

# Heighington Parish Council

## COMPLAINTS PROCEDURE

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## 1 Purpose

- 1.1 Heighington Parish Council is committed to providing its services efficiently and to as high a standard as possible. The council takes all complaints seriously.
- 1.2 A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the council or its staff which affects an individual customer or group of customers.
- 1.3 The aim of this policy is to outline how members of the public can complain to the council and how a complaint will be positively dealt with. Council can then take the opportunity to improve its services, and review other policies and procedures where necessary.

## 2 Scope

- 2.1 This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
- 2.2 This procedure does **not** apply to:
  - Complaints for which there is a legal remedy or where legal proceedings already exist.
  - Complaints about financial irregularity. Local electors have a statutory right to object council's audit of accounts pursuant to the Local Audit and Accountability Act 2014 and Accounts and Audit Regulations 2015. The council's external auditors are PKF Littlejohn LLP.
  - Complaints about alleged criminal activity. These must be referred to the police.
  - Complaints about employment matters. Complaints of this nature should be referred to the council's Grievance or Disciplinary Policies.
  - Complaints about individual councillors. Complaints of this nature are covered by the Code of Conduct for Councillors. Such complaints should be made in writing to the Monitoring Officer at North Kesteven District Council. Further information on the process of dealing with complaints about councillors can be obtained directly from North Kesteven District Council and is available on their website.
  - A member of the public may also consider a criticism about a service or fee 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.
- 2.3 The appropriate time for influencing council decision-making is by raising your concerns before the council debates and votes on a matter. You may do this by writing to the council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of council meetings. If you are unhappy with a council decision, you may raise your concerns with the council, but Standing Orders prevent the 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.

### **3 The complaints process**

#### **3.1 Informing the council of a complaint**

3.1.1 Complaints about procedures of administration should be discussed with the clerk. Mistakes and misunderstandings are often resolved informally at this stage. If the clerk cannot resolve the complaint informally the following steps should be followed:

- Complaints should be made in writing (or email) addressed to the clerk, providing the name, address and contact details for the complainant together with the details of the complaint. In the event that the complaint relates to the clerk, the complaint may be addressed to the chair of the council.
- The complaint shall be acknowledged in writing within ten working days and the complainant advised of when the matter will be considered by the council. Complaints will usually be discussed at a meeting of Full Council.
- The clerk or council (as appropriate) will investigate each complaint, obtaining further information as necessary from the complainant and anyone else related to the complaint.

3.2 All personal information and data will be held in accordance with the General Data Protection Regulations (GDPR) and in line with the council's Data Protection Policy.

#### **3.3 At the meeting**

3.3.1 The council will consider whether the nature of the complaint warrants the exclusion of the public and press from the meeting.

#### **3.4 Following the meeting**

3.4.1 The decision made by the council regarding the complaint will be confirmed in writing within ten working days of being made. Included with this will be details of any action to be taken. Complainants will be kept informed should additional time be required to respond.

#### **3.5 Appeal process**

3.5.1 The complainant must inform the council in writing if they wish to appeal the decision made.

- The request for an appeal shall be acknowledged in writing and the complainant advised of when the matter will be re-considered by the council.
- Following the appeal, the council will confirm its final decision in writing within 10 working days together with any action to be taken.
- If following the appeal process, the complainant is still not satisfied with the action taken, or if the complainant feels they have been unfairly treated they can pursue their complaint through the Local Government Ombudsman. Further information can be found at [www.lgo.org.uk](http://www.lgo.org.uk) or by calling 0300 061 0614.

#### **3.6 Handling vexatious or abusive complaints**

3.6.1 A very small minority of complainants may persist unreasonably with their complaints

rather than genuinely to resolve a grievance. The council recognises the need to distinguish between those who make a number of complaints because they genuinely believe things have gone wrong, and those who are looking to subvert the legitimate business of the council.

- 3.6.2 It is not necessary to meet a complainant's unreasonable demands, and judgement is required to separate the legitimate from the unreasonable queries, often within the same complaint.
- 3.6.3 If the complainant's persistence adversely affects the council's ability to do its work, it must address such behaviour. The clerk will implement action agreed by the council and will notify the complainant that their complaint is considered vexatious and what action will be taken.

#### **4 Contact details**

Contact details for the council/clerk are as per the Heighington Parish Council website:

<https://heighington.parish.lincolnshire.gov.uk/>