

# Utkinton and Cotebrook Parish Council

## Complaints Procedure

Date of adoption: approved at the May 2019 Council meeting, Page 19/20 007 of the Minute Book

Clerk and Chairman contact details updated: 14<sup>th</sup> May 2019

Date of review: May 2020

### Introduction

Utkinton and Cotebrook Parish Council is not subject to the jurisdiction of the Local Government Ombudsman and has adopted this policy to give clarity to the public to ensure complaints are properly and fully considered.

The Parish Council does not consider formal complaints against Councillors. These are dealt with in accordance with the Council's adopted Code of Conduct by Cheshire West and Chester Council Monitoring Officer. Full contact details can be found on the following page.

You should address all other complaints to the Parish Clerk, including those listed below: -

- A failure to fulfil a duty

- A failure to carry out an action in an appropriate way

- Acted in an unfair or unreasonable manner

- Discriminated against a section of the community

Should your complaint be about the Clerk, it should be addressed to the Council Chairman.

The Parish Council treats all complaints seriously and views them as means of improving its performance.

Complaints are dealt with, until resolved, through the series of steps outlined below. However, the Clerk may consider your complaint sufficiently serious that it goes directly to the Chairman in step 2.

In all cases the Parish Council will acknowledge receipt of your complaint in 7 working days and will seek to provide a full response within 21 working days. If this is not possible the Council will notify you, as the complainant, of the reason why and provide a date by which a full response can be expected.

### Complaints Procedure

#### *1. Tell us about your concern*

Write, phone, or email the Clerk. Full contact details are on the following page.

Please be as precise as possible about your concern and we shall try to deal with it straight away. We anticipate that all complaints are made within 5 working days of the event occurring, although we appreciate that in exceptional circumstances this may not be possible. .

The Clerk may need to look into the matter further before giving you a response, in writing, and in the majority of cases we shall be able to resolve your concern.

The Clerk will keep a written record of your complaint, their investigation and the response given to you.

## 2. *Still not satisfied?*

If you are not happy about how the Clerk has dealt with your concern, please contact the Chairman of the Council. Full contact details are on the following page. The Chairman, or a fellow Councillor(s) nominated by the Chairman, will investigate your complaint and the investigation undertaken by the Clerk. Written records of this step in the Complaints Procedure will be kept by the Parish Council.

Every effort will be made to ensure that you are satisfied with the result you achieve through this process.

## 3. *Full Council*

If the Chairman, or nominated fellow Councillor(s), has been involved but has not been able to provide a satisfactory solution, the full Council can be asked to look at your concern.

You may write to the Chairman requesting this matter is considered by the full council. You, or your nominated representative, then have an opportunity to voice your concern to the full council during public participation. The Full Council will then review all the steps taken to date and recommend any further action thought to be necessary.

## **VEXTIOUS COMPLAINTS**

A vexatious complainant is one who persists unreasonably with their complaints or makes complaints to inconvenience the Council rather than genuinely resolve an issue. This may include making serial complaints about different issues or continuing to raise the same or similar matters repeatedly.

The Clerk will determine if a complaint is vexatious in consultation with the Councils Chairman and Vice-Chairman, a written record of this decision and the reasons for it will be kept by the Council.

If a complainant is classified as vexatious the complainant shall be informed as such and notified that no further action or responses will be provided.

Should a vexatious complainant make a new complaint about an unconnected issue this will be treated appropriately.

## **CONTACT DETAILS**

Clerk & Responsible Finance Officer – Diane Jones	Fir Tree Cottage, Fir Tree Lane, Littleton, CH3 7DG Tel: 07904 076395 Email: <a href="mailto:utkintonandcotebrookclerk@gmail.com">utkintonandcotebrookclerk@gmail.com</a>
Chairman – Frank Tunney	Long Meadows, Tirley Lane, Utkinton, CW6 0JZ Tel: 07860 917446 Email: <a href="mailto:utkintonpc@gmail.com">utkintonpc@gmail.com</a>
Monitoring Officer	Monitoring Officer, Cheshire West and Chester Borough Council, HQ, 58 Nicholas Street, Chester, CH1 2NP Email: <a href="mailto:cwacmonitoringofficer@cheshirewestandchester.gov.uk">cwacmonitoringofficer@cheshirewestandchester.gov.uk</a>