. If you are unhappy with a Parish Council decision, you may raise your concerns with the Parish Clerk, but Standing Orders prevent the Parish Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

### **Procedure for dealing with your complaint.**

#### **Informal Complaints.**

8. You may make your complaint about the Parish Council's procedures or administration to the Parish Council office. You may do this in person, by phone, or by writing to or emailing the office. Details are set out below. The Parish Council will **not** accept anonymous complaints.
9. Wherever possible, the Parish Council office will try to resolve your complaint immediately. If this is not possible, we will normally try to resolve your complaint within five working days. If this is not possible because we have to undertake further enquiries or because we have to request information from a third party, then we will let you know.
10. At this point we will try to resolve your complaint on an informal level. Most cases will be able to be dealt with by this method. When we have investigated your complaint, we will explain to you either that:
  - we think that the Parish Council got it wrong and how we propose to put it right; or
  - we think that the Parish Council was right and why.
11. If after receiving our response you either disagree or are still unhappy, you may escalate your complaint to the next stage. At this point you should put your complaint in writing within ten

working days of the receipt of our response to you and set out the reasons in detail as to why you disagree with our initial decision.

### **Formal Complaints.**

12. Your formal complaint should be submitted in writing to the Parish Clerk. If you do not wish to report your complaint to the Parish Clerk, you may make your complaint directly to the Chairman of the Parish Council.
13. The Parish Clerk will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Parish Council. Receipt of your letter will be acknowledged within five working days. A meeting with you to try and resolve your complaint may be necessary at this stage.
14. You will receive a written response to your formal complaint within ten working days unless we must undertake further enquiries or because we have to request information from a third party then we will let you know.
15. If you feel that the matter has still not been fully resolved then you may request, in writing within ten working days of the receipt of our response to you, that your complaint is referred to the Complaints Committee of the Parish Council.
16. The Parish Council will acknowledge receipt of your letter within five working days and convene a meeting with the Complaints Committee as soon as practically possible. The Complaints Committee will consist of the Chairman of the Parish Council and the appropriate Committee Chairman depending on the nature of the complaint.
17. You will be notified of the date of the meeting, and you will be asked for your comments, evidence, and any supporting documentation for your complaint. You will be invited to attend the meeting to address the Committee.
18. The Parish Clerk, or the Chairman of the Parish Council, will notify you within twenty working days of the meeting of the Committee of the outcome of your complaint and what action (if any) the Parish Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed).

### **Appeals.**

19. If you are dissatisfied with the response to your complaint from the Complaints Committee you may ask for your complaint to be referred to the Complaints Appeal Committee. Your request to appeal the decision of the Complaints Committee must be made in writing within ten working days of the receipt of the decision letter. An appeal outside this timescale will be disallowed.
20. Your appeal must clearly state the reasons that you are dissatisfied with the decision of the Complaints Committee. It will be insufficient to simply re-state the original complaint. The appeal must set out why you consider the decision of the Complaints Committee is flawed or that the Committee had mis-directed itself in arriving at its decision.

21. Your appeal will be considered by the Complaints Appeal Committee. This meeting will be held no more than 20 working days from the receipt of your appeal. This meeting will normally be held in private. The Appeals Committee will consider all the written evidence presented to it. You will not be called to give further verbal evidence except in exceptional circumstances.
22. The Chairman of the Parish Council will convey the decision of the meeting to you in writing within ten working days of the hearing. This decision is final and there is no further right of appeal.

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