



KIPPAX PARISH COUNCIL COMPLAINTS POLICY

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Review date: May 2023

Signed by Chair, Councillor Martin Eyre

1. Aim of the Complaints Procedure

1.1 Kippax Parish Council aims to learn from complaints and, where they are found to be justified, to ensure that appropriate measures are taken to improve services.

1.2 It will:

- Ensure that anyone who wishes to make a complaint knows how to go about it
- Respond to a complaint efficiently and within a reasonable time
- Ensure that service users are satisfied that the complaint has been taken seriously and, where possible, reasonable measures have been taken to improve services

1.3 All complaints will be dealt with in confidence, and the name of the complainant will not be revealed by the Parish Council, except where it is the wish of the complainant in compliance with data protection legislation and GDPR.

2. What is a Complaint

2.1 Kippax Parish Council will investigate a complaint from a person, or their nominated representative, if it is one of the following:

- An expression of dissatisfaction about the failure to provide or meet the expected standard of a service.
- Neglect or delay in responding to a contact with the Council.
- Failure to observe the Parish Council's policies or procedures.
- Discourteous or dishonest conduct by a member of staff.
- Harassment, bias or discrimination.

2.2 The Complaints Procedure does not cover:

- Complaints about the conduct of Councillors. These should be reported to the Monitoring Officer at Leeds City Council

- Where a person wishes to disagree with a Council decision or policy or makes a request under the Freedom of Information Act, whereby there are alternative processes for representation in place
- Anonymous complaints

3. To make a Complaint

- 3.1 A formal written letter or email of complaint must be sent to the Clerk or if the complaint involves the Clerk, the letter should be sent to the Chairman of the Parish Council.
- 3.2 The complainant should include copies of any documentation or other evidence related to the complaint.

4. Complaint handling

- 4.1 Within three working days of receipt of the complaint, the Clerk or Chairman will give written acknowledgement of it, provide a copy of this complaints procedure and ascertain whether the complainant wishes the matter to be treated confidentially.
- 4.2 At the next meeting of the council, the council will appoint a Complaints Panel to consider the complaint. The panel will be comprised of three councillors and the council will resolve which member is the Chairman of the panel.
- 4.3 The council will also include on the agenda the appointment of an Appeal Panel, comprised of three councillors, should the complainant be dissatisfied with the Council's decision. The council will also resolve which member will be the Chairman of the Appeal Panel and the panel will have full delegated powers to bring the complaint to a conclusion
- 4.4 If more than twenty one days is to lapse between receipt of the complaint and the next meeting of the Council, the Chairman will convene an extraordinary meeting of the Council to appoint a Complaints Panel and an Appeal Panel.
- 4.5 Notice of the Complaints Panel meeting will be advertised in the usual way to members of the panel, ie. a summons and with three clear days' notice. A public notice will also be displayed in the usual way.
- 4.6 At the meeting, the Complaints Panel may resolve to exclude members of the public and press to ensure confidentiality. (Depending on whether the complainant wishes the matter to be dealt with in this way).
- 4.7 The Complaints Panel may appoint an independent person to the panel if it resolves to do so, as an independent impartial arbitrator.
- 4.8 After the meeting, the Clerk/Chairman will write to the complainant explaining the outcome of the Complaint's Panel consideration of the complaint and explaining how to take matters further if they believe this is necessary.

5. Appeals Process

- 5.1 If the complainant wishes to pursue the matter, they must notify the Council in writing with their reasons for wanting to do so and a meeting of the Appeal Panel will be convened for the purpose of investigating the complaint further.

- 5.2 Notice of the appeal meeting will be advertised in the usual way to members of the committee, ie. a summons and with three clear days' notice. A public notice will also be displayed in the usual way.
- 5.3 Complainants will be asked by formal letter to attend the appeal meeting and will be informed that they may be accompanied by another person.
- 5.4 Complainants will be asked to provide the Council with copies of any documentation or other evidence relied three clear days prior to the meeting. The Council shall provide the complainant with copies of any documentation upon it wishes to rely at the meeting, allowing the opportunity to read the material ahead of the meeting.
- 5.5 The Appeal Panel 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 next council meeting in public.
- 5.6 At the commencement of the meeting, the Appeal Panel Chairman will explain how the meeting will proceed.
- 5.7 Complainants will be asked to provide any new information or supporting evidence to the Appeal Panel and will be invited to make a verbal representation to the meeting.
- 5.8 Members of the Appeal Panel will be invited by the Chairman to ask questions of the complainant.
- 5.9 The Chairman of the Appeal Panel and then the complainant will summarise their respective positions
- 5.10 The complainant will then leave the meeting and the Appeal Panel will consider the further findings.
- 5.11 The complainant will be informed by formal letter of the conclusions of the process within five working days of the appeal meeting.
- 5.12 The Appeal Panel Chairman will report the outcome of the process to the next meeting of the Parish Council.
- 5.13 Minutes of the appeal meeting will be kept and will be available to all parties involved in the complaint.
- 5.14 The decision of the Appeal Panel is considered final.