

Complaints Handling Policy

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DOCUMENT CONTROL

Version History

Ver.	Change (in detail)	Author	Date
1.0	First released version	Colin Stringer	06 Jul 2022

Document Approval – Material amendments require Board approval

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1.0	Knebworth Parish Council	06 Jul 2022

Distribution List

Name	Date
All councillors	06 Jul 2022
Council website	

1. Policy Objectives

The objectives of this Policy are to set out how Knebworth Parish Council ('the Council') treats complaints against it and its officers and to give reassurance that it has in place a mechanism to ensure that any such complaints are treated in a consistent and professional manner.

2. Risk Appetite and Tolerance

There is always a risk that complaints, both justified and unjustified, will be lodged against the Council; this is just part of 'doing business'.

With this, however, comes a more important risk, namely that the Council is not seen to be taking such complaints seriously; this could have a significant impact on the Council's reputation in the community.

As a result, the Council will take every feasible measure to mitigate the level of risk.

3. Policy Statements

- The process for raising a complaint against the Council, the Clerk or one its officers, must be published on the Council website. The process for raising complaints is set out in Appendix A. As stated in the Appendix, this does not cover complaints about individual Councillors.
- The Council will not acknowledge or consider any complaints, informal or formal, which are submitted anonymously.
- The aim, wherever possible, is for any complaint to be resolved by the Clerk on an informal basis.
- Formal complaints are serious matters and it is recognised that a complaint against a member of the Council's staff could result in disciplinary action or, in cases of gross misconduct, dismissal from the Council's employment.
- There are four types of complaint that are possible; a complaint against:
 - the Council's administration and performance in general;
 - a specific Councillor;
 - the Clerk; or
 - another Council employee.
- Appendix A sets out, for the public, what they should do if they have a complaint in each of these categories.
- In the event of a formal, written complaint, the process set out in Appendix B must be followed.
- The Council will always attempt to resolve a complaint in accordance with the timescales set out in Appendix B. However, there may be circumstances, for example where a complaint is complex, or a key member of staff involved in the complaint is absent, when the timescales cannot be adhered to. Should this occur, the Complainant will be kept advised of any amendment to the timescale.

- The Council will not discuss, or enter into any correspondence, with any Complainant about any action taken, formal or informal, against any member of its staff; this is expressly to protect the employment rights, to which all Council employees are entitled.

4. Application

Any breaches of, or inability to comply with, the Policy Statements contained in this Policy must be reported immediately to the Chairman of the Council.

All Parish Councillors and all staff employed by the Council must comply with this Policy.

5. Frequency of Review

A Policies Working Group has been appointed, which will review this Policy at least once every two years or more frequently, should the operating environment of the Council change substantively.

This Working Group will make recommendations to the full Parish Council on amendments or additions to the policy.

6. Governance

This Policy is owned by the whole Parish Council.

It is the responsibility of the Council to:

- communicate and ensure understanding of the policy and to monitor compliance; and
- ensure that the Policy is reviewed in line with Section 5 of this document.

Appendix A – How to complain

The Parish Council provides many services to community groups, sports teams, companies and individuals. We try to get our service delivery right every time, but there are occasions when users of our services may be dissatisfied with our performance, for any number of reasons. This document sets out how to raise a complaint with the Parish Council.

If your complaint is related to the behaviour or actions of any individual Councillor (including the Chairman) you should address your complaint, in writing to:

The Monitoring Officer
The Standards Committee
North Herts District Council
Gernon Road
Letchworth
SG6 3JF.

N.B. The Monitoring Officer will only deal with complaints that an individual Councillor has failed to follow the Councillor's Code of Conduct, which can be accessed by clicking on the following link:

<https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020#:~:text=General%20principles%20of%20councillor%20conduct,-Everyone%20in%20public&text=I%20act%20with%20integrity%20and,in%20the%20role%20of%20councillor.>

The intention is that, wherever possible, all other complaints are resolved on an informal basis. In the first instance you should contact the clerk by telephoning **01438 813795** or by email to clerk@knebworthparishcouncil.gov.uk or you may prefer to call in at the Parish Office at the Council Office at the Village Hall in Park Lane.

