

Billinge Chapel End Parish Council

Complaints Procedure

Introduction

The Council believes that managing complaints is an integral part of service provision. A complaints procedure is an important element of a council's development. Complaints provide information about how a council's performance is perceived and how it can be improved.

A complaint is defined as "an expression of dissatisfaction about a council service....that requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response"¹.

This procedure does not cover complaints about the conduct of a parish councillor. The Code of Conduct sets out rules governing the behaviour of members. St Helens Council's Monitoring Officer is responsible for considering complaints that a member may have breached the Code. Any such complaints should be submitted to the Monitoring Officer at St Helens Council.

In addition, some complaints will be more appropriately dealt with under other procedures:

- Complaints about financial irregularity should be reported to the Council's external auditor. Local electors have a right to object to a Council's accounts under section 16 of the Audit Commission Act
- Complaints about criminal activity should be reported to the police.

This procedure will be used to address complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council for consideration.

This procedure is based on recommended good practice from NALC.

Making a Complaint

If a complaint is notified orally to a Councillor or to the Clerk, a written record will be made, with the name and contact details of the complainant and the nature of the complaint.

The complainant will be asked to put the complaint in writing (by letter or e-mail) to the Clerk at The Public Hall, 216 Main Street or clerk@bilingeparishcouncil.gov.uk. The

¹ Local Government Ombudsman "Guidance on running a complaints system"

complaint will be dealt with at the next Council meeting and the complainant will be informed of the date of this. (The complaint will still be investigated if the complainant refuses to put it in writing).

If the complainant prefers not to put the complaint to the Clerk (because the issue relates to them, for example,) they will be advised to write to the Chairman.

Resolving a Complaint

On receiving a complaint, the Clerk or Chairman will try to settle this directly with the complainant. This will not be done without first notifying any person complained about and giving them an opportunity to comment. Efforts will be made to resolve the complaint at this stage. The Clerk or Chairman will report any complaint resolved by this direct action to the next meeting of the Council.

The Clerk or Chairman will report any complaint not resolved to the next Council meeting. The Clerk will notify the complainant of the date the complaint will be considered and they will be offered an opportunity to attend and explain the complaint to the Council.

Matters relating to actual or potential grievance or disciplinary proceedings should be dealt with in accordance with the Council's grievance and disciplinary procedures.

The Council may consider whether the circumstances of any complaint require the matter being discussed in the absence of the press and public. However, any decision on the complaint will be announced at the meeting in public.

For a complaint, the Council may consider whether to make any 'without liability' payment or provide other reasonable benefit to a person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the auditor on the propriety of such a payment.

The complainant will be notified in writing of the decision and any action to be taken as soon as possible after the decision has been made (and not later than 10 days after the meeting).

The Council may defer dealing with any complaint if it believes the issues require further advice. The complaint will then be dealt with at the next meeting after the advice has been received.

Note that this complaints procedure will be reviewed annually with the next review due in May 2025