

## Wincham Parish Council Complaints Procedure

This policy was adopted on 20 March 2019

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### 1. Introduction

1. Wincham Parish Council is committed to providing its services efficiently and to as high a standard as possible. The Council takes all complaints very seriously.
2. An up-to-date copy of this Policy shall be maintained on Wincham Parish Council's website.

### 2. Scope

1. There are three main types of complaints; complaints relating to an employee, complaints relating to a Councillor and complaints relating to administration and procedures. This Policy sets out the procedures for dealing with complaints by members of the public about Wincham Parish Council.
2. Complaints relating to Council employees are dealt with internally, as an employment matter.
3. Complaints relating to the code of conduct of a Councillor should be referred immediately to the Monitoring Officer at Cheshire West and Chester Council.

### 3. Purpose

1. The purpose of this Policy is to ensure that Wincham Parish Council has a clear procedure for dealing with complaints in order to:
  - Have the opportunity to respond and resolve to any issues that arise
  - Learn from mistakes and prevent them from happening in the future
  - Review policies and procedures where necessary

### 4. The Complaint Process

#### 1. Informing the Council of a Complaint

1. Complaints about procedures or administration should be discussed with the Clerk. Mistakes and misunderstandings are often resolved informally at this stage. If the Clerk cannot resolve the complainant informally the following steps should be followed.
2. The complainant will be asked to put any complaint about the Council's procedures or administration in writing to the Clerk, providing their name, address, and contact number, together with the nature of the complaint. If the complainant does not wish to put the complaint to the Clerk, the complaint may be put to the Chairman of the Council or nominated deputy.
3. The complaint shall be acknowledged in writing within fifteen working days and the complainant advised of when the matter will be considered by Wincham Parish Council's Internal Review Process consisting of the Chairman or Vice Chairman of the Council and two additional Councillors. Such Internal Review should normally be completed within the period of one month from the request for an Internal Review having been received by the Clerk.
4. The complainant shall be invited to attend the relevant meeting of the Internal Review where the complaint is to be considered and bring with them such representatives as they wish. Wincham Parish Council must be informed in advance of who will be attending the meeting and in what capacity.
5. At least seven working days before the meeting, the complainant will need to provide Wincham Parish Council with copies of any documentation or other evidence which may be referred to at the

meeting. Wincham Parish Council will similarly provide the complainant with copies of any documentation which it may refer to during the meeting.

#### At the Meeting

0. The Wincham Parish Council Internal Review shall proceed in accordance with the following procedure:
  - The Chairman will introduce everyone
  - The Chairman will explain the procedure
  - The complainant will be asked to outline the grounds of their complaint
  - If relevant, the Clerk will explain Wincham Parish Council's position
  - Councillors will then have the opportunity to ask questions
  - The complainant will then be offered the opportunity to provide a closing statement
  - The complainant will then be asked to leave the room whilst the Councillors decide whether or not there are grounds for a complaint to be upheld
  - The complainant will be invited back to hear the decision of the Wincham Parish Council's Internal Review, or to be advised when a decision will be made.

#### Following the Meeting

0. The decision made by Wincham Parish Council's Internal Review regarding the complaint will be confirmed in writing within seven working days of being made. Included with this will be details of any action to be taken.
1. The complainant will have seven working days following the written confirmation to appeal the decision.

#### Appeal Process

0. The complainant must inform Wincham Parish Council, in writing, if they wish to appeal against the decision.
1. The request for an appeal shall be acknowledged in writing and the complainant advised of when the matter will be re-considered by the full Wincham Parish Council.
2. The complainant shall be invited to attend the relevant meeting where the appeal is to be considered and bring with them such representatives as they wish.
3. The appeal process will follow the same procedure as that outlined in section 4.2.2, providing the complainant with the opportunity to explain their grounds for appeal.
4. Following the appeal, Wincham Parish Council will confirm its final decision in writing within seven working days, together with details of any action to be taken.

If following the appeal process, the complainant is still not satisfied with the action taken, or if the complainant feels as though they have been unfairly treated, then the complainant can pursue their complaint through the Ombudsman, who provides an independent national service to investigate complaints about councils or to the Information Commissioner's Office if the complaint relates to a Freedom of Information or data protection issue. If the matter does relate to a Freedom of Information or data protection issue, the complainant may appeal to the Information Commissioner's Office at any time before or during the complaint. You can contact the Information

Commissioners Office on 0303 123 1113 or via email  
<https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's  
Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK95AF.

5. The Local Government Ombudsman can be contacted on 0300 061 0614 and further information can be obtained from [lgo.org.uk](http://lgo.org.uk).

**Policy Review**

Wincham Parish Council will review this Policy as is necessary and appropriate, and at a minimum on an annual basis.

**Contact Details**

Please contact us if you have any questions about this Complaints Procedure at:  
Wincham Parish Council c/o The Parish Clerk,

22 Churchfields, Cheshire WA14 3PJ.

[winchampc@talktalk.net](mailto:winchampc@talktalk.net)

0161 926 8645

This policy was adopted by Wincham Parish Council on 20 March 2019

Approved by Council on 20 March 2019 (Item 28 (ii) of the Agenda)

**Ian Parr**

Chairman of Wincham Parish Council

**Naomi Morris**

Clerk of Wincham Parish Council

Dated

.....20 March 2019.....