



**Washingborough
Parish Council**

FORMAL COMPLAINTS PROCEDURE

Adopted
15 June 2022

Change History

No	Change Type	Updated by	Change summary	Approved by Council
1	Original		Created	11 Sep 2017
2	Update	Policy WP	Added Front sheet	15 Jun 2022
3				

Review Interval = Annual

FORMAL COMPLAINTS PROCEDURE

To determine whether a complaint procedure is appropriate

1. It will not be appropriate to deal with all complaints from members of the public under a Complaints procedure. The Council will need to refer or use procedures/bodies in respect of the following types of complaint:

<u>Type of Conduct</u>	<u>Refer to</u>
Financial Irregularity	<p>Matters subject to a local electors' statutory right to object a Council's audit of accounts pursuant to s.16 Audit Commission Act 1998, or any superseding legislation should be passed to the auditor as defined in the Act.</p> <p>On other financial matters, the Council may need to consult their appointed auditor or the Audit Commission.</p>
Criminal Activity	The Police.
Member Conduct	A complaint relating to a council member's failure to comply with the Members Code of Conduct must be submitted to the Monitoring Officer at North Kesteven District Council. See "Councillor Conduct and Standards" on the NKDC website (that page has a link to an on-line Complaint Form) .
Employee Conduct	Internal Disciplinary Procedure

2. A member of the public may also consider a criticism about a service (e.g. an untidy park area or unclean public toilet) or a fee (e.g. the level of charge for Community Centre room hire) to be a complaint. But these do not fall within the formal Complaints procedure, unless the Council has acted improperly, and should be treated as normal service requests.

Making a complaint

3. All complaints must be put forward in writing on the Parish Council complaint form, giving full details of the complaint and how it has arisen. Anyone who makes a complaint first by telephone or visit to the office must be advised to put the complaint in writing on our standard form. The form should then be submitted to the Clerk. [The Complaint Form is available on the Parish Council website or via the Parish Council office on Fen Road.](#)

4. The Parish Council shall provide reasonable assistance to the complainant, to accurately record the complaint, where the complainant cannot or has difficulty in setting out a written complaint.

5. If the complainant does not wish to put the complaint to the Clerk, he or she will be advised to address the form to the Chairman of the Council who will then investigate, report to the full Council, and respond to the complainant.

6. On receipt of a complaint the Clerk will acknowledge receipt within 5 working days.

Dealing with a complaint

7. The complaint is brought to the attention of the Parish Council Chairman. The Chairman and Clerk discuss the action to be taken depending on the nature of the complaint.
8. If the complaint is of a minor, procedural nature and can be easily settled, the Clerk will take action, and if the complainant has requested a response, the Clerk will notify the complainant of the action taken.
9. If the complaint is more complex it will be acknowledged and then placed on the agenda for the next full Parish Council Meeting. The Clerk will investigate the matter and report to the meeting. A letter detailing the Council's response will be sent to the complainant if they have requested a response.
10. The Council will aim to deal with all complaints within 12 weeks from the receipt of the complaint. (To allow for the fact that the Parish Council meetings are once a month). However, in cases where the matter cannot be resolved within this time limit the complainant will be kept informed of the progress of the complaint and the reasons for the delay.
11. Matters requiring legal advice should be agreed by the full Parish Council before any expenditure is incurred.

Appeals

12. If the complainant does not agree with the decision following their complaint they have the right of appeal, providing that the written appeal is received within 30 days of the date of the letter or telephone call informing the complainant of the decision.
13. Appeals should be made on the grounds that there is evidence of which the Council was not previously aware when they made the decision, or that the Council incorrectly understood the original evidence provided.
14. The Appeal evidence should be reviewed by the Chairman and Vice Chairman and a recommendation made to council.