

TORMARTON PARISH COUNCIL

COMPLAINTS POLICY

DEFINITION

Tormarton Parish Council uses the Local Government Ombudsman's (LGO) definition of a complaint, which is accepted by National Association of Local Councils (NALC):

'A complaint is an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.'

In accordance with NALC/LGO guidelines, the Town Council will try to ensure that their complaints system is:

- well publicised and easy to use;
- helpful and receptive;
- not adversarial;
- fair and objective;
- based on clear procedures and defined responsibilities;
- quick, thorough, rigorous and consistent;
- decisive and capable of putting things right where necessary;
- sensitive to the special needs and circumstances of the complainant;
- adequately resourced;
- fully supported by councillors and officers; and
- regularly analysed to spot patterns of complaint and lessons for service improvement.

CONFIDENTIALITY

The LGO/NALC advises that the identity of a complainant should only be made known to those who need to consider a complaint. Tormarton Parish Council will take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned).

COMPLAINTS PROCEDURE

The procedure set out in this policy is not appropriate for use where a complaint is made against an individual. Serious complaints relating to the conduct of an individual can be dealt with in the following way:

- Complaints against Members of the Town Council through South Gloucestershire Council's Monitoring Officer
- Complaints against members of staff – through internal Managing Employee Performance Procedure

The following procedure is designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Parish Clerk or the Chair of the Council. At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

Before the Meeting

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Parish Clerk.
2. If the complainant does not wish to put the complaint to the Parish Clerk, he/she should be advised to address it to the Chair of the Council.
3. The Parish Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council or by a committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

6. The Council will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be announced at the council meeting in public.
7. The Chairman to introduce everyone and explain the procedure.
8. The complainant (or representative) to outline the grounds for complaint
9. Members to ask any questions of the complainant.
10. Members to ask any questions of Parish Clerk
11. Parish Clerk and complainant to be offered the opportunity to summarise their position (in this order).
12. Parish Clerk and the complainant should be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, **both** parties to be invited back).
13. Parish Clerk and complainant return to hear decision, or to be advised when decision will be made.
14. Decision confirmed in writing within seven working days together with details of any action to be taken.