It is hoped that most complaints can be resolved quickly and amicably through this route. The complaint will be handled by the most appropriate member of staff, depending on the nature of the complaint. The Clerk will be kept informed of the handling of the complaint and its resolution. Complaints should always be directed through the Council office, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

If your complaint is about the behaviour or actions of the Clerk, you should address your complaint to the Chairman, whose details can be found on the Council website:

<https://www.knebworthparishcouncil.gov.uk/councillors.html>

Formal complaint

The Council appreciates that on occasions, such as where informal resolution has proven unsuccessful, or the initial complaint is sufficiently serious, a more formal process is required.

In such circumstances, the Complainant should put their complaint in writing and send it to the Clerk (or the chairman, if the complaint is against the Clerk) at the following address:

Parish Council Office
Village Hall
Park Lane
Knebworth
SG3 6PD

The complaint should be clearly labelled: “Confidential – Formal Complaint” and should include full details and enclose any relevant supporting documentation.

Once received, the complaint will be handled according to the internal procedure set out in Appendix B of the Complaints Handling Policy.

Appendix B – How complaints will be handled

If the complaint is not against the Clerk

The Clerk to the Council is responsible for managing the formal complaint handling process.

The Clerk will acknowledge receipt of the complaint.

The Clerk will carry out an initial investigation into the complaint and, within twenty working days, will provide to the Complainant an update on progress, or a suggested resolution. If the Complainant is satisfied with the resolution, the complaint is closed.

The Clerk will report to the Council, through the Clerk's report, summary details of the complaint and a brief summary of its resolution. This summary report will, where necessary, exclude the name of the Complainant and any Council staff involved. If the Clerk has been unable to resolve the complaint, or the Complainant is not satisfied with the proposed resolution, then the matter will be referred to a meeting of the Council's Review Panel (see below).

If the complaint is against the Clerk

If the complaint is against the Clerk, the Chairman is responsible for managing the formal complaint handling process and, within twenty working days, will provide to the Complainant an update on progress, or a suggested resolution. If the Complainant is satisfied with the resolution, the complaint is closed.

The Chairman will report to the Council summary details of the complaint and a brief summary of its resolution. This summary report will, where necessary, exclude the name of the Complainant and any Council staff involved. If the Chairman has been unable to resolve the complaint, or the Complainant is not satisfied with the proposed resolution, then the matter will be referred to a meeting of the Council's Review Panel (see below).

Review Panel

The Review Panel is a properly formed working party of the Parish Council. The panel will be constituted of six members to ensure that three members of the committee are available, at short notice, to review a complaint. The Review Panel has delegated authority from the Parish Council to review and decide on complaints. Three members will review a complaint; this will ensure that the panel is quorate and that the number of members present is not excessive. An external expert may be invited to attend the meeting of the Panel, to offer advice and counsel, but this individual will have no other rights.

The panel is subject to all of the normal meeting notification, agenda and minute requirements, as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed when a Review Panel meeting is called. It is expected that the Review Panel will be able to meet within seven working days of being notified by the Clerk. Not less than three working days before the Review Panel meeting, the Complainant will provide the Clerk with copies of all documentation and evidence that they intend to produce at the Review Panel meeting. The Parish Council will provide the same to the Complainant.

At the meeting

1. The Review Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.
2. The Chairman of the Review Panel shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.
3. The Complainant (or representative) shall be invited to outline the grounds for complaint and panel members will be given the opportunity to ask any question of the Complainant.
4. If relevant, the Clerk will explain the Council's position and panel members shall ask any questions of the Clerk.
5. The Complainant is to be offered the opportunity of a last word as a means of summing up their position.
6. The Clerk is to be offered the opportunity of a last word as a means of summing up their position.
7. The Clerk and Complainant shall be asked to leave the room while panel members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.
8. The announcement of any decision will be made in public, at the next Council meeting.