



Pontesbury Parish Council Complaints Procedure

Pontesbury Parish Council is committed to providing a quality service for the benefit of the people who live or work in its areas or are visitors to the locality. Anyone who is dissatisfied with the standard of service they have received from this Council or is unhappy about an action or lack of action by this Council, this Complaints Procedure sets out how to complain to the Council and how the Council will try to resolve the complaint.

The Complaints Procedure has been adopted so that members of the public can be assured that any grievance will be properly and fully considered. It is hoped that by following this transparent process, the reputation of the Council will be maintained. Please also consult the Complaints Policy for Subject Access Requests.

The Parish Clerk is the Proper Officer of the Council and will represent and advise the Council at any meeting where the complaint will be aired, unless the Clerk is putting forward the justification for action or procedure of the complaint.

Aim of the Complaints Procedure

- i. To ensure that all complaints from members of the public are handled swiftly and courteously in a transparent and impartial manner to a resolution acceptable to all parties.
- ii. To ensure that processes are reviewed to prevent issues reoccurring.
- iii. To improve the Council's services.

This procedure does not cover complaints made by one council employee against another council employee or between a council employee and the council as a employer. These matters are dealt with under the council's disciplinary and grievance procedures.

The procedure does not cover complaints about the conduct of a member of the Parish Council. All councillors sign to undertake to observe the Code of Conduct adopted by the Parish Council. You can find the Code of Conduct on the Parish Council's website. www.pontesbury-pc.gov.uk

If a complainant feels a councillor has broken any of the rules in the Code of Conduct, they should refer the complaint directly to:

The Monitoring Officer,
Shropshire Council,
Shirehall,
Abbey Foregate,
Shrewsbury
SY2 6ND

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 Standing Orders is followed.

What may constitute a complaint?

A complaint is an expression of dissatisfaction about the policies, procedures, administration, and the standard of service, actions or lack of action by Pontesbury Parish Council or a person or body acting on behalf of the Council.

What if you have a complaint?

The first priority is to raise the issue with the Parish Council.

If a complaint is notified verbally to a Councillor or to the Clerk, a written record of the complaint will be made, noting the name, date/time and contact details of the complainant and the nature of the complaint.

The complainant will be asked to put the complaint in writing (letter/e-mail) to the Clerk (contact details below) giving names and addresses and relevant dates with as much information as possible. The complainant will be asked to confirm in writing if he or she wants the complaint to be treated confidentially.

If the complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Chair of the Council.

The Clerk will log all complaints and acknowledge them in writing, as soon as possible after their receipt.

It is hoped to be able to resolve most non-complex complaints immediately, but for more complex issues a thorough investigation may need to be undertaken.

On receipt of a complaint, the Clerk or the Chair (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying the Chair and Vice Chair and any person complained about, and giving them an opportunity to comment. Efforts should be made to resolve the complaint at this stage.

Where the Clerk or a Councillor receives a complaint about the Clerk's actions, he or she shall refer the complaint to the Chair. The Clerk will be formally advised of the matter and given an opportunity to comment. Any matter relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's Grievance and Disciplinary procedures.

Investigations will be dealt with as quickly as possible and under normal circumstances the complainant should get a written response within 20 working days from receipt of the complaint.



Should either party request a meeting as part of the investigations, the Council will be represented by 2 people normally the Clerk and Chair. The date and venue of meeting will be mutually agreed allowing 5 days for any new information or evidence relevant to the complaint to be reviewed by both parties. A meeting between parties may result in a written response being delayed.

If a complaint has not been satisfactorily resolved by the time of the meeting, the Clerk will notify the complainant of the date of the meeting. If the complainant is submitting documentation or evidence for the Parish Council meeting they should provide copies to the Clerk at least 7 clear working days before the meeting. Similarly, the Clerk will supply the complainant with copies of any Parish Council documents that are requested, provided these are documents available under the Freedom of Information Act 2000.

The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.

The Council believes that complaints can provide useful information and feedback. Under Public Bodies (Admission to meetings) Act 1960 the Council may consider whether the circumstances warrant the matter being discussed in the absence of the press and public. In the interests of openness and accountability there must be clear relevant reasons or a request from the complainant for the matter to be held without the presence of the press or public. The decision of the Council, however, will be published in the minutes of the meeting.

As soon as practicable after a decision has been made the complainant will receive notification in writing which will include any action that may be taken.

Complaints relating to Freedom of Information

If the complaint is in regard to the Freedom of Information Act and the complainant is not content with the outcome, an application may be made directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless the complaints procedure provided by the Council has been exhausted. The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire SK9 5AF

What if you are not satisfied?

The Council is committed to dealing with all complaints fairly and impartially.



If the complainant is not satisfied with the response to the complaint, they should write to the Clerk explaining their reasons why. If new information is brought to the attention of the Council, then the complaint will be re-considered at the earliest opportunity. The Council will consider new information on its merits but the Council's decision after re-consideration will be final and the complaint considered to be concluded.

It may transpire that the complaint cannot be resolved to the mutual satisfaction of both parties and an advocate might be helpful. If required, the Council will help the complainant find an independent advocate.

Prior to taking any further action, the Council would ask any complainant to consider whether:

- the complaint has been investigated properly
- any decision reached on is fair and impartial
- communication with the complainant has been adequate.

It should be noted that currently the Local Government Ombudsman has no jurisdiction over parish and town councils.

Contact information:

<u>Chairman to the Parish Council</u>	<u>Parish Clerk</u>
Cllr Duncan Fletcher Whitecroft Grove Lane Pontesbury Shrewsbury SY5 0UW Email: dfletcher@pontesbury-pc.gov.uk	Mrs Debbie Marais 8 Holbache Road Oswestry SY11 1RP Email: clerk@pontesbury-pc.gov.uk Tel: 01691 661157

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