



### **Complaints Procedure**

**Responsibility:** Full Council

**Review Cycle:** Every four years, or earlier in the event of legislative changes

<b><u>Date of Adoption / Renewal</u></b>	<b><u>Resolution Number</u></b>	<b><u>Date of Next Review</u></b>
15 <sup>th</sup> February 2021	FCL_2021.02.14ii	February 2025

## **Introduction**

Herstmonceux Parish Council echo the commitments of their District Council.

Herstmonceux Parish Council are committed to providing high quality local services, with our parishioners at the heart of all decisions that are made. We do our best to make sure your contact with us is professional, courteous and goes beyond your expectations. However, we do accept that sometimes things can go wrong and at these times we need to listen to your views to ensure we improve.

No matter what your experience, we welcome the opportunity of receiving your views so we can learn and continually improve. Your views, both positive and negative, are very important to us. Please use this procedure as a guide to help you through our comments, compliments and complaints procedure.

### **Through our complaints procedure you can complain about:**

- The behaviour of a person representing or delivering a service for or on behalf of the Council
- A failure to provide a service at the level or standard expected by the Council
- A failure to follow the Council's agreed policies, rules or procedures
- A failure to consider all information in coming to a decision
- A failure to inform people of their rights
- Malice, bias or unfair discrimination and in particular discrimination or harassment on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

If you have a complaint about any of our Contractors, please speak to us.

### **Managing your information or personal data**

Herstmonceux Parish Council may need to store and use data about you to properly deliver their services. However, you have the right to ask for:

- Incomplete or inaccurate data to be rectified,
- Personal data to be deleted (the right to be forgotten),
- The processing of your personal data to be restricted.

Whilst the above do not constitute a complaint, if you believe that we have not treated your Freedom of Information request fairly and or we are not using and/or storing your data in a proper manner then you can refer us to the Information Commissioner's Office who will review this and offer you further advice.

### **To help us resolve your complaint, please give specific details of:**

- i. The time and date of any incident that may have occurred.

- ii. Details of your complaint – please explain in your own words what it is that you are complaining about.
- iii. Names of anyone involved - If the complaint involves a particular employee / councillor / contractor / service
- iv. Contact details - let us know who you are and how we can contact you to respond to your complaint.

## **Procedure**

### **Oral Complaints**

1. If a complaint about Council procedures or administration is notified orally to a Councillor or Officer and s/he cannot immediately satisfy the complainant in full, the councillor or officer shall ask the complainant to refer the complaint in writing to the Clerk. If the complainant prefers not to refer the complaint to the Clerk, the councillor or officer shall advise him or her to refer it to the Chairman.
2. The councillor or officer shall assure the complainant that the complaint will be dealt with confidentially and promptly upon receipt of a letter, and that if it is resolved directly with the complainant it will be reported to the next meeting of the Council.
3. If the complainant is not satisfied but is unwilling to put the complaint in writing, the complaint will not be investigated further

### **Written Complaints**

4. Where the Clerk or Chairman receives a written complaint about his or her own action, s/he shall refer it directly to the Council. The complainant will be given an opportunity to comment on the manner in which it is proposed to attempt to resolve the complaint.
5. On receipt of any other written complaint, the Clerk or Chairman shall try to resolve the complaint directly with the complainant.
6. No anonymous complaints will be considered by the Parish Council.

### **Resolved Complaints**

7. The Clerk or Chairman shall report to the next meeting of the Council, any oral or written complaint resolved directly with the complainant.

### **Unresolved Complaints**

8. The Clerk or Chairman shall bring any unresolved written complaint to the next meeting of Council, and the Clerk shall notify the complainant of the date on which it will be considered when s/he shall be offered the opportunity to explain the complaint orally to the Council.
9. Before discussion, the Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the public and the press.
10. The Council shall only defer dealing with a written complaint if it is of the opinion that issues of law or practice arise on which professional advice is necessary (e.g. from NALC). The complaint shall be dealt with at the next meeting after advice has been received.
11. All decisions on complaints shall be announced at the Council meeting in public. Within a working week after the decision has been made, it and the nature of an action taken shall be communicated in writing to the complainant.

### **Confidential Complaint**

12. A councillor or officer who receives a confidential complaint shall send a letter (attached) explaining that, subject to the complainant's agreement, the complaint will be discussed by the Council in a closed meeting. The complainant shall be offered the opportunity to explain the complaint orally to the Council.
13. Confidential complaints will not otherwise be investigated.

### **Unsatisfied Complainant**

14. Complainants who are not satisfied with the way their complaint has been handled, rather than remaining dissatisfied with the answer, may seek advice from the Local Government and Social Care Ombudsman

<https://www.lgo.org.uk/make-a-complaint/fact-sheets/other-topics/parish-councils>

or the Monitoring Officer at Wealden District Council by phoning 01323 443322

Herstmonceux Parish Council  
Complaints Procedure  
2021

**Letter from Herstmonceux Parish Council to persons making confidential complaints**

**HERSTMONCEUX PARISH COUNCIL**

*4 The Old Forge, Gardner Street, Herstmonceux, East Sussex BN27 4LG*

Tel: 01323 833312

Email: [clerk@herstmonceuxparish.org.uk](mailto:clerk@herstmonceuxparish.org.uk)

Dear

I write to acknowledge receipt of your complaint.

Your complaint involves matters relating to Herstmonceux Parish Council and we will endeavour to investigate the issues and provide a response to your concerns.

In order to do this, we will need to give other councillors relevant information about your complaint. Such information will only be shared on a need-to-know basis and will be treated in confidence. Please let me know as quickly as possible if you are agreeable to this arrangement. I enclose a copy of Herstmonceux Parish Council's complaints procedure which explains how we will proceed; you will see from it that confidential complaints cannot be investigated without your agreement to share information.

We hope to respond to you within five days of our next meeting which is on..... If you wish you may take that opportunity to explain the complaint orally to the Council. Should you have any queries in the meantime please contact me or .....

Yours sincerely

Clerk to the Parish Council