SEAMER PARISH COUNCIL

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COMPLAINTS POLICY AND PROCUDURE

Adopted by the Council on 8 September 2026

Next Review due 30 September 2027

POLICY

1. Purpose

1.1 The Council aims to learn from enquiries, comments, representations and complaints and, where they are found to be justified, to ensure that appropriate improvements are made.

1.2 It will:

(a) ensure that anyone who wishes to make a complaint knows how to go about it;

(b) respond to a complaint efficiently and within a reasonable time;

(c) ensure that residents/service users are satisfied that the complaint has been taken seriously and, where possible, reasonable measures have been taken to improve services.

1.3 All complaints will be dealt with in confidence, and the name of the complainant will not be revealed by the Council, except where it is the wish of the complainant confirmed and signed in writing.

2. What is a Complaint

2.1 The Parish Council will investigate a complaint from a person, or their nominated representative, if it is an expression of dissatisfaction about one of the following:

(a) the failure to provide or meet the expected standard of a service provided by the Council.

(b) Neglect or delay in responding to a contact with the Council.

(c) Failure to observe the Council's policies or procedures.

(d) Discourteous or dishonest conduct by a member of staff.

(e) Harassment, bias or discrimination by a member of staff.

2.2 The Complaints Procedure does not investigate:

(a) Complaints about the conduct of Councillors. Perceived breaches of the Council’s adopted Code of Conduct should be reported to the Monitoring Officer at North Yorkshire Council.

(b) Where a person wishes to disagree with a Council decision, or policy or procedure. Such representations should be made to or at the meeting of the Council at which the decision is to be made and/or the policy or procedure adopted or reviewed, as identified on the published notice and agenda.

(c) Where a person makes a request under the Freedom of Information Act, whereby there are alternative processes for representation in place.

(d) Anonymous, unreasonable or vexatious complaints.

PROCEDURE

3. Informal Complaints

3.1 An informal complaint may be made verbally or in writing by letter or e-mail to the Clerk of the Council, and will be responded to in a timely manner by the Clerk, alongside other enquiries, comments and representations.

4. To make a formal Complaint

4.1 A written letter or e-mail of formal complaint must be sent to the Clerk or if the complaint involves the Clerk, the letter or e-mail should be sent to the Chairman of the Council.

4.2 The letter or e-mail of formal complaint must provide the name and contact details for the complainant and any person acting on their behalf.

4.3 The letter or e-mail of formal complaint should identify that it is a formal complaint, provide the detail of the complaint and what the complainant would like to happen to resolve the complaint.

5. Formal Complaint Investigation (Stage 1)

5.1 A letter or e-mail of formal complaint received by the Clerk must be acknowledged by letter or e-mail by the Clerk, providing a copy of the Council's Complaints Policy and Procedure, within 7 days.

5.2 If any of the information specified in paragraphs 4.2 and 4.3 is not provided in the letter or e-mail of formal complaint, this information must be requested by the Clerk and received from the Complainant prior to commencing an investigation. Receipt of such information must be acknowledged by letter or e-mail within 7 days.

5.3 Other than in exceptional circumstances, agreed with the complainant and confirmed by letter or e-mail, an investigation must be undertaken, completed and an outcome and, as appropriate, remedy communicated to the complainant by letter or e-mail by the Clerk within 21 days of receipt of the letter or e-mail of formal complaint or the additional information specified in paragraph 5.2, whichever is the later.

6. Review of Formal Complaint and Investigation (Stage 2)

6.1 If the complainant is not satisfied with the outcome and/or, as appropriate, remedy at Stage 1 under paragraph 5.3 and notifies this by letter or e-mail to the Clerk or Chairman,

or the Clerk and/or Chairman consider a complaint to be so serious to escalate it immediately at whatever prior stage to Stage 2,

or a letter or e-mail of formal complaint is received by the Chairman,

it must be acknowledged by letter or e-mail by the Chairman, providing a copy of the Council's Complaints Policy and Procedure, within 7 days.

