

## HOW TO COMPLAIN TO OVER KELLET PARISH COUNCIL

**Objective: The object of this complaints procedure is to put things right when they go wrong and ensure that mistakes do not recur in the future.**

### What constitutes a complaint?

A complaint is an expression of dissatisfaction by one or more members of the public about the parish council's action or lack of action or about the standard of a service delivered by the council. The complaint may relate to an action taken or a service provided by the council itself or a person or body acting on behalf of the council.

### What is not a complaint?

If a member of the public reports an issue or matter of concern within the Parish, this will not normally be regarded as a complaint, but as a **'Request for Service'**. Such matters, for example a fly-tipping incident or an obstruction of a Public Right of Way, will normally be dealt with directly by the Clerk without any need for a formal response.

### What is a complaints procedure?

The way the council manages any report of a problem with the service you are getting or trying to get from the council, or a problem with things that the council does or doesn't do, is via a complaints procedure.

### What can be expected?

The aims of a complaints procedure are to ensure the process is:

- well documented and publicised;
- easy to understand and use;
- helpful and receptive, not adversarial;
- objective and based on clear procedures;
- capable of putting things right where necessary;
- sensitive to the needs and circumstances of the complainant;
- adequately resourced and fully supported by parish councillors and the Clerk; and
- regularly analysed to spot patterns of complaint and lessons for service improvement.

### How do I complain?

**Requests for Service:** These should be made to the Clerk of the council and can be made by any means; phone call, email, letter or in person. You may make a request to a Councillor, but under the legislation governing parish councils, a Councillor has no authority to act as an individual and must refer the matter to the Clerk.

**Formal complaint:** To register a formal complaint please obtain and complete a copy of the council’s **complaint form** with any other information you wish to provide to support your complaint and then return it to the Clerk’s address. If the complaint directly concerns the Clerk, it should be sent to the Chair of the Council, clearly marked “**Council Chairman -Private and Confidential**”. Formal complaints are for matters of a serious nature and once resolved will be recorded in the council’s minutes. However certain types of employee related, or other sensitive issues may, under certain parts of legislation, be exempt from publication. You may also send a letter or email of complaint, but the council may ask you to complete their **complaints form** as this allows the council to keep a consistent record of communications on complaints.

## Nature of a complaint

Before making a complaint, it is important to contact the council to ensure it is the **Responsible Body** to handle the complaint. It is also important to clearly identify and document the details of the complaint. The way in which a complaint is handled will depend on the nature of the complaint.

The following table summarises how different types of written complaint may be handled by the council.

Nature of the complaint	How to complain	Who to complain to	Who will deal with your complaint
Parish council processes, procedures and services	The Clerk will provide you with a Complaint Form  Complete the form and add any other relevant evidence to support your complaint	The Clerk	You will receive a written reply from the Clerk  The matter may have been debated by the council at a council meeting and if so the Clerk’s response will be based on the decision of the council
Financial irregularity	The Clerk will provide you with a Complaint Form.  Complete the form and add any other relevant evidence to support your complaint	The Clerk/Responsible Financial Officer of the council.	The Clerk of the council will endeavour to provide an explanation.  If you are not satisfied you can report the matter to the External Auditor

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Conduct of an employee	The Clerk will provide you with a Complaint Form. Complete the form and add any other relevant evidence to support your complaint	The Clerk, unless the complaint is about the Clerk. If this is the case the complaint should be sent to the Chair of the Council and be sealed and marked "private & confidential"	The complaint may be resolved or escalated and be treated as an internal disciplinary matter to be dealt with under the Parish council's employee disciplinary procedure  In the event that the matter escalates the Parish council will provide a copy of the disciplinary procedure on request
Criminal activity	In writing, including any relevant evidence to support your concern	The police	The police  Depending on severity, the matter may go to court
Conduct of a Councillor	This type of complaint needs to be referred in writing to the principal authority, Lancaster City Council. The Parish council has no power to investigate the conduct of one of its own elected Members	The Monitoring Officer at the principal authority, Lancaster City Council	The Monitoring Officer.  Matters may be lengthy if an investigation is undertaken.  The matter may be referred for consideration by the Local Standards Committee

A Complaint form is available by email from the Parish Clerk to accompany this guide.