



Ashchurch Rural Parish Council Complaints Policy

Adopted at the Parish Council Meeting on 28 October 2019

Reviewed on 22 May 2023

Next review due in May 2024 or sooner if required

1. Ashchurch Rural Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council, or are unhappy about an action or lack of action by this Council, this Complaints Policy sets out how you may complain to the Council and how we shall try to resolve your complaint.
2. This Complaints Policy applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

Important Note: this Complaints Policy does NOT apply to:

- Complaints in respect of alleged breaches of the Code of Conduct for Councillors. Complaints against Councillors are covered by the Code of Conduct for Members – closely based on the national model code. The law now requires that, if a complaint against a Councillor is received by us, it must be referred to the Monitoring Officer of Tewkesbury Borough Council. Further information on the process of dealing with complaints against Councillors under the Code of Conduct should be obtained directly from the Monitoring Officer
 - Complaints by one Council employee against another Council employee, or between a Council employee and the Council as an employer. These matters are dealt with under the Council's disciplinary and grievance procedures
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 our Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless (a) the are exceptional grounds to consider this necessary and (b) the special process set out in Standing Orders is followed. Pursuant to Local Government Act 1974, the Local Government Ombudsman (LGO) has no Jurisdiction over parish and town councils in England. Consequently, there are no statutory mechanisms in place should complaints be made against local councils in England.
 4. Ashchurch Rural Parish Council will not acknowledge or consider, under any circumstances complaints that are submitted anonymously.

Complaints Handled by the Parish Clerk

5. It is hoped that most complaints can be resolved quickly and amicably through this route.
6. Initial complaints can be made by telephone, or letter. The complaint will be handled by the Clerk.
7. Complaints should always be directed through the Council offices, not through individual Councillors.
8. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.
9. It is expected that most complaints can be resolved through this route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

Complaints Handled by the Parish Council

11. The Clerk is responsible for managing the complaints process. The Clerk is the Proper Officer of the Council. However, if a formal complaint is being raised against the Clerk, then the process should still be followed, but the Chairman of the Council would take the place of the Clerk in managing the process.
12. A formal complaint must be submitted in writing to the Council offices, addressed to the Clerk or Chairman as appropriate. The complaint should cover as much detail as possible and enclose any relevant supporting documentation and within 28 days of the conclusion of the matter in question.
13. The Clerk or Chairman will acknowledge receipt of the complaint within five working days.
14. The Clerk or Chairman will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint is closed.
15. The Clerk or Chairman will report to the Council, summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainants and any Council staff involved.
16. If the Clerk or Chairman is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to the next Council meeting.

At the Meeting

17. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.
18. The Chairman shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting will be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion. (a) The complainant (or representative) shall be invited to outline the grounds for complaint and members given the opportunity to ask any question of the complainant. (b) If relevant, the Clerk will explain the Council's position and the Council shall ask any questions of the Clerk. (c) The complainant is to be offered the opportunity of a last word as a

means of summing up their position. (d) The Clerk is to be offered the opportunity of a last word as a means of summing up their position.

19. The Clerk and complainant shall 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 should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.
20. The decision will be confirmed in writing within seven working days together with details of any action to be taken.
21. The announcement of any decision will be made in public, at the next Council meeting.
22. The Council may decide to seek legal advice before writing to the complainant.
23. In the event of facetious, vexatious or malicious complaints the Clerk and/or Chairperson may dismiss the complaint without referring it to a Complaints Panel or the Council. In the event of serial complaints of such nature the Council may decide not to respond without further explanation.
24. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to a specially convened Complaints Panel or to the Full Council (as appropriate) and you will be notified in writing of the outcome of the review of your original complaint within eight weeks.

Contact Details:

Parish Clerk: clerk@ashchurchruralpc.org.uk

Telephone: 07305 022766

Chairman - Councillor John Hargreaves: JohnHargreaves@ashchurchruralpc.org.uk

Complaints under the Code of Conduct for Councillors: The Monitoring Officer Tewkesbury Borough Council: monitoringofficer@tewkesbury.gov.uk