6.2 If any of the information specified in paragraphs 4.2 and 4.3 is not provided in the information received so far, this information must be requested by the Chairman and received from the Complainant prior to commencing further investigation. Receipt of such information must be acknowledged by letter or e-mail within 7 days.

6.3 The complaint will be considered at the next meeting of the Council. If more than twenty one days is to lapse between receipt of the complaint, including the information specified in paragraphs 4.2, 4.3 and 6.2, and the next meeting of the Council, the Chairman must convene an extraordinary meeting of the Council to receive and hear the complaint.

6.4 Notice of the meeting will be advertised in the usual way to members of the Council, ie a summons and with three clear days' notice. A public notice will also be displayed in the usual way, ie posted in a conspicuous place in the parish and giving three clear days' notice.

6.5 At the meeting the Council may resolve to exclude members of the public and press to ensure confidentiality, which will include consideration of whether the complainant wishes the matter to be dealt with in this way.

6.6 At the meeting, the Council will consider the complaint and will also include on the agenda the appointment of three members to a committee with delegated power to continue handling the complaint (if necessary). The committee will have full delegated power to bring the complaint to a conclusion. The Council will also resolve which member will be the Chairman of the Committee.

6.7 The Council (and/or Committee with delegated power) may appoint an independent person to the committee if it resolves to do so, as an independent impartial arbitrator.

6.8 After the meeting, the Clerk or, or if the complaint involves the Clerk, the Chairman will communicate an outcome and, as appropriate, remedy to the complainant by letter or e-mail, explaining how to take matters further if they believe this is necessary.

6.9 If the complainant wishes to pursue the matter, he/she must notify the Council by letter or e-mail with his/her reasons for wanting to do so and a meeting of the committee will be convened for the purpose of investigating the complaint further.

6.10 Notice of the committee meeting will be advertised in the usual way to members of the committee, ie a summons and with three clear days' notice. A public notice will also be displayed in the usual way, ie posted in a conspicuous place in the parish and giving three clear days' notice.

6.11 Complainants will be asked by formal letter to attend the committee meeting and will be informed that they may be accompanied by another person.

6.12 At the commencement of the meeting, the Committee Chairman will explain how the meeting will proceed.

6.13 Complainants will be asked to provide any new information or supporting evidence to the committee and will be invited to make a verbal representation to the meeting.

6.14 Members of the committee will be invited by the Chairman to ask questions of the complainant.

6.15 The Chairman of the Complaints Committee and then the complainant will summarise their respective positions

6.16 The complainant will then leave the meeting and the committee will consider the further findings.

6.17 The complainant will be informed by formal letter of the concluding outcome and, as appropriate, remedy of the process within 7 days of the committee meeting.

6.18 Following this process the matter will be closed and there will be no further opportunity for appeal.

6.19 The committee chairman will report the outcome and, as appropriate, remedy of the process to the next meeting of the Council.

6.20 Minutes of the committee meeting will be kept and will be available to all parties involved in the complaint.

7. Anonymous complaints

7.1 An anonymous complaint may be dismissed by the Clerk, in consultation with the Chairman and Vice-Chairman, or may be investigated informally only and the outcome reported to the Council.

8. Unreasonable or vexatious complaints

8.1 There may be circumstances when a complainant persists in wishing to proceed with a complaint, when it clearly has no reasonable basis or when the Council has already taken reasonable action in response, or where some other process should or has been taken.

8.2 Such unreasonable or vexatious complaints may be dismissed by the Clerk, in consultation with the Chairman and Vice-Chairman, and the complainant informed by letter or e-mail that no further action can usefully be taken in response, making it clear that only new and substantive issues will merit any further response.

Signed: Chairman of the Council

Clerk of the Council and Responsible Financial Officer

Proper Officer

Date: 8 September 2026