

THORNBURY GROUP PARISH COUNCIL: COMPLAINTS POLICY

Introduction	
<p>In accordance with the Local Government Act 1974, the Local Government Ombudsman (LGO) does not have jurisdiction over parish and town councils in England. As a result, there are no statutory mechanisms for handling complaints made against such local councils. This document sets out the procedure that this council will follow in the event that a complaint is submitted by a member of the public.</p>	
When the complaints policy is not appropriate	
<p>Not all complaints from members of the public are appropriate to be addressed under this complaint's procedure. The council will refer the following matters to alternative bodies or employ different procedures, as appropriate, to the following types of complaints:</p>	
Financial irregularity:	A local elector has a statutory right to object to the Council's audit of accounts under section 16 of the Audit Commission Act 1998. In such cases, the Council may need to consult with the external auditor or the Audit Commission.
Criminal Activity:	The Police.
Councillor conduct:	If the complaint is related to a failure of a councillor to comply with the Code of Conduct, this must be submitted to the Monitoring Officer, Standards Committee of Herefordshire Council.
Employee conduct:	Internal employment procedure.

Please note: A formal complaint is a serious matter. A complaint made against a member of the Council's staff may lead to disciplinary action and, in cases of gross misconduct, could result in dismissal from the Council's employment. Under no circumstances will the Council enter into any correspondence or discussion with a complainant regarding any action taken, whether formal or informal, against an employee. This is expressly to safeguard the employment rights to which all Council staff are entitled.

Policy when the complaints procedure is appropriate

a. Making a Complaint

If a complaint regarding procedures or administration is made orally to a Councillor or the Clerk, they should endeavour to resolve the complaint fully. If this is unsuccessful, the complainant should be asked to submit the complaint in writing to the Clerk, with reassurance that it will be addressed promptly upon receipt. If the complainant prefers not to submit the complaint to the Clerk, they should be advised to direct it to the Chairman.

Upon receiving a written complaint, the Chairman or the Clerk (*unless the complaint concerns their own actions*) shall attempt to resolve the matter directly with the complainant. Efforts should be made to resolve the complaint at this stage. Complaints regarding a Council employee will be treated as an employment matter.

The complainant should be asked to submit their complaint regarding the Council's procedures or administration in writing to the Clerk. If the complaint pertains to any area outlined in the table above, it will be handled as specified.

If the complainant does not wish to address the complaint to the Clerk, they should be advised to submit it to the Chairman, or, in the case of a complaint about the Chairman, to the Vice-Chairman.

b. Council's Response

The Clerk shall acknowledge receipt of the complaint and inform the complainant of when the matter will be considered by the Council. The complainant should also be made aware of the Council's procedure for handling the complaint.

A Complaints Panel, consisting of at least 3 councillors, will be convened by the Clerk to review the complaint. The Council aims to address complaints within 21 days of receipt.

Seven clear working days before the meeting, the complainant must provide the Council with copies of any documentation or evidence they wish to rely on. The Council will also provide the complainant with copies.