

# *Skelton Parish Council*

## **Complaints Procedure**

1. Skelton Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area, use its facilities or are visitors to the locality. If you are dissatisfied with the standard of service you have received, or are unhappy about an action or lack of action, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint. The Parish Council will not accept anonymous complaints.

2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

3. This Complaints Procedure does not apply to:

3.1. Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance policy.

3.2 Complaints about the Clerk will be dealt with under the Council's employment policies and procedures.

3.2. Complaints against councillors. If a complaint against a councillor is received by the council, it will be referred to the Standards Committee of the City of York Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of the City of York Council.

3.3. Complaints about the substance of decisions made by the Council. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

3.4 Where there has been a potential data breach in accordance with the Data Protection Act. There is a separate process for this outside of the Complaints Policy, which involves a full investigation of the matter and referral to the Office of the Information Commissioner should the customer remain dissatisfied following internal review.

3.5 The Council will not usually investigate complaints made more than twelve months after the first time the issue is reported.

3.6 This complaints procedure is not applicable for dealing with parishioners who act in an abusive, unreasonably persistent or vexatious manner and who place unreasonable demands upon staff and the council.

4. If you have any concerns which you feel may be cause for complaint, but which are not clearly identified above, you should make your complaint about the council's procedures or administration to the Clerk. You should do this in writing to the Clerk. The address is set out below. If you do not wish to report your complaint to the Clerk, you may make your complaint directly in writing to the Chairman of the Council who will report your complaint to the Council.

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5. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days. Where the points of complaint are not clear, or where further information is needed, we will contact you. Should investigations take longer we will contact you with an update. If we decide not to investigate, we will write to you explaining why this may be, for example, the matters relate to a particular policy which has been applied correctly and any further investigation would not be of benefit as the outcome would not alter.

## **Stage one, informal resolution**

6. If your complaint cannot immediately be resolved, or you are dissatisfied with the clerk's decision on a complaint, the following procedure will be followed:

6.1 The Clerk and a group of two nominated Councillors will form a working group to investigate the complaint, obtaining further information as necessary from you and/or from staff or members of the Council. If the complaint is about the Clerk, Chairman or Vice Chairman, that person will not be included in the investigating group. If required, you may be invited to a meeting. You will be given at least 10 working days' notice of this meeting. You will be asked to submit any documents you wish to refer to, at least seven days before this meeting, in writing to the clerk.

6.2 The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of the procedure and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

6.3 The complaint shall be reported to the next meeting of the council.

## **Stage 2. Formal hearing**

7. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council.

7.1 You will be notified of the date of the council meeting when the complaint will be considered.

You have the right to anonymity and confidentiality or you can waive this right.

7.2 The Council shall consider whether the complaint warrants discussion in the absence of the press and public.

7.3 You will be notified in writing of the outcome of the review of your complaint as soon as practicable after the meeting.

Clerk:  
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Chairman:  
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