



COMPLAINTS POLICY AND PROCEDURE

GENERAL PRINCIPLES

Balsall Parish Council is committed to running its activities in an open and efficient manner. However, it is possible that residents and other members of the public might wish to make a suggestion, provide feedback on say the quality of service or make a complaint about some aspect of its activities.

The process below explains how complaints and suggestions can be made.

1. Informal complaints, feedback and suggestions

- 1.1. The Council encourages residents to attend its meetings where they can address the Council on any issue. For issues not on the agenda, such as suggestions and new concerns, residents are able to speak to the council in an informal manner. This is often a good way of explaining an issue because it allows for a short dialogue.
- 1.2. Similarly, if a resident does not want to formally complain they can write, email or telephone the Clerk to the Council with their comment, suggestion or issue. The council welcomes such feedback because residents often notice things before the councillors or clerk see it. If there is a problem then the Clerk will "sort it" as soon as is practical on behalf of the Council. The Clerk will provide written feedback to written suggestions/informal complaints to explain what will happen/has been done (if anything required).
- 1.3. The Council cannot generally act on issues which are not within its control e.g. the services provided by others such as Solihull Council. However, if residents come to a meeting of the council, sometimes a Councillor or the Clerk might be able to help. Often a Borough Councillor attends meetings of Balsall Parish council as an observer and they can often help.
- 1.4. The Clerk will report monthly to the Council mail received making suggestions and requests for remedial action where services require corrective action.

2. Complaints about a Councillor

- 2.1. Complaints about a Councillor cannot be handled by the Parish Council. Anyone wishing to make a complaint against an individual Councillor should route their complaint to either of the following bodies who have jurisdiction on such matters.
- 2.2. The Monitoring Officer at, Democratic Services, Solihull Metropolitan Borough Council will consider complaints relating to Balsall Parish Council's code of conduct for Councillors. The address is Monitoring Officer at, Democratic Services, Solihull Metropolitan Borough Council, Council House, Manor Square, Solihull B91 3QB.
- 2.3. Criminal matters should be referred to the police. That includes a failure to declare an interest on a matter being considered by a meeting of the Council at which the Councillor attends and in which the Councillor has a pecuniary (financial) interest.

3. Formal complaints about Balsall Parish Council services and decisions

- 3.1. If a resident or member of the public wishes to make a formal complaint, then the Council will consider that complaint in a formal manner. The Council's aim will be to give a rapid response to such complaints, but the Council only meets monthly. To make a such a



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complaint then please write to the Clerk at the Council's postal address or by email. Such a complaint should provide:

- 3.1.1. The complainants name and full address.
 - 3.1.2. A description of the issue.
 - 3.1.3. All evidence, including photographs, documents etc that support the complaint.
 - 3.1.4. A statement that this is a formal complaint that the complainant wishes the Council to consider at a Council meeting.
- 3.2. If the complaint is about the conduct of the Clerk then the complaint should be addressed to the Chairman of the Council.

4. Formal complaint hearing process

- 4.1. The Council will normally hear a complaint at a scheduled (ordinary) meeting of the full council. Typically, it will be the first item on the agenda or there will be an extraordinary council meeting called.
- 4.2. The Complainant will be advised of the date, time and place of the meeting.
- 4.3. The Complainant can be accompanied.
- 4.4. The Complainant will be invited to address the Council if they so wish. Alternatively, the Council will make a decision based on the written information supplied by the complainant plus a report produced by the Clerk. Any written report by the Clerk will be provided to the complainant before the meeting so that they have time to read it.
- 4.5. The Clerk will also be offered the opportunity to verbally explain the position to date, if that is appropriate.
- 4.6. The complaint will normally be heard in public because the Council believes in transparency. It is through transparency that things improve.
- 4.7. If the complainant wishes to address the Council in confidence then the Council will go into private session to allow the complainant that facility. However, the report of the complaint will be made public without any details of a personal nature being disclosed.
- 4.8. When considering a complaint, the Council can adjourn the hearing to allow for more information to be obtained or supplied.
- 4.9. The Council will reach a decision and the complainant informed in writing of the outcome (even if they have attended the meeting).
- 4.10. There is no appeal process. Hence, it is important that complainants prepare their case well in advance. The Council will try its best to make any complainant who wishes to address it feel comfortable. That could include some Councillors deciding not to participate in the meeting if that would help matters.

5. Complaints about the conduct of the Clerk

- 5.1. The Council expects very high personal and professional standards from its Clerk. However, employees also have rights in law and those must be respected.
- 5.2. In such cases, a group of 3 Councillors (called the Staff Committee Working Group) might meet with the complainant and/or conduct an independent investigation before the complaint is heard by the Council. Alternatively, the Working Group can appoint an independent investigator.
- 5.3. Where the complaint relates to allegations of criminal action by the Clerk, not directly involving the Council, the complainant will be advised to contact the police. However, the



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council might also conduct an investigation if that is appropriate and the complainant will be advised of any such investigation.

- 5.4. Following an investigation, the Working Group will recommend action to the Council which could include, no action, conciliation, a disciplinary hearing or other appropriate action. The complainant will be advised as to the outcome.

This policy is cross-referenced to the following Balsall Parish Council's adopted policies and procedures:

- Data Protection Policy
- Grievance and Disciplinary Procedure
- Members Code of Conduct
- Privacy Notice
- Vexatious Communications and Complaints Policy