ALL CANNING PARISH COUNCIL COMPLAINTS POLICY

Introduction – General Principles
The Local Government Association (LGO) is responsible for handling complaints against Principal Authorities (such as Wiltshire Council) but does NOT include local authorities such as All Cannings Parish Council.

The LGO define a complaint as "A complaint is an expression of dissatisfaction about the Council's action or lack of action, or about the standard of a service, whether the action or service was undertaken by the Council itself or a person or body acting on behalf of the Council ".

A complaint may also be triggered by an allegation of administrative fault such as not following procedures or standing orders, inadequate service or no service, delay or making a mistake.

When the complaint is made against the Council, members of the Council or individuals are likely to be named by the complainant, however, a complaint against the Council shall be treated as against the body corporate of the Council.

Occasionally it may be necessary to notify our insurers of a complaint, this could be appropriate if a complainant is seeking redress for personal injury, damage to property or other financial loss (libel) or where the Council is at risk of being held liable in law or pay damages or to provide another legal remedy. In this case it is important that the Council pays attention on how to proceed from its insurers on how to respond to the complainant.

Who does our Complaints Procedure cover?
Our residents in All Cannings Parish or residents that live close by and are affected by our decisions.

1st Steps
Our intention will always be to resolve the complaint by communication and resolution rather than by requiring these formal complaints procedures.

However, if a complaint is against a member or the Proper Officer (Clerk) this will always be handled through this complaints procedure and if there is a subsequent need to undertake disciplinary action this will be handled through our internal disciplinary procedure.

Complaints Procedure

1. **If you have a complaint about All Cannings Parish Council, please submit this in writing (this can be via email) to the Clerk in the first instance Clerk@allcannings-pc.gov.uk if that is not appropriate to the Chair: CllrAGray@allcannings-pc.gov.uk**

It should include:

a) **Details of the complaint, including relevant events, dates, names of relevant Members and staff or contractors of the Council**
b) **Your contact details**
c) **Whether you want the complaint to remain confidential**

In some circumstances All Cannings Parish Council may be willing to hear verbal representations. The decision to accept verbal representations will be made within 21 days of receipt of the initial complaint. Complainants should be aware however that verbal representations are likely to take longer to resolve as they will lengthen the period for dealing with the complaint.

2. **All Cannings Parish Council will acknowledge receipt of the complaint in writing (usually via email) within 3 days of receipt. The complainant will be informed (up to a maximum of 10 days from receipt of the complaint) who is dealing with the complaint and the process that will be undertaken and confirm confidentiality (if requested and if in compliance with the Data Information Act). All Cannings Parish Council will at this time then allocate a period of 56 days to investigate and gather evidence regarding the complaint.**
3. **All Cannings Parish Council will in most circumstances create a working-party of at least 3 Members to investigate the complaint. The complainant (and a friend) may wish to verbally address the working-party and this will endeavor to be honoured (with the proviso that this may lengthen the period for dealing with the complaint). The procedure on how the meeting will take place will be outlined beforehand to the complainant and any new information from the complainant should be submitted before the meeting takes place. The complainant in any case should outline their complaint and the working-party will have the opportunity to ask questions. In turn the working-party will have the opportunity to outline the Councils findings and position and the complainant will have the opportunity to ask them questions. Both parties will then have an opportunity to summarise their positions. In most cases (subject to point 4 below) the Council will then indicate when a decision is likely to be made and how this will be made to the complainant.**
4. **In most cases All Cannings Parish Council will endeavor to resolve the complaint within 12 weeks from receipt of the complaint to resolution. Some flexibility may be exercised in the case of a complex complaint or those involving our insurance company. The complainant will be written to with the decision as to whether the complaint is upheld, together with reasons for our decision together with any action to be taken by us (if appropriate at that time to be able to inform you on the actions to be taken).**

Data Protection and Confidentiality

In accordance with the Data Protection Act 1988 (the Act) All Cannings Parish Council will not disclose the identity, contact details or other personal details of the complainant **unless they consent** or unless disclosure is otherwise fair and lawful under the Act (e.g., for the purposes of discharging the Councils functions or for the performance of contractual obligations).