

Scarcliffe Parish Council

Complaints Policy

Introduction

Scarcliffe Parish Council aims to deliver high quality services where the constituent is at the heart of everything it does. We welcome all customer feedback and aim to deal with constituents' concerns in a fair and consistent way.

Scarcliffe Parish Council wants to listen to its constituents' views and values their contributions. We learn from good practice as well as any mistakes and build upon past experiences to improve the future.

This Policy applies to all the services Scarcliffe Parish Council provides.

Our Policy

A constituent or Councillor has a right to:

- Complain
- Be listened to
- Have their complaint investigated and resolved as quickly as possible
- Have their concerns taken seriously

We aim to: -

- Be accessible and uncomplicated
- Promote constituents' satisfaction
- Identify areas where services can be improved
- Learn from good practice
- Learn from mistakes
- Implement improvements in processes and procedures

Scarcliffe Parish Council promotes the right of its constituents and Councillors to raise a concern or make a complaint if they think something has been done incorrectly or if they feel it has been addressed poorly. Similarly, constituents or Councillors may complain if they feel something that ought to have been done has not been done.

The Council also promotes the right of constituents and Councillors to comment on a Policy or Council decision which may affect them and express a compliment if things have gone well for them.

Complaints will be investigated objectively, fairly, and thoroughly in a positive manner and we will endeavour to resolve the complaint.

We will seek to resolve all complaints informally prior to a formal complaint being lodged. The Council Clerk will liaise with the complainant and relevant members / officers to seek resolution. Should it not be possible to resolve a complaint informally the complainant may escalate the complaint to a formal complaint.

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We will have mechanisms in place to ensure that any required lessons and improvements have been achieved following constituents' feedback.

What is a complaint, comment, or compliment?

Complaint:

A complaint is an expression of dissatisfaction or disquiet with the quality of a service or with a failure to provide a previously agreed service, or with the attitude or behaviour of a member of staff or councillor.

Example:

- a constituent or Councillor complains that the Council has failed to follow its own procedures

Comment:

A comment is a general statement about policies, practices, or a service as a whole, which have an impact on everyone and not just one individual. A comment can be positive or negative in nature. Comments may question policies and practices, make suggestions for new services or for improving existing services.

Examples:

Positive Comment:

- It's great to see Scarcliffe Parish Council promoting the village

Negative Comments

- I am unhappy that you have not supplied further dog bins

Compliment:

An expression of praise. It is a positive statement about a service provided by or on behalf of the Council, or about the helpfulness, attitude or approach of a member of staff.

Example:

- I would like to thank the Clerk for the prompt and efficient way in which my query was dealt with. He was most helpful and friendly.

When the Complaints Procedure is Not Appropriate

The Council's Complaints Procedure will not be used in respect of the following types of complaint:

1. Financial Irregularity

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The Council Clerk or Responsible Financial Officer (RFO) should endeavour to provide an explanation of the item.

If the complainant is not satisfied, the Council Clerk or RFO will advise the complainant of their statutory right to object to the Council's audit of accounts pursuant to S16 of the Audit Commission Act 1998. On other matters, it may be necessary for the Council Clerk or RFO to consult the auditor.

2. Criminal Activity

The Council Clerk should refer the complainant to the Police.

3. Member Conduct

In the event of a complaint relating to a member's failure to comply with the Code of Conduct, the complainant will be advised to make their complaint to the Bolsover District Council's Standards Committee.

4. Employee Conduct

A complaint relating to the conduct of an employee will be dealt with via the Scarcliffe Parish Council's Disciplinary Procedure and through the Council Clerk.

Complaints that an employee may have about a colleague will be dealt with in accordance with the Council's Grievance Procedure. Complaints that an employee may have about a member will be referred to the Council Clerk or, if the Council Clerk is implicated, through the Chairman.

Time Limit For Making A Complaint.

Our aim is to put things right if they go wrong as quickly as possible, so it is important to recognise there is a one-year time limit (from the date of the incident giving cause for the complaint) for making a complaint. However, the time limit may be extended if it is still possible to consider the complaint effectively and efficiently or if there are other circumstances which may enable resolution of the complaint.

