

LEWANNICK PARISH COUNCIL
Clerk's Office: The Firs, Lower Metherell
Callington, Cornwall PL17 8BJ
Tel: 01579 350962
Email: clerk@lewannickpc.org.uk

CODE OF PRACTICE FOR HANDLING COMPLAINTS

Lewannick Parish Council recognises that from time to time there will be concerns expressed by members of the public over activities of the Council or one of its members or employees. To address these issues the Council has adopted a procedure for the handling of complaints. This procedure allows people to have a form of address to the Council if they feel that they have a complaint, or have been unfairly treated in their dealings with the Council staff, Councillors, the Council or its Committees.

This procedure deals with complaints received by the Parish Council

- a. Relating to an individual councillor or employee of the Council (the Clerk).
- b. Regarding a decision taken by, or operation of, the Council.
- c. Relating to services run by the Council.
- d. Relating to any other staff of the Council.

A. Complaints received relating to the Clerk, an employee or an individual Councillor or Councillors.

1. A complaint against a Councillor, Councillors or the Clerk must be in writing (letter, e-mail or facsimile). In the case of complaints against a Councillor or Councillors this should be submitted to the Clerk. If the complaint is against the Clerk it must be submitted to the Chairman of the Council.
2. All correspondence relating to a complaint regarding a Councillor of the Parish Council will be dealt with by the Clerk who will inform the Chairman of the receipt of the complaint, or the Vice Chairman if the complaint involves the Chairman.
3. All correspondence relating to a complaint against the Clerk will be dealt with by the Chairman of the Parish Council who will inform the Vice Chairman of the receipt of the complaint against the Clerk.
4. On receipt of a complaint the Clerk or Chairman, as appropriate, will send a holding letter to the complainant to allow further time to address the issues raised. The letter will explain the timescales and will contain a copy of the Council's Code of Practice for Handling Complaints.
5. If the complaint is made against the actions of a member or employee, the Clerk will present the complaint to the Council for consideration at a meeting held in the absence of press or public, within two weeks of receipt of the complaint.
6. If the complaint is made against the actions of the Clerk the Chairman will present the complaint to the Council for consideration at a meeting, held in the absence of the press or public, within two weeks of receipt of the complaint.
7. The Complainant may be invited to attend part of the Consideration meeting to explain the nature of their complaint, in the absence of the public and press.

8. Persons mentioned in the complaint will have the opportunity to explain the nature of their actions to the Consideration meeting, in the absence of the public and press.
9. The result of any Council investigation of a complaint will be announced in public at the first Parish Council meeting following the Consideration meeting.
10. The Clerk or the Chairman, as appropriate, will send a letter to the Complainant, and to persons mentioned in the complaint, confirming the decisions that have been reached and the nature of any action taken by the Council.

B. Complaints received regarding the Council as a whole.

1. Verbal Complaints:
 - a. On receipt of a complaint from the public the Councillor receiving the complaint will record full details of the complaint, together with the Complainant's telephone number etc., and then discuss the nature of the complaint with the Clerk/Chairman who will advise how the complaint should be dealt with and by whom.
 - b. The Clerk, or Councillor identified to deal with the complaint, will call the Complainant within 48 hours of receipt of the complaint to try and resolve the matter.
 - c. If a verbal response is unable to satisfy then the Clerk/Councillor will ask that the complaint be put in writing in order that it can be investigated more fully.
 - d. Details of all verbal complaints shall be recorded in a Register of Complaints.
2. Written Complaints:
 - a. On receiving a written complaint the Clerk shall try to settle minor complaints directly.
 - b. On receiving a written complaint relating to a more serious matter the Clerk shall liaise with the Chairman to decide upon the appropriate response and action to settle the complaint directly.
 - c. If necessary the Clerk will send a holding letter to the Complainant to allow further time to address the issues raised, explaining the timescales and enclosing a copy of the Council's Code of Practice for Handling Complaints.
 - d. The Clerk, or Chairman, shall bring any written complaint, which has not been settled, to the next meeting of the Parish Council and the Clerk shall notify the Complainant of the date of that meeting. The Complainant will be offered the opportunity to explain the nature of the complaint to the meeting.
 - e. The Clerk will consult with the Chairman/Vice Chairman to consider whether the written complaint warrants discussion at a Council meeting in the absence of the press and public.
 - f. The decision on the complaint shall be announced in public at the following Parish Council meeting.
 - g. The Clerk will send a letter to the Complainant, and to persons mentioned in the complaint, confirming the decisions that have been reached and the nature of any action taken by the Council.
 - h. Details of all written complaints shall be recorded in a Register of Complaints.

C. What to do if you are not satisfied with the outcome of a Complaint.

1. If, as the Complainant, you are not satisfied with the response of the Council you may contact the Monitoring Officer at Cornwall Council for further advice.
2. All Parish Councillors are required to comply with The Code of Practice issued by the Standards Board for England. This requires them to serve only in the Public Interest whilst showing respect for others and honesty and integrity in all their actions as Councillors.

3. If your complaint concerned the action of an individual Councillor or Councillors and you are not satisfied with the response of the Council you have the right to ask the Monitoring Officer, Cornwall Council, to investigate the matter under the Code.
4. If the complaint is referred to the Monitoring Officer then:
 - a. The Clerk or the Chairman, depending on who is dealing with the complaint, will be responsible for providing the Monitoring Officer, in a timely manner, any documents held by the Parish Council that may be reasonably requested by the Monitoring Officer.
 - b. All Members of the Parish Council, and the Clerk, will cooperate with the Monitoring Officer in a timely manner and provide all information, and access for interview, which may be reasonably requested by the Monitoring Officer.
 - c. No member of the Parish Council, or the Clerk, will be expected to research information that is not readily available from Parish Records if requested by the Monitoring Officer, but the Officer will be given reasonable assistance in carrying out such research.
 - d. Unless expressly advised to the contrary by the Monitoring Officer, the decision reached and published by the Monitoring Officer will be reported in public session at the next Parish Council Meeting.

The Monitoring Officer can be contacted at:

Democratic Services Cornwall Council County Hall Truro TR1 3AY

Telephone: 0300 1234 100

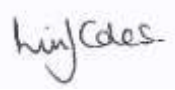
Further details on the process can be found at www.cornwall.gov.uk search Standards Committee.

D. Review of Complaints

1. The Register of Complaints will be reviewed annually to see if any patterns exist which should be investigated to improve the performance of the Parish Council. The outcome of the annual review will be reported at the Annual Meeting of the Parish Council.

This Code of Practice has been adopted by Lewannick Parish Council on: 18/02/2020

(Minute: 18/02, Item 9c refers)

Signed:  Linda Coles

Parish Clerk