

**COMPLAINTS POLICY**

It is inevitable even with the best run organisations that there will be occasions when individuals are not happy with the service provided. In such circumstances, individuals complain. We therefore need to be clear as to what constitutes a complaint;

• Any situation where an individual has expressed dissatisfaction, whether justified or not, either orally or in writing about the Parish Council’s, or Parish Clerk’s or a Councillor’s, provision of, or failure to provide a service.

**Category of Complaints**

A. Complaints about the Councils administration, or its procedures will be handled by the Council.

1. B. Complaints about a policy decision made by the Council will be handled by the Council.
2. C. Complaints about the conduct of a Member of the Parish Council will be referred to the BDC Monitoring Officer.
3. D. Complaints regarding an employee’s conduct will be considered by the internal disciplinary procedures.
4. E. Complaints about criminal activity will be referred to the police.
5. F. Complaints about financial irregularities will be referred to the Clerk, and if the complainant is not satisfied with the response, they may object to the Council’s auditor of accounts pursuant to s16 Audit Commission Act 1998.

**Making a Complaint**

Complaints may be made by any reasonable means by notifying the Clerk (or the Council Chairman if the complaint is in respect of the Clerk), for example by; letter, telephone, e-mail, or in person, and all complaints will be investigated competently, diligently and impartially.

Letters may be delivered to the Council Office, Glapwell Centre, The
Green, Glapwell, Chesterfield, S44 5LW, or by telephone to the Clerk on 07488 246313, or by email to: clerk@glapwell-pc.gov.

Contact details for the Chairman are displayed on the parish council noticeboards and on the website.

Should any Councillor receive a complaint or suspect that a situation may give rise to a complaint, they must notify the Clerk (or the Council Chairman if the complaint is in respect of the Clerk) as quickly as possible and certainly within 48 hours. Councillors may acknowledge receipt of complaints and advise that the complaint has been forwarded to the Clerk or Chairman for action but should not undertake any further contact with the complainant.

**Receiving Complaints**

A Complaints Register is held in the Council Office. Upon receipt of a complaint, details should be immediately recorded and categorised in the Complaints Register by the Clerk (or Chairman). The register will include the following headings:

• Date Received

• Complainant’s Name and contact details

• Category of Complaint

• Details (nature) of the complaint

• Date Resolved

• Outcome

An individual complainant file should also be created to hold copies of all correspondence relating to the complaint which should include file notes of any telephone conversations.

This procedure needs to be followed in all cases, and all complaints categorised and recorded.

**Handling of Complaints**

All complaints will be assessed and categorised. For category A & B complaints, how the complaint should be handled and a decision to appoint an investigating officer(s) for the Council will be made by Full Council. The investigating officer may be the Clerk or the Chairman or another Councillor.

A formal letter of acknowledgement of receipt of the complaint must be sent to the complainant within five days advising by whom and how the complaint will be investigated and that the Council will send a response to the complainant within 21 days of the receipt of the complaint. If during the investigation it is clear that the Council is unable to send a response by that date, a second letter should be sent explaining the reason for the delay and providing a further date by which the complainant should expect the response. This however should be within eight weeks of receipt of the complaint.

Before investigating complaints, the Council/Investigator must naturally understand precisely what the complaint is. If the complaint was made orally the investigator should encourage the complainant to put their complaint in writing. Some written complaints can also be unclear as to the precise details. In either event the investigating officer will need to write to the complainant stating his or her understanding of what the complaint is and request confirmation that their understanding is correct or request further clarification.

At Council meetings the Clerk will advise Council of any complaints received and report on the progress of any ongoing investigations.

While the list is not exhaustive detailed below is information regarding how the Council will deal with some issues:-

• If a complaint is received which relates to the Clerk, an Employee or a Councillor that individual will be formally advised of the matter and given an opportunity to comment.

• If the complaint is about a policy decision made by the Council it may be referred back to the Council, for consideration.

• The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council’s maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council’s auditor on the propriety of such a payment.

• On rare occasions a recommendation may be made by the investigating officer that the complainant is invited to make their complaint directly to the Council. At such time the Council will check the procedural arrangements with BDC and/or DALC and follow those guidelines.

It should be noted that for the majority of complaints that arise under categories A and B, following investigation, can be classed as indirect requests for better communication of Council policy and are very often resolved by providing further explanation and clarification. Sometimes a simple apology, is all that is required to resolve the complaint.

**Habitual and Vexatious Complaints**

Occasionally, a complainant will not accept the response to their complaint provided by the Council, despite the Councils best endeavours, and will continue to complain about the same issue. This pattern of complaining very often leads to the complaint becoming targeted against individuals. Habitual and Vexatious Complaints are defined as unreasonable complaints, enquiries or outcomes that are repeatedly or obsessively pursued.

National procedures are available, which would allow any Council to restrict or refuse any further contact between the Council and the complainant. It is not the purpose of this document to provide full information regarding the current procedures in detail, because the Council will need to check the requirements with BDC and DALC at the time, should the need arise. However, one of the main requirements of those procedures will be that the Council, will need to be able to provide evidence, that it has followed its own Complaint Handling procedures as described above.

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