



TANKERSLEY
PARISH COUNCIL

Complaints Policy and Procedures

**Based on NALC Legal Topic Note 9
Issued February 2013 and Guidance from
the Local Government Ombudsman**

**Adopted by Minute 7.1 on 20 September 2021
To be Reviewed September 2022**

Tankersley Parish Council

Complaints Policy and Procedures

Tankersley Parish Council adopted the following policy with effect from 20 September 2021.

This complaints procedure is for all complaints to the Parish Council, whether these are minor, serious, informal or formal and apply to all services provided by the Parish Council.

The Parish Council believes that complaints can provide useful information and feedback on the quality of our services, procedures and practices. The effective handling of complaints will help us to improve the services provided on behalf of residents, visitors and those working in the parish.

1. General

- 1.1 Tankersley Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality.

If you are dissatisfied with the standard of service you have received from the Parish Council, or are unhappy about an action or lack of action by the Parish Council, this Complaints Policy and Procedures sets out how you may complain to the Parish Council and how we shall try to resolve your complaint.

- 1.2 This Complaints Policy and Procedures applies to complaints about Parish Council administration and procedures and may include complaints about how Parish Council employees have dealt with your concerns.

- 1.3 This Complaints Procedure does not apply to:

- 1.3.1 Complaints by one council employee against another council employee, or between a council employee and the council as employer.
These matters are dealt with under the council's disciplinary and grievance procedures
- 1.3.2 Complaints against councillors.
Complaints against councillors concerning breaches of the Code of Conduct are covered by the Code of Conduct for Members adopted by the Parish Council in June 2020

Where a complaint is made against a councillor alleging a breach of the Code of Conduct the Clerk will notify the Monitoring Officer of Barnsley Metropolitan Borough Council.

In some circumstances the Monitoring Officer may agree that a preliminary investigation should be carried out by the Clerk to verify if the conduct complained of falls within the Code of Conduct.

The Clerk's findings will be reported back to the Monitoring Officer and to the complainant. The complainant will at that time be advised of their right to appeal to the Monitoring Officer.

Where the Clerk finds that the conduct complained of falls within the Code of Conduct. The investigation into the complaint will then be investigated by the Monitoring Officer.

2. The appropriate time for influencing Parish Council decision-making is by raising concerns before the Parish Council debates and votes on a matter. This may be done by writing to the Parish Council in advance of the meeting at which the item is to be discussed.

There may also be the opportunity to raise concerns in the public participation section of Parish Council meetings.

Where there are concerns regarding a Parish Council decision, concerns may be raised with the Parish 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 the Standing Orders is followed.

All the agendas and minutes of meetings can be found on the Parish Council's website at www.tankerselypc.org

3. Complaints may be made about the Parish Council's procedures or administration to the Clerk.

This may be done in person, by phone, or by writing to or emailing the Clerk.

The addresses and numbers are set out on the web-site and on the Parish Council Noticeboards

4. Wherever possible, the Clerk will try to resolve a complaint as soon as practicable and on an informal basis.

The Clerk will normally try to acknowledge a complaint within five working days.

5. If it is not possible to resolve a complaint on an informal basis and/or the complainant is adamant that the complaint should be formalized then the Clerk will inform the full Council.

6. When dealing with a formalized complaint, the Clerk will contact the complainant for more information and to agree terms of reference for investigating the complaint as well as identifying the outcome the complainant is hoping to achieve.

The Clerk, will, as appropriate also obtain further information from the members of the Parish Council, Parish Council documents and from Barnsley Metropolitan Borough Council and other bodies, as required.

Once terms of reference have been agreed the Clerk will agree a time frame for reporting back to the complainant with the findings of the investigation into their complaint. The time frame will usually be 20 working days but in some cases, this may have to be extended. If it is, the Clerk will keep the complainant informed.

7. The identity of a complainant will only be made known to those who need to consider the complaint.

The Parish Council will at all times take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned and at all times comply with the requirements of the Parish Council's General Data Protection Regulations Policy and all other other laws concerning data protection.

8. On notifying the complainant of the outcome of the investigation into the complaint the Clerk and/or the Chair of the Parish Council will inform the complainant of what actions (if any) the Parish Council proposes to take as a result of the complaint.

9. If a complainant is dissatisfied with the response to their complaint, the complainant may within eight weeks of being notified of the outcome of the investigation in the complaint request in writing for the complaint to be referred and presented to the full Parish Council for the complaint to be reviewed or to or to be referred to the Monitoring Officer of Barnsley Metropolitan Borough Council

Where a complainant is complaining about the conduct of the Parish Council and requests their complaint to be referred and presented to the full Parish Council then within 5 days of receiving this request from the complainant the Clerk will provide the complainant and the council with details of the procedures that are to apply.

The complainant will be notified in writing of the outcome of the review of the original complaint as soon as practicable.