

# CROWLE PARISH COUNCIL

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## Complaints Policy

Prepared using CALC model (Aug 2014) and NALC Legal Topic Note (Dec 18)  
By S.Brett (clerk) August 2019

### Background (from NALC document)

The Local Government Ombudsman (LGO) confirms that a good complaints system is:

- well publicized, easily accessible and easy to use;
- helpful and receptive
- non adversarial;
- fair and objective;
- based on clear procedures and responsibilities;
- thorough, rigorous and consistent;
- decisive and capable of putting things right where necessary;
- sensitive to the special needs and circumstances of the complainant;
- adequately resourced;
- fully supported by Councillors and officers;
- provides responses that are proportionate; one size does not fit all;
- timely; and
- regularly analysed to spot patterns of complaint and lessons for service improvement.

### Policy Statement

Crowle Parish Council (CPC) will handle any complaint made concerning its policy decisions, procedure or administration or conduct of a member or employee (which are treated as a complaint against the body corporate of the PC,) in a timely manner in accordance with the following procedures. It is hoped that most complaints will be resolved internally, without the need for outside intervention and this will always be done in a sensitive, constructive, accountable and open way at the same time taking into account confidentiality and data protection.

NB for some special circumstances, other procedures and interventions will also be used;

- A complaint against an employee resulting in disciplinary action,
- An employee complaint about the workplace resulting in a grievance,
- A complaint about an alleged breach of the Code of Conduct for members (this will involve the District authority Wychavon)
- A complaint of alleged criminal activity (this will involve the Police,)
- A complaint seeking redress for personal injury, damage to property or financial loss where CPC will take instruction from its insurers.

In all cases, a record will still be kept of progress and outcome of these complaints.

## Procedures

1. There must be a written record of the complaint either from the complainant themselves or by the person receiving the complaint, which details the date, name of complainant and contact details and nature of the complaint. This may be kept confidential if wished, but if agreed is passed to the Chair of the Council and/or Clerk if they are not the original contact.
2. The Chair/Clerk will acknowledge the complaint in writing within 1 week and specify a date by which it will be dealt with, allowing sufficient time for investigation and gathering evidence, which will be documented.
3. The Chair/Clerk will seek comment from anyone who is named in the complaint (if applicable,) and keep a written record of conversations and actions along with the original complaint.
4. The Chair/Clerk will seek to resolve the complaint informally where possible but will not act alone in taking decisions. If it cannot be resolved in this way, then the complainant will be invited to attend and make representation at the next Parish Council Meeting. (They may prefer meeting with a smaller group of Councillors beforehand.)
5. At this meeting a report of the complaint will be made as an agenda item and it will be discussed with the aim of finding a resolution. *NB the PC must ascertain from the complainant beforehand if they wish to waive confidentiality and if personal details are to be shared. The PC must also take into account the any sensitivities of the issue and if they require the absence of the public and press from discussions for this item of business.* However, any decisions taken must be reported to all.
6. If further advice is needed, a decision can be deferred until the following meeting and the complainant informed within 10 days after this has taken place.
7. If the complainant feels that the complaint has not been addressed to their satisfaction, they may appeal again to the Parish Council. The Parish Council as a body is the final “appeal panel” and there is no further passage for appeal for a complainant.
8. If the complaint related to a matter where the PC is working jointly with a Principal Authority, they may appeal to the Local Government Ombudsman.
9. If a complaint is upheld, the Parish Council can instruct for a simple apology to be made or offer a remedy to put the complainant back in the position they would have been prior to the complaint. If any financial redress is agreed, this must be clear and final (without admission of legal liability.)
10. The personal information of a complainant and the details of the complaint will be kept according to the Council’s Information Management Policy and will only be kept for the processing of the complaint. The information will not be used for any other purpose.