Kingsbury Parish Council
Working for the local community in
North Warwickshire

Doc: KPC-POL-11
Issue: October 2024
Web: www.kingsbury-pc.gov.uk
Email: clerk@kingsbury-pc.gov.uk

Complaints Procedure

1. **Introduction**

Kingsbury parish residents may wish to complain about the decisions, the procedures, or the conduct of the Members or Staff of Kingsbury Parish Council (KPC). Please note it may be appropriate for bodies other than the Parish Council to investigate some of the following types of complaint:

- Financial irregularity: the Council may need to consult its auditor.
- Criminal activity: the Council must report this type of complaint to the police.
- Member's conduct: If the complaint relates to a failure to comply with the Code of Conduct this must be submitted to the NWBC Monitoring Officer.
- Employee conduct: The council should refer to its internal disciplinary procedure or WALC/Local Authority guidance.

2. **Complaint relating to breach of Code of Conduct by a Councillor**

Complaints against individual councillors that involve a breach of their code of conduct should be made to the Monitoring Officer of North Warwickshire Borough Council. The Monitoring Officer can only deal with Code of Conduct complaints. They will not deal with complaints outside of their remit. Refer to the KPC Code of Conduct (KPC-POL-02) before proceeding.

Complaints should be in writing, and addressed to:

The Monitoring Officer, North Warwickshire Borough Council, Council House, South Street, Atherstone CV9 1DE.

3. **Making a routine complaint (regarding Council decisions or procedures)**

A complaint is an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action, or about the standard of a service - whether the action was taken, or the service provided by the Council itself, a person, or body acting on behalf of the Council.

4. **Informal Complaints**

It is not appropriate to deal with all complaints from members of the public under the formal complaints' procedure. It is hoped that less formal measures or explanations provided to the complainant by the Chair of the Council will resolve most issues raised by a member of the public.

Informal complaints will be brought to the Parish Council by the Chair of the Council or if this is not possible, due to the nature of the complaint, then the Vice Chair or Clerk.

5. **Panel of Councillors to be set up to hear a formal complaint**

A panel of 3 or 4 Councillors will be chosen to hear the original complaint and a further panel of Councillors nominated in case the complaint goes to an appeal. The Appeal Panel will not be involved with the original hearing. The Panel and Appeal Panel will be chosen once a complaint has been received, depending on the complaint and who it concerns.

6. **Formal Complaints**

6.1 **Before the meeting**

For a complaint to be considered by the Council, the complainant will be asked to put the complaint in writing to the Chair of the Council or if this is not possible, due to the nature of the complaint, then the Vice Chair or Clerk. See paragraph 8 below, for contact details.

- The Chair, Vice Chair or Clerk will acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Parish Council.
- The complainant shall be invited to attend the relevant meeting and bring with them such representatives as they wish.
- Seven clear working days prior to the meeting, the complainant will provide the Council with copies of any documentation, or other evidence, which they wish to refer to at the meeting. The Council will similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

6.2 **At the meeting**

Press and public will be excluded from the meeting.

- The Chairman of the meeting should introduce everyone and explain the procedure.
- The complainant (or representative) should outline the grounds for complaint before any questions from the Chair and then from members if present.
- The Chair should explain the council's position before any questions from the complainant, and from members if present.
- The complainant and then the Chair should then summarise their position; the complainant then will leave the room while members decide whether or not the grounds for the complaint have been made. N.B. If a point of clarification is necessary, the complainant will be invited back.
- The complainant returns to hear the decision or to be advised when the decision will be made.

6.3 **After the meeting**

- The decision should be confirmed in writing within seven working days together with details of any action to be taken.
- The result of the proceedings should be reported at the next council meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately respected.

6.4 **Appeals**

Should the complainant not agree with the decision they are entitled to appeal the decision within fourteen days of receipt of the result of the proceedings.

- The Councillors nominated to handle the appeal should, within twenty-one days of receiving the appeal, examine the way in which the Council dealt with the complaint.
- If procedures were correctly handled by the Council, then the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly, it must be referred back for consideration again.
- The appellant should be notified of the result of the appeals process within fourteen days.

7. **Unreasonable and Vexatious Complaints**

There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council (or a committee) has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.

The Chair of the Council will refer these matters to the Council with a summary of the issues and of the attempts made to resolve the complaint. They may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and inform the complainant, making it clear that only new and substantive issues will merit a response.

8. **Contact details (to be amended each May after election of new Chair)**

Chair
Councillor J Thomas
40 Piccadilly Crescent
Piccadilly
Tamworth B78 2EL
Tel: 01827 874004
Mob: 07442 172009
Email: jean.thomas@kingsbury-pc.gov.uk

Clerk
Mrs R Lillico
Tel: 07378 406349
Email: clerk@kingsbury-pc.gov.uk

9. **If the complaint is not resolved to the complainant's satisfaction.**

If the complainant is still not satisfied following the original complaint and appeal procedure, and KPC cannot resolve the issues, then the complaint will be referred to a higher authority.

10. **Reviews**

This policy will be reviewed every year upon the election of a new Chair.

Adopted at the Parish Council Meeting on 22nd October 2024 (Minute 404)

Revision Control

Revision	Details of Change
Nov 23	New
Oct 24	Re-formatted on new template. Removed previous clerk contact details
Feb 26	Reviewed Feb 26 Min No 630