



**Clerk to the Council/RFO: Julie Hodgkiss**

**Chairman: Cllr. Mark Underwood**

**“Protecting and improving the quality of life for all Bayston Hill residents”**

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# Bayston Hill Parish Council Complaints Policy

## **1. INTRODUCTION**

1.1 Bayston Hill Parish Council is committed to providing an efficient and effective service for the benefit of the people who live in, work in or are visiting the area.

1.2 The Parish Council takes its responsibilities seriously and will endeavour to investigate any complaints in a timely and balanced way in order to find a solution that is satisfactory for all parties. Although it is generally in the interests of the complainant and the Parish Council to try to resolve the matter informally through the normal channels of communication, this formal policy outlines the procedure to be followed where an informal resolution has not been possible.

1.3 A complaint may generally be defined as:

“an expression of dissatisfaction ....about the Parish 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 Parish Council itself or a person or body acting on its behalf”.

The following are examples of the type of complaints that may typically arise:

- The Parish Council has not done something it has a duty to do or normally does;
- The Parish Council has done something it has no right to do or does not normally do as a matter of established practice;
- The conduct or behaviour of an employee is unsatisfactory;
- The established levels of service delivery are not reached;

- A person does not understand or is not informed of why or how a situation arose or exists;
- An adopted and known procedure is not followed.

1.4 When a complaint is made against the Parish Council, member(s) of the council or staff are likely to be mentioned or complained about. However, it is important to bear in mind that a complaint against a council will be treated as a complaint against the body corporate of the council, not as a complaint against individual employees or member(s) of the council.

## **2. Exclusions**

2.1 This policy does not apply to:

- Complaints by one Parish Council employee against another council employee or between a Parish Council employee and the Parish Council as an employer. These matters are dealt with under the Parish Council's disciplinary and grievance procedures.
- Complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members in accordance with Chapter 7 of the Localism Act 2011 and will be referred to the Monitoring Officer at Shropshire Council. Further information on the process of dealing with complaints against councillors and the relevant forms can be obtained from the Shropshire Council website [www.shropshire.gov.uk](http://www.shropshire.gov.uk) listed under the Democracy heading, Member Code of Conduct Complaint.
- Comments on decisions made at Parish Council meetings. Concerns about agenda items should be made in writing to the Parish Clerk 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 Parish Council meetings. If you are unhappy with a Parish Council decision, you may raise your concerns with the Parish 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 will be followed.

## **3. Procedural or Administrative Complaints**

3.1 Complaints on specific Parish Council procedures or administrative actions should be forwarded to the Parish Clerk as follows:

Parish Office  
 Lyth Hill Road  
 Bayston Hill  
 Shrewsbury

SY3 0EW

E-mail: [clerk@baystonhillparishcouncil.org.uk](mailto:clerk@baystonhillparishcouncil.org.uk)

Telephone: 01743 874651

- 3.2 All formal complaints must be submitted in writing and should include as much detail as possible about the particular issue of concern, including relevant events, dates and, where appropriate, names of Parish Councillor(s), members, staff or contractors of the Parish Council, together with the complainants full contact details.
- 3.3 The Clerk will attempt to resolve your complaint on receipt. However, if this is not possible, the Clerk will acknowledge receipt of your complaint within five working days.
- 3.4 If you do not wish to report your complaint to the Clerk, you may report it directly to the Chair of the Parish Council who will pass the complaint on to the Full Council for consideration.
- 3.5 All complaints will be fully investigated by the Clerk or the Parish Council, gathering further information as required from relevant sources.
- 3.6 Complaints will normally be responded to within twenty working days and will include the results of the investigation and any actions taken. In exceptional cases the Parish Council may be required to extend this timescale, in which case you will be informed of this requirement at the earliest opportunity.

#### **4 Dissatisfaction or Complex Complaints**

- 4.1 If you are not satisfied with the outcome of your complaint or if the matter is particularly complex, your complaint may be referred to a meeting of the Parish Council or to a sub-committee specifically established to hear the complaint. Should this be necessary you will be informed of this decision and the date of any such meeting.
- 4.2 You will be invited to attend the meeting and bring with you such representatives as you wish. Unless you state otherwise the Parish Council will consider whether the complaint will be held in private session in order to meet its obligations under the General Data Protection Regulation to safeguard against the unlawful disclosure of personal information.

4.3 If you have any documentation or other form of evidence to which you intend to refer at the meeting, the Parish Council requests that copies of this be provided at least three clear working days prior to the meeting. Similarly, the Parish Council will provide you with copies of any evidence upon which it intends to rely at the meeting within the same timeframe.

4.4 At the meeting the Chair of the Parish Council or of the Committee hearing the complaint will:

- Introduce everyone present.
- Explain the procedure to be followed.
- Invite the complainant to outline the grounds for the complaint.
- Give members the opportunity to ask any questions of the complainant.
- Ask the Clerk, or other officer, to explain the position of the Council, if relevant.
- Give members the opportunity to ask any questions of the Clerk or other officer.
- Offer the Clerk and the complainant the opportunity of a final address to the meeting (in that order).
- Ask the complainant to leave the room whilst members decide whether or not the complaint has been upheld. If the complaint is against the Clerk or other officer, they will also be asked to leave the room. (If clarification of any point is required both parties will be invited back into the room).
- Invite the complainant (and Clerk or other officer if appropriate) back to the meeting to hear the decision or be advised of when the decision will be made.

4.5 Following the meeting decisions made will be confirmed in writing within seven working days together with details of any action to be taken and the appeal process.

4.6 Should the Parish Council be found to be at fault following the investigation, every effort will be made to resolve the complaint to the satisfaction of the complainant.

4.7 Should you still be dissatisfied with the outcome unfortunately there is currently no external agency or government body to which you can direct your complaint. However, you may lodge a written appeal with the Chair of the Parish Council who will then review the complaint and if deemed appropriate will submit it to an Appeals Committee for consideration. In order to preserve any confidentiality issues the Appeals Committee may deal with your complaint in private session and your details will not be released publicly.

4.8 If you have any queries or concerns about this policy or about a specific complaint, please feel free to contact the Parish Clerk at the above address.

Adopted by Bayston Hill Parish Council at a meeting held on 18 March 2019  
and reviewed 9<sup>th</sup> May 2022

Signed ..... Chair

Date .....