Confidentiality

The Council will take care to maintain confidentiality where circumstances demand, e.g., where matters concern sensitive information or where third parties are concerned.

Should the complaint progress to the Council's Stage 3 complaints procedure, it will be to the discretion of the Committee whether this meeting will be held in confidence with the exclusion of the public and press and this decision will be final.

Unreasonable or Vexatious Complaints

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There will be circumstances when a complainant persists in wishing to proceed when the complaint clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other procedure should or has been taken.

These matters will be referred to the Council Clerk with a summary of the issues and of the attempts made to resolve the complaint. The Council Clerk may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and will inform the complainant to this effect, making it clear that only new and substantive issues will merit a response.

NB Refer to the Council's Unreasonable or Vexatious complaints Policy

Anonymous Complaints

Anonymous complaints will be referred to the Council Clerk, and may be dismissed at their discretion, according to the type and seriousness of the allegation.

How to give your feedback

A constituents can make a complaint, compliment or comment either in person or by:

- Telephone 01246 823809
- Email: scarcliffeparishcouncil@hotmail.co.uk
- In writing to: The Council Clerk at:

Scarcliffe Parish Council, The Villa, Wood Lane, Scarcliffe, Chesterfield, S44 6TF

Where possible, complaints should be made in writing to the Council Clerk or other nominated officer.

Complaints

Unfortunately, things do not always go as planned or people feel upset or aggrieved by an action taken. It is for these reasons that the Council operates a complaints procedure, to ensure that we always serve our residents fairly, courteously, professionally and in a non-discriminatory way. Our aim is to put things right if they go wrong as quickly as possible. All staff are trained to deal with routine difficulties as they arise.

What Happens Next?

The complaints process can be explained using the following steps:

- **Recording your complaint:** the person receiving your complaint will record it. This enables us to monitor the number and type of complaints which assists us in improving our services.
- **Acknowledging your complaint:** whenever possible your complaint will be dealt with at

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the first point of contact. If this is not possible your complaint will be acknowledged within **5** working days, and you will be given the details of the person looking into the matter.

- **Responding to your complaint:** the person responsible for responding to your complaint will contact you to agree the best way to deal with it. Our aim is to give you a full response within **14** working days. If for any reason, we cannot do this we will let you know when you can expect to receive a response. In any event we would endeavour to respond within **21** working days.
- **Room for error:** if we have made a mistake we will apologise and try to put things right. We will explain what actions we intend to take because of your complaint.
- **Your right to respond** on receipt of a response you have up to **21** working days in which to decide whether to accept or reject the actions/ recommendations we have stated to resolve your complaint.

Three Stages in resolving complaints.

Stage 1

Many complaints can be dealt with quickly and satisfactorily at stage 1. In the first instance, please contact the appropriate member of staff, tell them your complaint and in most cases the complaint can be dealt with to the satisfaction of all parties.

Stage 2

If you are not happy with the outcome or response at stage 1, you can appeal to the Council Clerk and the Chairman of Scarcliffe Parish Council under the guidelines and timescale listed above.

This Council Clerk will thoroughly review and where necessary carry out a further investigation of your case following the deadlines in the guidance and timescale outlined above.

Stage 3

If you are still not satisfied with the response from the outcome at stage 2, you should contact The Council Clerk who will arrange for the complaint to be dealt with at the next appropriate meeting of the Council within the guidelines and timescales listed above, who will carry out a further investigation on your behalf.

The Complainant will be invited to attend this meeting and to submit copies (at least 7 clear working days in advance) of any correspondence or details that they wish the Council to be informed of. The Council will provide the Complainant with copies of any documentation which it wishes to rely on at the meeting (at least 7 clear working days in advance of the meeting).

The Complainant may be accompanied or represented at the meeting if they wish. It is possible that the Council is unable to reach a decision at the meeting as more information may be required for the Committee to make a fully informed decision. The Complainant will be advised of this along with details of how the matter will be further considered.

The decision of the Council will be confirmed in writing to the complainant within seven

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working days of the decision being reached.

These 3 stages complete Scarcliffe Parish Council's complaints procedure.

