



SHERBURN IN ELMET PARISH COUNCIL

Complaints Policy and Procedure

Date of adoption: 26 July 2022

Date for review: May 2024

Introduction

Sherburn in Elmet 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 this council or are unhappy about an action or lack of action by this council, this complaints procedure sets out how you may complain to the council and how we shall try to resolve your complaint. This complaints procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

When is this Complaints procedure not appropriate?

Other bodies have responsibility for certain types of complaint:

Type of Complaint	Refer to
Alleged financial irregularity	Local electors have a statutory right to object to external auditor – PKF Littlejohn LLP
Alleged criminal activity	North Yorkshire Police
Members' conduct	Monitoring Officer at Selby District Council

General Enquiries and Routine Issues

Not every query should be dealt with as a complaint. Everyday problems, queries and comments are periodically received by the council and are dealt with without being regarded as complaints. These are routine matters that are generally resolved quickly to the customer's satisfaction. If someone is dissatisfied with the original service or response they

have received and wishes to take the matter further, then the issue would be recognised as a complaint.

Informal Complaints

During the course of daily business, minor complaints may be made to councillors or the clerk about services provided by the council or by other organisations, including Selby District Council. The clerk will use their discretion, and if possible, deal with these. It is not appropriate for every comment to be treated as a formal complaint. Every effort will be made to deal with these problems immediately, either by providing information, instigating appropriate action, referring the matter elsewhere or by explaining a decision taken.

Formal Complaints Procedure:

This procedure will be used for formal complaints about the council's administration or its procedures.

Any complaint will be dealt with as a complaint against the council as a corporate body, not as a complaint against individual member(s) of the council.

A complaint against the council that involves a complaint about the conduct of its employees would be handled in accordance with this complaints' procedure. If following investigation and review of the complaint, the council decides that there may be the need to take disciplinary action, this would be in accordance with the council's disciplinary procedure.

Members are free to raise matters of concern in respect of council business by the submission of motions on relevant agendas

Data Protection and Confidentiality:

The council is expected to treat complaints in confidence.

To ensure the council complies with its obligations under the Data Protection Act, the council cannot disclose the identity, contact details or other personal data about an individual complainant unless they consent to such disclosure.

Dealing with the complaint:

Complaints to the council should be submitted to:

Sherburn in Elmet Parish Council
Eversley Park Centre,
Low Street,
Sherburn in Elmet,
LS25 6BA.

clerk@sherburninemet-pc.gov.uk

Any complaint which concerns the Clerk to the Council it should be sent to the Chairman of the council.

Details of the current Chairman of the council are found on the Parish Council's website:
<https://www.sherburninemet-pc.gov.uk/default.aspx>

The procedure:

1. The receipt of a complaint will be acknowledged in writing within seven working days, together with confirmation of the next steps of the complaint's procedure.
2. On receipt of a written complaint, the Chairman of the Council or the Clerk to the Council (*except where the complaint is about his or her actions*), shall try to settle the complaint directly with the complainant. Efforts should be made to attempt to settle the complaint at this stage.
3. Where the Clerk to the Council or the Chairman of the Council receives a written complaint about the Clerk's own actions, he or she shall refer the complaint to the Chairman of the Council.
4. The Clerk to the Council or the Chairman of the Council shall report to the next meeting of the Council, any written complaint disposed by direct action with the complainant.
5. The Clerk to the Council or Chairman of the Council shall report any written complaint that has not been settled to the next meeting of the Council. At this point the council will convene a meeting of a Complaints Panel (3 members), as soon as possible, to consider the complaint.
6. The Clerk to the Council shall notify the complainant of the date on which the complaint will be considered (by the Complaints Panel) and the complainant shall be offered the opportunity to explain the complaint orally.
7. The Complaints Panel shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public (but any decision on a complaint shall be announced at the Council meeting in public).
8. As soon as may be after the decision has been made, the decision and the nature of any action to be taken shall be communicated in writing to the complainant.
9. Complaints against policy decisions made by the Council shall be referred back to the Council but issues shall not be re-opened for six months.
10. A Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.
11. The complainant has the right of appeal of a decision by the Complaints Panel and this will be heard by members of the Council not sitting on the Complaints Panel; if the complainant wishes to appeal the decision they must make this known in writing to the Clerk to the Council within 5 working days of the Complaints Panel decision.