

Introduction and aims of this procedure

The complaints policy is in 4 parts. The first section relates to complaints about a matter that comes within the remit of the parish council and which the complainant wishes the parish council to investigate.

The second section refers to complaints against the actions or non-actions of individual members of the parish council.

The third section refers to complaints against the actions or non-actions of the parish council as an entity.

These first three sections presume the complaint can be dealt with informally. Section four details the actions for a formal complaint which should only be triggered after an informal investigation has taken place.

The parish council aims to learn from complaints and where they are found to be justified, to ensure that appropriate measures are taken to improve its operations.

The parish council will:

- ensure that anyone who wishes to make a complaint knows how to go about it;
- respond to a complaint efficiently and within a reasonable time;
- ensure that parishioners and others are satisfied that the complaint has been taken seriously and, where possible, reasonable measures have been taken to improve its operations.

The name of the complainant will not be disclosed to any third party outside the parish council itself, except by agreement of the complainant.

If the complaint involves criminal activity the clerk will ask the complainant to contact the Police.

Anonymous complaints, however communicated, will not be considered.

1. Complaint about a matter that comes within the remit of the parish council

It is recognised that these complaints may be sensitive as they often involve complaints about the actions or non-actions of other parishioners. The matter under consideration must be within the remit of the parish council and the council will not involve itself in neighbourhood disputes.

The complainant may approach any councillor either verbally or in writing and this will usually be a councillor from the village concerned. The complainant will be asked to briefly put their complaint in writing to the clerk so that a proper record is established but, in exceptional circumstances, the councillor may do this on the complainant's behalf. The clerk will acknowledge receipt within five working days and circulate the correspondence to all council members. Either the councillor or the Chair will get an understanding of the complaint and the context together with what expectations the complainant has regarding resolution. If appropriate the councillor concerned or the Chair will then seek information

from, and seek to understand the position of, the person or persons about whom the complaint has been made.

The matter will then be considered by the parish council as a whole and appropriate action discussed. Confidentiality will be maintained unless the complainant wishes otherwise.

2. Complaints against a member of the parish council

- Councillors agree to abide by the councillors code of conduct. A complaint about the conduct of a councillor should be referred to the Monitoring Officer at North Yorkshire Council, contact details can be found at the end of this document.
- If the complaint is against the clerk the enquiry should be directed to the Chair of the parish council either verbally or in writing. The Chair will obtain background information regarding the complaint, inform the rest of the parish council and attempt to resolve the issue speedily and informally. The complainant may then be asked to submit the complaint in writing. The clerk is an employee of the council and, if the matter cannot be resolved informally, the Chair will take advice from North Yorkshire Council and YLCA to ensure the matter is dealt with in accordance with employment legislation current at the time, and the employment rights of the employee are protected.

3. Complaints against the parish council as an entity

The parish council aims to be open and fair to all parishioners in all three villages. The council will investigate a complaint from a parishioner or other person if it is one of the following:

- An expression of dissatisfaction about the failure to provide or meet the expected standard of a service.
- Neglect or delay in responding to a contact with the parish council.
- Failure to observe the parish council's policies or procedures.
- Harassment, bias or discrimination in the decision making of the parish council.

Complaints should be made briefly in writing to the clerk who will acknowledge receipt within five working days and circulate the correspondence to all the council members. The Chair will obtain background information from the complainant and ascertain how the matter might be resolved speedily and informally. However, no commitment on behalf of the parish council as to the course of action will be made unilaterally and will only be proposed to the complainant once the parish council has considered the matter and decided an appropriate course of action. If appropriate the Chair will ask for an extraordinary meeting to be called to decide and approve the course of action. Confidentiality will be maintained at all times unless waived by the complainant.

4. Formal complaints

It is hoped and anticipated that all complaints will be resolved at an informal level. However, if the complainant is not satisfied with the outcome of the informal investigation, they may submit a formal complaint to the clerk, following which the Formal Complaints procedure will be observed as follows:

- A formal complaint shall be submitted to the clerk detailing the issue in full and including an explanation why the complainant feels unsatisfied at the outcome of the informal investigation.

- Within five working days of receipt of the complaint, the clerk will give written acknowledgement of the complaint, provide a copy of this complaints procedure and ascertain whether the complainant wishes the matter to be treated confidentially. The complaint will be circulated to all council members.
- The formal complaint will be considered at the next meeting of the parish council. If more than one month is to lapse between receipt of the complaint and the next meeting of the parish council, the Chair will convene an extraordinary meeting of the parish council to receive and hear the complaint. The agenda will include the appointment of a complaints committee to continue the handling of the complaint if necessary.
- Complainants will be asked in writing to attend the meeting and will be informed that they may be accompanied by another person.
- At the meeting the parish council may resolve to exclude members of the public and press to ensure confidentiality, depending on whether the complainant wishes the matter to be dealt with in this way.
- Complainants will be asked to provide any new information or supporting evidence to the committee and will be invited to make a verbal representation to the meeting.
- Members of the council will be invited by the Chair to ask questions of the complainant.
- The Chair and then the complainant will summarise their respective positions
- After the meeting, the Clerk/Chair will write to the complainant explaining the outcome of the parish council's consideration of the complaint and explaining how to take matters further if they believe this is necessary.
- If the complainant wishes to pursue the matter, they must notify the Council in writing with their reasons for wanting to do so, and a meeting of the complaints committee will be convened for the purpose of investigating the complaint further.
- The complaints committee will consists of three members with delegated power to continue handling the complaint. The committee will have full delegated power to bring the complaint to a conclusion and may appoint an independent person to the committee to introduce a new fresh view of the complaint.
- Notice of the complaints committee meeting will be advertised in the usual way to members of the committee, ie a summons and with three clear days' notice. A public notice will also be displayed in the usual way, ie posted in a conspicuous place in the parish and giving three clear days' notice.
- The complainant will be informed by formal letter of the conclusions of the process within five working days of the committee meeting.
- The committee Chair will report the outcome of the process to the next meeting of the parish council.
- Minutes of the committee meeting will be kept and will be available to all parties involved in the complaint.

Contact Details:

The Monitoring Officer
North Yorkshire Council
County Hall
Northallerton DL7 8AD

Tel: 01609 532173

Email: MonitoringOfficer@northyorks.gov.uk

Other complaints:

www.northyorks.gov.uk/contact

Tel: 0300 1312131

Chair of the parish council: Sarah Harrison

sharrison@hewickandhuttonparish.gov.uk

Tel: 07399 439114

Clerk of the parish council: Cathy Gledson

clerk@hewickandhuttonparish.gov.uk

Tel: 07380 506556