WELSHAMPTON AND LYNEAL PARISH COUNCIL

COMPLAINTS PROCEDURE

This Complaints Procedure was adopted by the Council
at the Meeting held on 28 January 2015

In order for any complaint about Welshampton and Lyneal Parish Council to be dealt with, the following 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.

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.

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 Welshampton and Lyneal Parish Council.

What if you have a complaint about the actions of a particular councillor (or councillors)?

This 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. A full copy of the Code of Conduct is available on the Parish Council's website at www.welshamptonandlyneal-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.

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. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.

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 Chairman of the Council.

The Clerk will log all complaints and acknowledge them in writing, normally within 5 working days. However, due to the Council only have one employee, the Clerk, some acknowledgements may take longer but within 12 working days.

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 Chairman (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 Chairman and Vice Chairman 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 Chairman. 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 15 working days.

All complaints will appear on the agenda for discussion at the next full meeting. The Council believes that complaints can provide useful information and feedback.

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 and the complainant will be offered an opportunity to explain the complaint to the Council during the Public Statements session.

If the complainant is submitting documentation or evidence for the 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.

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 made public at the end of the meeting.

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.

Under Local Government Act 2000 S92 (payments in cases of maladministration) the Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.

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 have the opportunity to attend the next full meeting of the Council and to explain the reasons to the Council during the Public Statements session. Alternatively, an earlier meeting with the Clerk and/or Councillor(s) can dispel misunderstandings and move matters towards a resolution.

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

Contact Details

Parish Clerk:	Carole Warner Orchard Cottage, Rowe Lane, Welshampton, SY12 0QB Tel: 01948 710672 Email: clerk@welshamptonandlyneal-pc.gov.uk
Chairman:	Andrew Haydon The Hollies, Welshampton, SY12 0QA Email: ajshaydon@btinternet.com

This Procedure was adopted on 28 January 2015
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Reviewed on 13 September 2017
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