



Harden Parish Council

Complaints Procedure

Introduction

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

This complaints procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

General Enquiries & Routine Issues

Not every query should be dealt with as a complaint. Everyday problems, queries and comments are periodically received by the council and are dealt with without being regarded as complaints. These are routine matters that are generally resolved quickly to the customer's satisfaction. If someone is dissatisfied with the original service or response they have received and wishes to take the matter further, then the issue would be recognised as a complaint.

Informal Complaints

During the course of daily business, minor complaints may be made to councillors or the clerk about services provided by the council or by other organisations, including Bradford Council. The clerk will usually deal with these. It is not appropriate for every comment to be treated as a formal complaint. Every effort will be made to deal with these problems immediately, either by providing information, instigating appropriate action, referring the matter elsewhere or by explaining a decision taken.

Formal Complaints

This procedure will be used for formal complaints about the council's administration or its procedures. Any complaint will be dealt with as a complaint against the council as a corporate body, not as a complaint against individual employees or member(s) of the council.

A complaint against the council that involves a complaint about the conduct of its employees would be handled in accordance with this complaints procedure.

If following investigation and review of the complaint, the council decides that there may be the need to take disciplinary action, this would be in accordance with the council's disciplinary procedure.

Members are free to raise matters of concern in respect of council business by the submission of motions on relevant agendas.

If a councillor has concerns about the conduct of a member of staff, they should notify the chair directly.

Occasionally it might be necessary to notify the council's insurers of a complaint immediately. This may be appropriate if a complainant seeks redress for personal injury, property or other financial loss. It is important that the council takes instruction from its insurer as to how to respond to the complaint. The failure by a council to notify its insurers as soon as a legal claim is threatened or made, may invalidate its insurance policy.

When is the Complaints procedure not appropriate?

Other bodies have responsibility for certain types of complaint: -

Type of Complaint	Refer to
Alleged financial irregularity	Local electors have a statutory right to object to a council's audit of accounts (s.16 Audit Commission Act 1998)
Alleged criminal activity	The Police
Members' conduct	The Monitoring Officer, City of Bradford Metropolitan District Council.

If an employee has a complaint about the workplace this may be raised in accordance with the council's internal grievance procedure.

Data protection and confidentiality

The council is expected to treat complaints in confidence. To ensure the council complies with its obligations under the Data Protection Act, the council cannot disclose the identity, contact details or other personal data about an individual complainant unless they consent to disclosure.

Dealing with the complaint

Complaints to the council should be submitted to: -

Harden Parish Council, PO Box 572, KEIGHLEY BD21 9FE
clerk@hardenparishcouncil.gov.uk

If the complaint concerns the clerk it should be sent to the chair of the council. Details of the current chair of the council are found on the Parish Council's website: -

<https://hardenparishcouncil.gov.uk>

The receipt of a complaint will be acknowledged in writing within seven working days, together with confirmation of whether the complaint is to be treated as confidential (which is most likely the case) and confirmation of the next steps of the complaints procedure.

The complainant will be advised in writing that the Staffing Committee will be investigating the complaint. The committee will be convened within fifteen working days of receipt of the written complaint. The complainant will be requested to provide any written evidence/new information relevant to the complaint. That will be circulated to the committee as part of the meeting papers.

The clerk or chair (if the complaint involves the clerk) will provide the complainant with new information or evidence relevant to the complaint. Such exchange of information needs to be in writing, take place at least five working days before the meeting and will be included as part of the meeting papers.

The complainant will be given the opportunity to make verbal representation to the committee and bring a friend to the committee meeting if they so wish. This will be confirmed in writing.

Meeting to hear the complaint

1. The chair will explain how the meeting will proceed.
2. The complainant should outline the grounds for the complaint and once this has been completed questions may be asked by the clerk or members of the committee.
3. The chair will summarise respective positions and offer the clerk and complainant the opportunity to also summarise their respective positions.
4. The clerk and the complainant should be asked to leave the room whilst the committee decides whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties will be invited back.
5. The clerk and complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it will be communicated to them.
6. The decision will be confirmed within seven working days after it has been reached, together with any details of any action to be taken.
7. The complainant has the right of appeal of a decision and this will be heard by members of the Council not sitting on the Staffing Committee.
If the complainant wishes to appeal the decision of the Staffing Committee, they must make this known in writing to the clerk or chair of the Staffing Committee within five working days of the decision.

Contacts

The Clerk to Harden Parish Council

clerk@hardenparishcouncil.gov.uk

Chair and other councillor contact details can be found at <https://hardenparishcouncil.gov.uk>