



Procedure for handling complaints from the public

Opening statement

Queen's Park Community Council recognises that the Local Government Ombudsman has no jurisdiction over Parish, Town or Community Councils in England and Wales and therefore in the interests of reasonableness, accessibility, and transparency has put in place its own Complaints Procedure based on recommended good practice by the National Association of Local Councils (NALC).

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. The purpose of a complaints procedure is to put things right if things go wrong. At all times the rules of natural justice will apply.

Guidelines

It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. Councils should consider engaging other procedures/bodies in respect of the following types of complaint:

Type of conduct	Refer to
Financial irregularity	Local elector's statutory right to object to Council's audit of accounts pursuant to s.16 Audit Commission Act 1998 On other matters, councils may need to consult their auditor
Criminal activity	The Police
Councillor conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to Westminster City Council's Monitoring Officer
Employee conduct	Dealt with by internal disciplinary procedure

Important Notes

(i) The procedure that follows is therefore aimed at those situations where a complaint is made about the administration of the Community Council or about its procedures. It is

not an appropriate forum for a complaint against individuals, as the provisions above cover these situations.

(ii) The procedure is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Chief Officer or other officer or the Chairman of the Council.

Complaints from the public procedure

Aims:

- To provide a standard and formal procedure for considering complaints either made by complainants directly or which have been referred back to the Community Council from other bodies.
- To ensure that complainants feel satisfied that their grievance has been properly and fully considered.
- To make the process reasonable, accessible and transparent.
- At all times, the rules of natural justice will apply and all parties shall be treated fairly.

Dealing with a complaint

- On receipt of a written complaint, the Chief Officer (except where the complainant is about his or her own actions) or Chairman of the Council (if the complaint relates to the Chief Officer), will undertake an investigation of the facts of the complaint and collate relevant evidence before seeking to settle the complaint informally directly with the complainant. This will not be done without first notifying any person complained about and giving him or her an opportunity to comment. Efforts should be made to resolve the complaint at this stage.
- Where the Chief Officer or a Councillor receives a written complaint about the Chief Officer's actions, he or she shall refer the complaint to the Chairman of the Council (or Vice Chairman if the complaint also involves the Chairman) who will follow the process identified above. The Chief Officer will be formally advised of the matter and given an opportunity to comment.
- The Chief Officer (or Chairman) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
- The Chief Officer (or Chairman) will report any complaint that has not been resolved to the next meeting of the Council. The Council will then refer it to the Appeals Committee to deal with the complaint. The Committee will decide whether to offer the complainant the opportunity to submit verbal or other evidence, and whether they may be accompanied by a friend to any meeting. The Director will notify the complainant of the date on which the complaint will be considered by the Committee and whether the complainant will be offered an opportunity to explain the complaint to the Council.

Before the Meeting (Hearing)

1. Seven (7) clear working days prior to the meeting (i.e. excluding weekends and public holidays), the complainant shall provide the Community Council with copies of any documentation or other evidence, which they intend to refer to at the meeting. The Community Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

At the Meeting (hearing)

2. The Appeals Committee shall consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on a complaint shall be announced at the next full Council meeting in 'open session.'
3. The Chairman shall introduce everyone.
4. The Chairman to explain the procedure.
5. Complaint (or representative) to outline grounds for complaint.
6. Committee Members to ask questions of the complainant.
7. If relevant, the Chief Officer or other nominated officer, to explain the Council's position.
8. Committee Members to ask questions of the Chief Officer or other nominated officer.
9. The Chief Officer or other nominated officer and complainant to be offered the opportunity of the last word (in this order – i.e. Chief Officer /officer followed by complainant).
10. The Chief Officer or other nominated officer and complainant to be asked to leave the room while the Committee Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties to be invited back.
11. The Chief Officer or other nominated officer and complainant return to hear the decision, or to be advised when the decision will be made.

After the Meeting (Hearing)

12. Decision confirmed in writing within seven (7) working days together with details of any action to be taken.

Adopted: 05 May 2021

Minute ref: 013-21/22

Next Review Due: May 2022