



Complaints Policy

| Author | Amended | Adopted | Summary of amendments |
|----------------------|--------------|--------------------------------------|---|
| Rob Williams | | 8 March 2021 Minute ref 163/20 | ➤ New Policy |
| Claire Newton | October 2023 | 17/10/2023 Minute ref 046/23 | ➤ Amendment to City council ➤ Formatting |
| Claire Newton | October 2024 | 15/10/2024 Minute ref 017/24 | ➤ Section 2 – addition of Ensure that any personal data related to the complaint is managed in accordance with the Data Protection Act 2018 (GDPR) throughout the process. ➤ 5.2 amended to include legislation for exclusion of press and public. ➤ 8. Update to the review wording. |



Contents

| | |
|--|---|
| 1. Introduction | 3 |
| 2. What you can expect from the council | 3 |
| 3. Receipt of the complaint..... | 4 |
| 4. Resolving the complaint..... | 4 |
| 5. Dealing with the complaint (formal process) | 4 |
| 6. Reporting the outcome | 5 |
| 7. Unreasonable and vexatious complaints | 6 |
| 8. Review | 6 |



"A complaint is an expression of dissatisfaction ... by one or more members of the public 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 council itself or a person or body acting on behalf of the council." [Local Government Ombudsman]

1. Introduction

- 1.1. Tiptree Parish Council is committed to providing a courteous, prompt and efficient service to members of the public and other organisations, but things can sometimes go wrong. That is why the Parish Council has adopted a policy which sets out its procedure for dealing with any complaints that it receives.
- 1.2. This procedure has been adopted for dealing with complaints about the Council's administration or its procedures. It does not specifically focus upon complaints about an employee of the Council that are appropriate to be dealt with as an employment matter and in accordance with the Council's disciplinary procedures and should be directed to the Parish Clerk. Complaints that an employee may have about a colleague or senior officer must be conducted in accordance with the Council's grievance procedures.
- 1.3. This procedure does not cover complaints about the conduct of Members of the Parish Council, which are covered by the Council's Code of Conduct. Any such complaints should be referred directly to:

*The Monitoring Officer
Colchester City Council
Rowan House, 33 Sheepen Road
Colchester CO3 3WG
Tel: 01206 282213*

2. What you can expect from the council

Tiptree Parish Council will:

- Listen and record the complaint and ensure that it is investigated promptly.
- Resolve the problem straight away, where possible;
- Acknowledge receipt of the complaint within seven working days;
- Advise the complainant if there is likely to be a significant delay while the matter is investigated and provide some indicative timescales; and
- Assign the complainant a dedicated point of contact who will keep them informed whilst the process is underway.
- Ensure that any personal data related to the complaint is managed in accordance with the Data Protection Act 2018 (GDPR) throughout the process.



3. Receipt of the complaint

- 3.1. The Council receives queries, problems and comments as part of its day to day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the person's satisfaction. If someone is dissatisfied with the original service or response they received and wishes to take the matter further, then the issue should be recognised as a complaint.
- 3.2. Complaints must be made in writing (letter or email) to provide substantial detail regarding the nature of the complaint. They should be addressed as follows:

The Parish Clerk

Tiptree Parish Council

56 Church Road

Tiptree CO5 0SU

e-mail: clerk@tiptreeparishcouncil.gov.uk

- 3.3. Acknowledgement of receipt of the complaint will be provided within 7 days.
- 3.4. If the complainant prefers not to address the complaint to the Parish Clerk (because the matter relates to the Clerk, for example), he or she will be advised to address it to: ***The Chair of Tiptree Parish Council, c/o Tiptree Parish Offices.***

4. Resolving the complaint

- 4.1. The Council aims to resolve the complaint within twenty-eight working days. If this is not possible the complainant will be advised of actions taken and an anticipated completion date. This may be necessary as staff and/or Councillors may be on leave or information may need to be obtained from other parties who provide services to the Council.
- 4.2. The Council's aim is to resolve any complaint that it receives at the earliest opportunity and in the first instance the Parish Clerk or Chair of the Council shall attempt to resolve the complaint informally.
- 4.3. Where the complaint is successfully dealt with through direct communications with the complainant this will be reported to the next meeting of the Council.

5. Dealing with the complaint (formal process)

- 5.1. Tiptree Parish Council recognises that it is not always possible, in the view of the complainant, to resolve a complaint informally therefore this procedure provides for a direct approach to the Council's elected Members through a formal process.
- 5.2. The complaint will be heard by a meeting of the Policy and Finance Committee, held in accordance with the Public Bodies (Admission to Meetings) Act 1960, with the press and public excluded.
- 5.3. The request for a formal process will be acknowledged in writing and the complainant advised of when the Committee will meet, and which Councillors are members. The



complainant will be invited to bring another person with them either to represent them or to give moral support.

- 5.4. A minimum of two weeks prior notice of such a committee meeting will be given.
- 5.5. The Council will need to investigate the facts of the complaint and collate relevant evidence. This will be done by the Parish Clerk or, in the event of the Clerk being the subject of the complaint, the Chair of the Parish Council.
- 5.6. At the time the complainant is notified in writing of the meeting, they will also be requested to provide any written evidence that they wish to present no later than 7 days prior to that date and the Council will provide the complainant with any material it intends to present within the same timescale.

Format of the Policy and Finance Committee Meeting convened for the purposes of hearing a complaint:

- 5.7. The Chair of the committee will begin by explaining how the meeting will proceed.
- 5.8. The complainant will be asked to outline the grounds for their complaint, and, under the Chair's direction, questions may be asked by committee members, the Clerk or other nominated officer.
- 5.9. The Clerk or other nominated officer (or if the complaint concerns them, another member of staff or a member) will have an opportunity to explain the council's position and, under the Chair's direction, committee members and the complainant may ask questions.
- 5.10. The Clerk or other nominated officer and then the complainant will be offered the opportunity to summarise their respective positions.
- 5.11. The Committee may defer dealing with a complaint if it is considered that further advice or information is necessary.
- 5.12. The advice or information will be obtained and considered, and the complaint will then be dealt with at the earliest available opportunity.
- 5.13. The complainant will be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.
- 5.14. The committee will recommend a course of action to resolve the matter to the next regular meeting of the Full Parish Council (it may be deemed necessary for the public and press to be excluded from this agenda item).
- 5.15. The Council's decision is final with no further right of appeal.

6. Reporting the outcome

- 6.1. Following the conclusion of the Parish Council meeting, the complainant will be advised whether their complaint has been upheld, together with reasons for the Council's decisions and details of any action to be taken if this is appropriate.
- 6.2. This will be confirmed in writing within 7 days.



7. Unreasonable and vexatious complaints

- 7.1. There may be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.
- 7.2. The Council may in such circumstances, decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

8. Review

This policy should be reviewed annually or sooner if there are changes to relevant legislation or best practice, including updates from the Local Government Ombudsman or Data Protection legislation.