

Complaints Procedure

1. **Aim:** Bayston Hill Parish Council aims to swiftly investigate all complaints in a problem solving manner and to find a solution locally, whenever possible, to the satisfaction of both the complainant and the Parish Council.

2. **Definition of Complaints:** A complaint may be generally defined as an expression of dissatisfaction about a service which requires a response.

The following are examples of the type of complaints that may 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.

3. **Our Commitment:** 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. If you wish to make a complaint in line with the above definition you are requested to follow the procedure laid down in this document.

4. This Procedure does not apply to:

4.1 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.

4.2 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 listed under the Democracy heading, Member Code of Conduct Complaint.

4.3 Comments on decisions made at Council meetings. Concerns about agenda items should be made in 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 will be followed.

5. Procedural or Administrative Complaints: Complaints on specific Parish Council procedures or administrative actions should be forwarded to the Clerk as follows:

Parish Office
Lyth Hill Road
Bayston Hill
Shrewsbury
SY3 0EW

E-mail: baystonhillpc@hotmail.com

Telephone: 01743 874651

5.1 The Clerk will attempt to resolve your complaint on receipt, if this is not possible, the Clerk will normally acknowledge your complaint within five working days.

5.2 If you do not wish to report your complaint to the Clerk, you may report it directly to the Chairman of the Council who will pass the complaint on to the Full Council.

5.3 All complaints will be fully investigated by the Clerk or the Full Council gathering further information as required from relevant sources.

5.4 Complaints will be responded to within 20 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 the period beyond 20 working days, in which case notification will be made at the earliest opportunity.

6. Dissatisfaction or Complex Complaints: If you are not satisfied with the outcome or if the matter is complex, the complaint may be referred to a meeting of the Parish Council or a Committee established to hear the complaint. In such cases you will be informed of the date of the meeting.

6.1 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 Data Protection Act 1998 to safeguard against the unlawful disclosure of personal information.

6.2 If you have any documentation or other form of evidence you wish to refer to at the meeting, the Parish Council request that it be provided 3 clear working days prior to the meeting and similarly, the Parish Council will provide you with copies of any evidence upon which it wishes to rely at the meeting.

6.3 At the meeting the Chairman will:

- Introduce everyone present.
- Explain the procedure to be followed.
- Outline the grounds for the complaint.
- Give members the opportunity to ask any questions of the complainant.
- Will 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 this order).
- Ask the complainant to leave the room whilst members decide whether or not the grounds for the complaint have been made. 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.

6.4 Following the meeting decisions made will be confirmed in writing within 7 working days together with details of any action to be taken and the appeal process.

6.5 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.

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 write to the Chairman of the Parish Council who will then review the complaint and if deemed appropriate will submit the complaint 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.

8. If you require specific help or general guidance about the Parish Council's procedures or about a specific complaint, please contact the Parish Clerk at the above address.