

Walton Parish Council

Complaints Policy

Purpose

The purpose of this policy is to resolve, by a formal or informal process, complaints made about Walton Parish Council by Walton parishioners. The difference between a formal or informal complaint and the steps a complainant should take to make a complaint are outlined below.

This policy supplements the Standing Orders and Financial Regulations of Walton Parish Council which can be found on the Parish Website.

1. Introduction

- 1.1 The Local Authorities Act 1974 (S34(1) defines the authorities that the Local Government and Social Care Ombudsman can investigate. Parish and Town Councils are not included in that definition. Consequently, complaints made by individuals about Walton Parish Council cannot be considered by the Local Government Ombudsman. Such complaints from complainants who live in the Parish of Walton can be dealt with in one of two ways:

- by an informal approach, or
- formally by reference to Warrington Borough Council's Monitoring Officer.

In either case Walton Parish Council is committed to resolving any complaint from a parishioner fairly and properly under the policy and procedure explained below.

- 1.2 If you are a parishioner and need to make a complaint, please follow the informal or formal procedure so that the full facts can be established and your complaint dealt with as quickly and effectively as possible. In all cases our aim is to achieve a mutually agreed resolution.

Ensuring a Fair and Objective Approach

- 1.3 First it is important to understand that if your complaint is against a Walton Parish councillor we will act with fairness and objectivity. Walton Parish Council *cannot* investigate a complaint against its own councillors informally in house, therefore we will treat your complaint as a formal complaint and ask you to refer it directly to Warrington Borough Council's Monitoring Officer. In that way it will be considered independently of the Parish Council so there is no conflict of interest.
- 1.4 If you have concerns about other matters, we will address them informally in the first instance. Please address your complaint to the Parish Clerk (for example complaints about Parish Council administration or procedure).
- 1.5 Where an investigation is undertaken (whether by Walton Parish Council or by Warrington Borough Council), the findings, outcome and reasons for the outcome will be explained to you in writing.
- 1.6 When dealing with any complaint Walton Parish Council is committed to learning from them. We are also committed to applying what we have learned to strengthen governance and our ways of working.

2. Making an Informal Complaint about Administration or Procedure

2.1 Please send your informal complaint to the Clerk with your supporting evidence to assist our investigation.

2.2 The Clerk will respond to you as quickly as possible and will consult Parish councillors /officers to identify any findings and proposals that may help to resolve your complaint.

2.3 If your informal complaint cannot be resolved by agreement you have the right to ask for us to treat it as a *formal* complaint and you or we can refer it to the Monitoring Officer at Warrington Borough Council.

2.4 As an additional safeguard, if your complaint is treated informally in the first instance but the Parish Clerk or Chair consider it is potentially a more serious matter, they will ask you to refer it to the Monitoring Officer.

2.5 There is no single procedure to dealing with an *informal* complaint. Complaints will be considered and tackled by the most effective approach. In all cases the full facts must be established and evaluated, to allow us to achieve a resolution that will be acceptable to you and to us.

2.6 In all cases, an accurate record of the lines taken by the Parish Council and of communications between you and the Parish Council will be maintained. This will be shared with you.

3. Formal Complaints

Making a Formal Complaint about a Councillor

3.1 Walton Parish Council is committed to complying with its Code of Conduct and pledged to uphold the dignity and respect of council members and the public.

3.2 Paragraph 1.3 explains that the Parish Council cannot investigate a formal complaint about its own councillors and that a formal complaint about a Walton Parish councillor should be directed to the Monitoring Officer who will arrange for the complaint to be investigated under Warrington Borough Council's own policies.

3.3 The Monitoring Officer's contact details are:

The Monitoring Officer
Warrington Borough Council
Standards Committee
West Annex
Town Hall
Sankey Street
Warrington
WA1 1UH
monitoringofficer@warrington.gov.uk

Complaints against the Parish Clerk

4.1 If you have a complaint about the Parish Clerk, please write to the Parish Chair explaining the basis for your complaint and providing evidence that will help the investigation.

4.2 Complaints will be referred to the Parish Council's Employment Committee and an investigation will be undertaken under our Disciplinary procedure and in line with the ACAS Code of Practice.

5. Complaints about The Council, its Committees or its Decisions

5.1 If you complain about a decision, the way the council works, or about the Parish Council overall you should make this first to the Clerk in writing. Please describe the reason for your complaint as fully as you can and provide any evidence you might have available that you consider will help to substantiate the complaint and enable it to be investigated. Please see the Parish Council's Code of Conduct on our Website.

5.2 Your complaint will be acknowledged in writing within five working days after the Clerk has received it. It will be considered first by the Clerk, then by the Chair of the Parish Council. It may then be referred to the relevant committee or, at the discretion of the Chair, to the full Council. As the complainant you will be invited to address the committee/Council to outline the background to the complaint.

5.3 We will aim to notify you of our findings within 20 working days and of what we propose to do in response to your complaint. The duration of the investigation will reflect the evidence we have to consider, and we will keep you informed about what is happening. If mutual agreement about a resolution cannot be achieved between you as the complainant and Walton Parish Council, the Parish Council will explain why that is and explain the next steps that may be available to you.

5.4 In all cases, a record will be kept of the steps taken by the Parish Council and of communications between you and the Parish Council which will be shared with you.

6. Vexatious Complaints

6.1 A vexatious complaint is made by a member of the public who persists unreasonably with their complaint or adds complaints to their original complaint with the effect of frustrating normal Parish Council business.

6.2 Similarly, complainants who decline a fair resolution, add serial additional complaints or raise unevicenced allegations may be deemed by the Parish Council to be vexatious complainants.

6.3 Where a vexatious complaint is made, the Parish Council may decide not to respond to the vexatious complainant, unless they provide evidence that any new complaint concerns new and different matters. A complaint that clearly relates to new issues will be assessed on its merits.

6.4 If a complainant is assessed to be vexatious by the Parish Council after consideration of the facts, the complainant will be informed by email or letter of that decision. They will also be advised about the conditions to be met for the assessment to be lifted

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Contacts

Walton Parish Council

T – 07938 842421

E: clerk@waltonpc.org.uk

W – www.waltonpc.org.uk

The Chair of Walton Parish Council

For current Chairman's details see Parish Council notice boards and website:

<http://www.waltonpc.org.uk>