

Kingsley Parish Council

Kingsley Parish Council
The Boardroom
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Complaints Procedure Adopted: 17.3.26

1. Introduction

Kingsley Parish Council wants to know when things go wrong as well as when they go well. Hearing your concerns helps us put mistakes right and improve the services we provide to the community.

This page explains how you can tell us if you are unhappy with something we have done, and what you can expect from us when you make a complaint. It is designed for members of the public and other service users, and is separate from internal staff and councillor procedures.

Some issues are handled in different ways:

- If you want to challenge a formal council decision, this is usually done through procedures set out in our Standing Orders.
- If you are concerned about the behaviour of a parish councillor, you should contact the Monitoring Officer at the Cheshire West and Chester Council.
- If you are unhappy about the conduct of a council employee, this will normally be dealt with under our personnel and HR processes.

2. What is a Complaint?

We follow the approach recommended by the Local Government and Housing Ombudsman. In simple terms, a complaint is when you tell us you are dissatisfied with:

- a service we provide
- something we have done or failed to do
- the way a member of our staff or someone working on our behalf has behaved

It is also important to understand the difference between a service request and a complaint. A service request is when you first ask us to provide or improve a service, such as reporting a problem or asking us to take action in the parish. A complaint is when you are unhappy with what we have done about that request, or with the service you have received, even if we are still working on it. We will always continue trying to resolve the original problem even if you then decide to complain.

3. When you can Complain

You can complain to the Parish Council if you think, for example, that:

- We have not followed our own procedures, policies, or agreed standards.
- We have failed to take account of something important when making a decision.
- There has been an unnecessary delay or lack of action.
- A member of staff or someone working for us has behaved inappropriately.
- You have been treated unfairly, or you believe there has been discrimination or bias.

If your complaint involves discrimination based on a protected characteristic (such as your age, disability, race, religion or belief, sex, sexual orientation, gender reassignment, pregnancy or maternity, or marriage and civil partnership) we will take special care to meet our duties under the Equality Act 2010.

If your concern is about the way we handle your personal information, we will deal with it in line with data protection law and our information governance policies.

4. When you cannot Complain

Not every concern will be dealt with under this complaints procedure. For example, we will usually not treat the following as complaints:

- First-time reports of problems or requests for a service, such as asking us to fix or look into an issue for the first time.
- General disagreement with a council policy or decision where no specific fault has occurred.
- Complaints about council employees which are really about disagreement with a lawful decision or policy.
- Matters where there is a separate legal or statutory right of appeal, or where another formal council review process already exists.

- Issues that have already been investigated and fully responded to.
- Matters that are, or could reasonably be, dealt with by a court or tribunal, or are part of a police investigation or insurance claim.
- Complaints that amount to refusing to accept a rule of law the Council is required to apply.

We also need to be able to look into events fairly and accurately. As time passes, memories fade and records may no longer be available. For that reason, we will normally only accept complaints made within three months of the issue arising. Complaints about the conduct of councillors must be sent to the Monitoring Officer at Cheshire West and Chester Council, using their process for member conduct.

5. Who can Complain

Anyone who uses the Parish Council's services or lives in the Parish can make a complaint. We will not accept anonymous complaints because, without contact details, it is difficult to investigate properly or report back to you.

6. How to make a Complaint

If you wish to complain, please do so in writing, by email. Providing clear information helps us to understand your concerns and respond more quickly. When you get in touch, please include:

- your full name
- your postal address
- an email address and telephone number, if you have them
- a clear description of what has happened, when it occurred, and how you have been affected

Complaints should be sent to the Parish Clerk, who will acknowledge receipt, make sure your complaint is recorded, and pass it to the right person for investigation.

7. What Happens Next

Once we receive your complaint, the Parish Clerk and/or a nominated panel of councillors (depending on the subject) will look into it. They may contact you to clarify points, ask for more information, or discuss what outcome you are seeking.

We aim to give you a full written response within 60 calendar days. If the issue is complex, we may need more time to gather information and review.

If you are not satisfied with our response, you can ask for an appeal or review. You must do this within 14 calendar days of receiving our decision. Your appeal will be considered by an other officer (if available) or a nominated panel of councillors who were not involved in the original investigation, and will be limited to checking whether the correct procedure was followed, rather than reconsidering the original decision; the outcome of this review will be final. Where another officer is not available, the Parish Clerk may provide advice on procedural matters only. We will aim to respond to appeals within a further 60 days. If the issue is complex, we may need more time to gather information and review.

Where a complaint relates to a specific officer, that officer will not be involved in handling or determining the complaint. However, as Kingsley is a small parish with limited staff capacity, this exclusion will apply only where the complaint concerns the officer's conduct, tone, or behaviour. Complaints which relate solely to an officer carrying out duties that the Council has properly authorised will not, in themselves, be treated as grounds to exclude that officer from the wider process. For example, if an officer writes to a resident in a way that is rude, or uses inappropriate language, this would normally be treated as a conduct or behaviour complaint and the officer would not be involved in handling it. Similarly, if an officer explains or applies an existing Council policy that the complainant disagrees with, this will not normally be treated as a complaint about the officer's conduct, even if the person strongly objects to the outcome. An officer will not be held personally responsible for matters or decisions that rest with the Council as a corporate body, including actions taken in accordance with lawful resolutions of the Council.

8. How we Rectify

If we agree that something has gone wrong, we will say so. Our focus is on putting matters right where we reasonably can and learning from what has happened. Depending on the circumstances, we might:

- apologise to you
- explain what went wrong and why
- provide additional information, assistance, or reasons
- correct a mistake in our records
- reconsider a decision where appropriate
- change the way we do things in future, such as amending a policy or procedure

Complaints are an important way for us to understand how our decisions and services affect local people, and we are committed to handling them openly and fairly. At the same time, the Council has a responsibility to use public resources wisely and to make sure that staff and councillors are able to do their jobs effectively.

In a small number of cases, a complainant's behaviour can become unreasonable. This might include sending excessive or repetitive communications, refusing to accept a clear and final decision, repeatedly changing the basis of the complaint, or using threatening, abusive, or offensive language. When this happens, we may need to take steps to manage contact, such as limiting how and when we communicate, assigning a single point of contact, or, in extreme cases, stopping contact altogether for a period of time.

If we believe behaviour is abusive, harassing, or poses a risk to staff or councillors, we may also report the matter to the police or consider legal action.

Before putting any restrictions in place, we will normally write to explain our concerns and give you a chance to change your behaviour, unless there is an immediate risk that requires us to act more quickly.

9. What you can Expect

When we write to you about your complaint, we will usually:

- summarise what you told us and what your complaint is about
- describe what we have done to investigate
- explain our decision and the reasons for it
- make clear whether we uphold your complaint, partly uphold it, or do not uphold it
- outline any steps we will take to put things right or improve our services
- explain how you can ask for a review if you are not satisfied with the outcome

If your complaint involves the performance or conduct of an individual member of staff, we likely will not be able to share every detail of what we discuss internally. This is because we must protect personal data and privacy in line with data protection law. However, we will still explain as much as we can about the outcome and any changes we are making.

10. How we use Complaints

We want to resolve problems as early as possible, but we also want to learn from them. We therefore keep records of complaints, the issues raised, and what we did in response. These records are held securely and only accessed by people who need them to carry out their role.

From time to time we review complaint information to see if there are patterns or recurring themes. Where we identify areas for improvement, we may adjust how we work, review our policies, or provide additional training.

11. Reviewing this Procedure

We will review this complaints procedure regularly to make sure it remains clear, effective, and up to date with current guidance. The latest version will always be available on the Kingsley Parish Council website.