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Taking a complaint further

If you have followed all the above and are still unhappy, you can contact one of the following (1-3 not in any particular order, you may contact all or none of these.)

1. The District Councillors for your area

These District Councillors are your local representatives at Bolsover District Council and they can be contacted via the Bolsover District Council's web-site or telephone: 01246 242424.

Please note that Bolsover District Council itself has no jurisdiction over Scarcliffe Parish Council; we are independent councils. However, it may be that in the event of mediation, a District Councillor may be able to assist further.

2. The Member of Parliament for this Parish Council area:

Mark Fletcher MP
House of Commons, London, SW1A 0AA – further contact details can be found online.

3. The Local Government Ombudsman

The Local Government Ombudsman is independent of all government departments, councils and politicians. It gives a service which is confidential and free of charge. The Ombudsman has the same powers as the High Court to obtain information and documents. The Ombudsman will normally only accept a complaint if the Councils Complaints Procedure has been correctly and fully followed.

Local Government Ombudsman. Web: www.lgo.org.uk Tel: 0300 061 0614

Complaints against a Councillor

The above procedure should not be followed if your complaint specifically concerns the conduct or behaviour of an individual Parish Councillor. Complaints of this nature are dealt with under the Bolsover District Council Code of Conduct for Members.

If your complaint concerns the conduct or behaviour of a Parish Councillor, please contact the Council Clerk who will provide you with a copy of the Code of Conduct and details of the procedure to be followed. These complaints are dealt with in the first instance by the Standards Committee at Bolsover District Council which is responsible for considering complaints of a breach of Code of Conduct by Parish Councillors. Further details can be provided on request.

Complaint against a member of staff

The stages 1-3 as outlined above may be followed by the Council in progression of

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complaints about a staff member. Alternatively, complaints of this nature may be dealt with through the internal disciplinary process; Scarcliffe Parish Council follows the rules, regulations and procedures of ACAS for this process. If a complaint is about a decision which the council has made, then it is likely that the complaint will follow the stages 1-3 as above. If the complaint is about the specific behaviour or attitude of a staff member, then it is likely that this complaint would follow the internal disciplinary process. Upon receipt of any complaints of this nature, a decision will initially be reached which will determine the process to be followed.

How Will We Put Things Right?

If we have made a mistake we will apologise and tell you what action we will take to ensure the same situation does not arise again..

Comments

If you wish to make a comment, either positive or negative in relation to a policy decision, practice or service, this will be recorded, and your comment may be acknowledged within **3** working days. When we review our Policies, we take into consideration any comments made about a Policy.

Compliments

If you wish to express a compliment this will be recorded and shared with the Councillor or member of staff it relates to. We may acknowledge your compliments within **3** working days. The information gathered from them will assist in improving our service to all our constituents.

Freedom of Information Requests

If your complaint makes any requests for provision of documents or information under the Freedom of Information Act 2000, then this Act will be followed and the appropriate rules, regulations and schedule for this Act will be progressed (either instead of or as well as the Council's complaints policy).

Record Management and Data Protection

All aspects of the Constituents Feedback Procedure meet the requirements of the legislation regarding Data Protection and Freedom of Information. Any personal information obtained in relation to a complaint is only to be used for that purpose.

Evaluation and Monitoring

We will ensure that full records are kept of the nature and treatment of every complaint, comment and compliment considered under this procedure. Particular attention will be paid to the lessons learned, nature of complaints and trends, the timeliness of responses and resolutions. This procedure will be reviewed at least annually to ensure continued good practice.

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Requests for Service by Councillors

When an issue is reported by a Councillor to the Council Clerk, either in writing or verbally, the Council Clerk should initially respond in writing within 3 working days to the request indicating a clear course of action. A full response following investigation should be given within 7 working days. Upon resolution of the issue the Council Clerk should inform the Councillor in writing that the issue has been resolved or the next stage in the resolution process

Ideally requests for service should be submitted by email to: scarcliffeparishcouncil@hotmail.co.uk. Written responses will be provided to the elected member by email.

The Council Clerk may copy other elected members in on any response.

The timescales set out above apply to functions and services provided by Scarcliffe Parish Council.

Adopted

SignedChair

SignedClerk

Review Date