

## THORPE WILLOUGHBY PARISH COUNCIL

### CODE OF PRACTICE FOR HANDLING COMPLAINTS

#### PREFACE

The Local Government Ombudsman (LGO) has produced guidance on the subject of Complaints Procedure. This can be obtained via the following internet link:

<http://www.lgo.org.uk/publications/guidance-notes/>

The LGO offers the following definition of a complaint:

*'A complaint is an expression of dissatisfaction by one or more members of the public about the 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.'*

Complaints may be submitted to Thorpe Willoughby Parish Council where there is perceived to be a breach of the Council's Code of Conduct – which equates to the Model Code of Conduct taken from the Localism Act 2011. It is recommended for transparency in local government and for the benefit of good local administration that the council should adopt a standard formal procedure for considering complaints.

Councils have been urged to do their utmost to settle complaints and satisfy complainants in the interest of the good reputation of the council. Thorpe Willoughby Parish Council realises that if a complaint cannot be settled by the council it cannot refer the complaint to any other body for settlement, but an unsatisfied complainant may well try to enlist the services and backing of other individuals and bodies and pursue the complaint at a considerable expenditure of time and other resources to the council.

Thorpe Willoughby Parish Council will bear in mind the provisions of the "General Data Protection Regulations (GDPR) 2018" as well as the Freedom of Information Act 2000 in dealing with complaints.

#### MODEL CODE OF PRACTICE IN HANDLING COMPLAINTS

##### Before the Meeting

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk or other nominated officer.
2. If a complainant does not wish to put the complaint to the Clerk or other nominated office, he or she should be advised to address it to the Chairman of Council.
3. The clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council. The complainant should also be advised whether the complaint will be treated as confidential.
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

#### At the Meeting

6. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.
7. The chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
9. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
12. The clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

#### After the Meeting

The decision should be confirmed in writing within seven working days together with details of any action to be taken.

This Policy was adapted and adopted for approval of the Parish Council at the Meeting held on Monday, 13 May 2019 (Min 19/5.2) and will be reviewed annually.

Signed by Chairman: \_\_\_\_\_ (Cllr A Mifsud)

Clerk/RFO: \_\_\_\_\_ (Mr S M Peters)

*This Policy was Reviewed on 8th June 2020 (Min 20/403)*  
*Chairman*  
*clerk/RFO*