

## DUNCHIDEOCK PARISH COUNCIL

### COMPLAINTS POLICY AND PROCEDURE 2019

#### COMPLAINTS POLICY

1. Dunchideock Parish Council is committed to providing a quality service for the benefit of the residents of the parish. This Policy is for residents who wish to make any complaint to the Council and applies to all services provided by the Council. If you are dissatisfied with the standard of service you have received from this Council or a decision, the Complaints Procedure sets out how you may complain to the Council and how the Council will try to resolve your complaint.
2. You may make your comments about any matter by contacting the Clerk by telephone, letter or email. If you require your complaint to be considered by the Council rather than by following the procedure, your request must be received at least ten working days before the next meeting of the Council. There is also an opportunity to raise your comments in the public discussion section at the start of each Council meeting. The contact details for the Clerk are on the website at [www.dunchideock.org.uk](http://www.dunchideock.org.uk).
3. If you are dissatisfied with a decision made by the Council, you may raise your concern with the Council, but Standing Orders prevent the Council from reversing a resolution for six months from the date of the decision, unless there are exceptional grounds to consider this necessary.
4. If you are dissatisfied with the process by which a resolution was made regarding an activity, decision or procedure you may follow the Complaints Procedure.
5. The Council refuses to deal with any complaint that is offensive, abusive, or constitutes harassment in any form. Requests under the Freedom of Information Act 2000 are excluded from consideration under this policy.
6. The Complaints Procedure does not apply to complaints between the Clerk as an employee and the Council as the employer.

#### 7. **What is a Complaint?**

- a. A complaint is an expression of dissatisfaction about the Council's actions or lack of action regarding the standard of service provided by the Council or by a person or body acting on behalf of the Council. This could be about the service you have received from the Council, the Councillors, the Clerk, volunteers or contractors working on behalf of the Council or about any action that you think the Council should have taken or has not taken, either in compliance with their legal duty or in accordance with established practice, adopted procedures or policies.
- b. The Council aims:
  - To deal with complaints in a fair, impartial, objective and unbiased manner
  - To find a solution, whenever possible, to the satisfaction of you and the Council
  - To be time efficient and cost effective

#### 8. **How to complain:**

For a complaint about Council activities, administration, decisions and procedures go to Part 1.

For a complaint about a Councillor go to Part 2

For a complaint about the Clerk go to Part 3

### COMPLAINTS PROCEDURE

#### **PART 1**

##### STAGE 1 – INFORMAL

1. To make a complaint about the Council's activities, as described above, telephone or send a letter or email to the Clerk as above. This should include your name, address, email address and telephone number, together with relevant dates and as much information as possible to help deal with your complaint. You should state if you require your complaint to be treated as confidential.

2. The Clerk will acknowledge receipt of your complaint within five working days and will make a written record with your name and contact details and the nature of your complaint.
3. Where possible, the Clerk will try to resolve your complaint quickly and informally. If this is not possible further information may need to be obtained from you, Parish Councillors and the Clerk in order for an investigation to be made by the Chairman.
4. You will receive written notification within twenty working days from receipt of your complaint of the outcome of the investigation and of what action, if any, the Council proposes to take. If the twenty working days have to be extended, you will be kept informed.
5. If a response is not received from you within ten working days, the Council will close the complaint.
6. A record of the complaint and investigation will be kept for six years.
7. If you are dissatisfied with the Council's response to your complaint, you may ask, stating your reasons, for your complaint to be referred to the Council. In this situation the procedure would progress to Stage 2 – Formal. You should state if you require your complaint to be treated as confidential.

#### STAGE 2 – FORMAL

1. The Clerk will acknowledge receipt of your request for your complaint to be referred to the Parish Council within five working days of receipt.
2. At the next Council meeting a sub-committee of three Councillors will be appointed and you will be advised of the date of the sub-committee meeting at which your complaint will be discussed. You will be invited to attend the meeting and may bring with you a representative.
3. At least seven working days before the sub-committee meeting, you must provide the Council with copies of any documentation or other evidence that you may wish to refer to at the meeting.
4. The Parish Council shall consider if the nature of the complaint warrants exclusion of the public and press from the discussion at the meeting, or unless confidentiality is requested.
5. You will be asked to outline your complaint and the Clerk or Chairman of the sub-committee will explain the Parish Council's position. Councillors will have the opportunity to question you, the Clerk and the Chairman of the Parish Council, depending on the nature of the complaint. You and the Clerk or Chairman of the Parish Council will be asked to leave the meeting whilst the Councillors decide whether or not there are grounds for the complaint.
6. You and the Clerk or Chairman of the Parish Council will return to hear the decision of the Councillors, or to be advised when a decision will be made. Any decision on a complaint shall be reported to the next Parish Council meeting for confirmation which will include the public.
7. The decision will be confirmed in writing within seven working days together with details of any action to be taken.
8. If you wish to appeal against this decision or have new evidence or documentation, the Stage 2 procedure will be repeated and the decision will be the final decision which will be made at a meeting of the Parish Council.

#### **PART 2**

Complaints about Councillors are covered by the Code of Conduct and should be addressed to:  
The Monitoring Officer, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, Devon,  
TQ12 4XX. Telephone: 01626 361101, with a copy being sent to the Chairman.

#### **PART 3**

Complaints about the Clerk should be sent to the Chairman who will deal with the matter as in Stage 1 or Stage 2 as above as considered necessary. The address is through the website as above.