

COMPLAINTS AND COMPLIMENTS

POLICY AND PROCEDURE

1. This policy sets out how the Council will respond to feedback and importantly if we have got something wrong what steps we should follow to remedy them.
2. Receiving feedback helps the council to review the way it works and ensure that lessons are learnt or success is recognised.
3. The complaints and compliments policy is for all complaints and compliments to the Council, whether these are minor, serious, informal or formal and apply to all services provided by the Council.
4. Separate arrangements as prescribed by law are in place in respect of complaints about Councillors. These arrangements are referred to in paragraph 7 below.
5. The Council believes that complaints can provide useful information and feedback on the quality of our services, procedures and practices. The effective handling of complaints will help us to improve the services provided on behalf of residents, visitors and those working within the village. The aim this policy is to ensure that complaints are investigated swiftly and in an impartial manner and a solution identified, whenever possible, to the satisfaction of both the complainant and the Council.
6. Where a member of staff, a councillor or a service is complimented this should be recorded and recognised. In this way we can learn to do more of the things that people like and appreciate.
7. Unlike other parts of local government, the parish council is not covered by the Local Government Ombudsman unless the complaint relates to a joint project or service involving a part of local government that is covered by the Ombudsman such as Eastleigh Borough Council or Hampshire County Council.

DEFINITION OF COMPLAINTS

8. People's perceptions differ widely but for the purposes of this policy a complaint is:
"An expression of dissatisfaction... about the council's actions or lack of actions, or about the standard of service whether the action was taken or the service provided by itself or a body or agent acting on its behalf."
9. More specifically, a complaint is where: -
 - a. The Council has not done something it has a duty to do or normally does;
 - b. The Council has done something it has no right to do or does not normally do as a matter of established practice;
 - c. The conduct or behaviour of an employee or councillor is unsatisfactory;
 - d. The established levels of service delivery are not reached;
 - e. A person does not understand or is not informed of why or how a situation arose or exists;



- f. An adopted and known procedure is not followed;
- g. Maladministration is alleged.

WHAT TO DO IF YOU HAVE A COMPLAINT

10. Any issues should initially be raised with the Clerk, who is responsible for dealing with these matters. The complaint can be made by telephone, email, or in person. People should not post issues on social media and assume that the Council will be aware of them.
11. In most cases the issue will be dealt with straight away and the complaint resolved immediately. If this is not possible and an investigation is needed you might be asked to set out the complaint in writing. Investigations will be dealt with as quickly as possible and under normal circumstances you should get a written response within 15 working days.
12. If the complaint is about the Clerk, the complainant should contact the Chair of the Council.

PUTTING THINGS RIGHT – STAGE 1

13. If following the investigation, the Council is at fault, every effort will be made to resolve the complaint to the satisfaction of the complainant.
14. Where subsequent actions or simply the passage of time prevents this, other actions may be appropriate which may include a local settlement. A local settlement is defined as action taken to restore a complainant to a situation he or she would have been in if the fault had not occurred.
15. When considering a local settlement, the remedy will need to be appropriate to the injustice and may be reduced where a complainant has contributed to the injustice suffered.
16. Some remedies may involve the treatment of staff under the council's disciplinary process. The outcome of this cannot be shared due to confidentiality.

WHAT IF YOU ARE NOT SATISFIED? - STAGE 2

17. If you are not satisfied with the outcome of your complaint, you should confirm this in writing to the Clerk along with your reasons. The matter will then be referred to the Council's Review Committee which will review the complaint, all of the paperwork relating to it, and the proposed resolution. You will be invited to attend the meeting and to explain the issue.
18. In order to preserve confidentiality, the Review Committee will normally deal with your complaint in private session. The Committee will decide on the outcome of the complaint and will notify you accordingly. The outcome and lessons learnt will also be considered by the Council.



WHAT IF MY COMPLAINT IS ABOUT A COUNCILLOR?

19. Councillors are required to observe a 'Code of Conduct' – a copy of which can be found on the Council <http://www.hambleparishcouncil.gov.uk/community/hamble-parish-council14956/core-policies/> or Eastleigh Borough Councils website www.eastleigh.gov.uk or at the Parish Office. If you feel a Councillor has broken the Code of Conduct, you can complain to the Monitoring Officer at Eastleigh Borough Council. They will decide whether the matter should be considered by Standards Committee. This is an independent committee responsible for promoting high ethical standards and also investigating allegations that Councillors' behaviour may have fallen short of the required standards. The Standards Committee will consider your complaint and may carry out an investigation (or arrange for someone to do so).
20. More information about the Code of Conduct relating to Councillors and about the Standards Committee of Eastleigh Borough Council is available on our website as well as at: www.eastleigh.gov.uk

WHAT TYPE OF BEHAVIOUR IS COVERED BY THE CODE OF CONDUCT?

21. Broadly, the Code requires Councillors:

- Not to discriminate unlawfully;
- To treat others with respect;
- Not to do anything to compromise the impartiality of Council employees;
- Not to disclose confidential or personal information;
- Not to stop anyone gaining access to information they are entitled to;
- Not to conduct themselves so as to bring their office or the Council into disrepute;
- Not to use their position to improperly secure an advantage, or disadvantage, for anyone;
- Not to use the Council's resources for unauthorised political purposes;
- To declare any personal or prejudicial interest in any matter that comes before the Council and, if appropriate, not to take part in the decision. Where the interest declared is deemed to be prejudicial, Councillors are not permitted to take part in the decision on that matter;
- To register certain financial and other interests (a copy of the register is available for public inspection).

A full copy of the Code of Conduct is available on the Council's website at:
www.hambleparishcouncil.gov.uk



ASSISTANCE OR ADVICE RELATING TO PROCEDURES OR A COMPLAINT

22. If you need help or general guidance about the Council's procedures or about any specific complaint, contact the Clerk at The Memorial Hall, Hamble-le-Rice, Southampton SO31 4JE or telephone 02380 453422 or email clerk@hambleparishcouncil.gov.uk

COMPLIMENTS

23. Where a compliment is made about the Council's work, a member of staff or a councillor the Clerk should be notified. If appropriate the individual involved will be told and thanked for their work/effort and for staff it will be recorded on their personal file.
24. Where compliments are made about a service or work that the council does it will be reported to the appropriate Committee.

MONITORING

25. Information will be collected and reported annually on formal complaints and the resolution of them

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