

LITTLETON & HARESTOCK PARISH COUNCIL (LHPC)

COMPLAINTS POLICY

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Littleton and Harestock Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area, or who are visitors to the locality. If you are dissatisfied with the standard of service you have received from the council, or are unhappy about an action or lack of action by the council, its administration or its procedures this complaints procedure sets out how you may complain to the council and how the council shall try to resolve your complaint.

This complaint policy does not cover:

- Financial irregularity
These are handled by the Council's auditor.
- Criminal activity
These matters are handled by the Police.
- Grievances by a Council employee
These are handled under the Council's employee grievance procedures.
- Complaints about the conduct of Council Members
These are handled by the Winchester City Council monitoring authority.

Littleton & Harestock Parish Council Complaints Policy

The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures.

Stage 1: Informal Resolution

1. If you wish to make a complaint it should be addressed to the Parish Clerk by email or by post. Where appropriate we will make reasonable adjustments to accept complaints received otherwise. On receipt of a complaint the Parish Clerk, as proper officer of the Council, will seek to resolve the complaint, directly with the complainant, on an informal basis.
2. If a complaint is made against the Parish Clerk, this will be passed to the Chairman of the Council to investigate and, if appropriate, dealt with in accordance with the disciplinary procedure.
3. Complaints will be reviewed with reference to established LHPC policies and the Standing Orders which are available on the Littleton and Harestock Parish Council website, www.lhpc.org.uk. The complaint cannot be upheld if these policies and Standing Orders have been adhered to.
4. On receipt of the complaint, the Parish Clerk or Chairman will acknowledge the complaint within 5 working days. The Parish Clerk or Chairman will provide the complainant with the Council's complaint policy and will confirm their understanding of the complaint. LHPC will endeavour to deal with the complaint within 21 working days of receipt.
5. The Parish Clerk or Chairman will obtain any further information as necessary from the complainant, staff, or Councillors before making an assessment based on the Council's established policies and standing orders. Although the resolution will be on an informal basis, all members of the Parish Council will be advised that a complaint has been received and will be notified of the outcome.
6. If the complainant is dissatisfied with the outcome of the informal resolution, they can request to move to the formal complaint procedure. To be considered for stage 2 the complainant will need to provide

new evidence or evidence that the Parish Clerk or Chairman has not considered the complaint appropriately. This will be reviewed by a nominated Parish Councillor.

7. A request for escalation to a formal complaint procedure needs to be made within 14 days of receiving the complaint outcome. At the Parish Clerk's or Chairman's discretion, if appropriate, the complaint may be moved directly to Stage 2: Formal Complaints Procedure.

Stage 2: Formal Complaints Procedure

8. A stage 2 formal complaint will be considered by the Finance and General Purposes Committee. The committee meeting dealing with the complaint shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the complaint. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
9. The Parish Clerk, Chair or another nominated officer shall acknowledge receipt of the Stage 2 complaint. The complainant will also be advised as to whether the complaint will be treated as confidential.. The Council may defer dealing with any written complaint if it believes that issues of law or practice arise on which professional advice is required.
10. The complainant will be invited to attend a meeting and may bring with them a friend for support if they so wish. Five clear working days before the meeting the complainant and the Council via the Parish Clerk, Chairman or other nominated officer shall exchange copies of any documentation or other evidence which will be relied upon.
11. Any Councillor who is the subject of a complaint will not sit on the Finance and General Purposes Committee for the consideration of the complaint. If a complaint is made against the Parish Clerk then the Parish Clerk will be asked to leave the meeting and a nominated councillor will record minutes for the duration of the complaint resolution.

The complaint consideration will follow the following format:

- The Chair, or another nominated councillor shall introduce everyone and explain the procedure.
 - The complainant shall outline the grounds for the complaint. Thereafter questions may be asked by the Parish Clerk or Chairman, followed by members of the Council as appropriate
 - The Parish Clerk or another nominated councillor will explain the Council's position in relation to policies and standing orders and questions may be asked by the complainant and or members of the Council.
 - The complainant will be offered the opportunity to summarise their position.
 - The complainant will then be asked to leave the room whilst the members deliberate on the complaint. The complainant may be asked back if there is any clarification required.
 - LHPC will endeavour to arrive at a decision on the day of the meeting. If they are unable to complete their deliberation, the complainant will be advised when the decision is likely to be made and how and when it will be communicated to them.
 - Any decision will be communicated within five working days together with the rationale for the decision and any further action that may be required.
12. Any decision taken by LHPC regarding a complaint will be considered as final and there is no further right of appeal. However, if the complaint is related to data protection then it is possible to lodge a complaint with the Information Commissioner's Office on 0303 123 1113 or via email (see <https://ico.org.uk/global/contact-us/email/>) or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Unreasonable and Vexatious Complaints

13. If a complainant unreasonably persists in pursuing a complaint where a Council has already taken fair and proportionate action, or where some other process and recognised procedure has been taken, then the Parish Clerk may consider that the complaint is vexatious, oppressive or an abuse of procedure. In

such circumstances, the Parish Clerk reserves the right to manage correspondence with the complainant which may include only replying to correspondence if it is appropriate to do so.

14. Unnecessarily argumentative or abusive or unreasonably derogative correspondence will be ignored. Any complaint concerning the conduct of the Parish Clerk in such circumstances will automatically be considered vexatious. Unreasonable conduct from a complainant may also include multiple emails and emails copied into other parties not directly relevant to the Parish Council and may result in further emails being blocked.
15. Further correspondence will then only be accepted in writing and by post.

Anonymous Complaints

16. Anonymous complaints will not be considered.

Other Complaints

17. For financial irregularity, complaints should be addressed to the Parish Council's existing external auditors who are currently PKF Littlejohn LLP, 1 Westferry Cross, London, E14 AHD.
18. For conduct matters (complaints which relate to an alleged failure of a Parish Councillor to comply with the Parish Council's Code of Conduct) the complaint should be addressed to The Monitoring Officer, Winchester City Council, Colebrook St, Winchester SO23 9LJ.

Revision History

Table 1: Revision History

Version (major.minor)	Date	Author	Modifications made
Draft 0.1	8 th Mar 2021	LF	Initial draft.
Approved 1.0	6 th Apr 2021	LF	To clarify the process if the Parish Clerk is the subject of the complaint, and added information related to confidential complaints. Adopted at the LHPC meeting on 12th April 2021.

Note: The revision number should be updated every time this document is modified, significant changes should result in the major number being updated, and any other minor changes should result in the minor number being updated.