

HOLLYM PARISH COUNCIL

Contact: Clerk, Rachel Foster

Phone: 07730691410 or Email: clerk@hollym-pc.gov.uk

Complaints Policy and Procedure

(Aligned with NALC Model Guidance)

1. Purpose of the Policy

1.1 Hollym Parish Council is committed to delivering high-quality services and acting in an open, transparent and accountable manner.

1.2 This Complaints Policy and Procedure sets out how members of the public may raise concerns about the administration, procedures or services of the Council, and how the Council will respond.

1.3 This policy is based on guidance issued by the **National Association of Local Councils (NALC)** and has regard to relevant legislation, including:

- Local Government Act 1972
- Localism Act 2011
- Data Protection Act 2018 and UK GDPR
- Equality Act 2010
- Employment Rights Act 1996

2. Scope of the Policy

2.1 This policy applies to:

- The administrative functions of the Council
- Council procedures and service delivery
- Actions taken by Council employees or contractors acting on behalf of the Council

2.2 The Council aims to resolve complaints quickly and proportionately, wherever possible.

3. What Constitutes a Complaint

3.1 For the purposes of this policy, a complaint is defined as:

An expression of dissatisfaction about a service, action or lack of action by the Parish Council or anyone acting on its behalf.

3.2 This may include:

- Failure to provide a service to an acceptable standard
- Failure to follow adopted Council policy or procedure
- Failure to take action where the Council has a responsibility to do so

4. Matters Excluded from this Policy

In line with **NALC guidance**, this complaints procedure does **not** apply to:

4.1 Requests for information under the **Freedom of Information Act 2000** or **UK GDPR**

4.2 Complaints relating to the conduct of an individual councillor, which must be referred to the **Monitoring Officer** of East Riding of Yorkshire Council under the **Localism Act 2011**

4.3 Matters relating to Council staff employment, which are dealt with under internal disciplinary and grievance procedures

4.4 Disagreements with lawful Council decisions, unless there is evidence of maladministration or procedural failure

4.5 Matters that are subject to legal proceedings or where another statutory remedy is available



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5. Informal Resolution

5.1 The Council encourages complainants to raise concerns informally in the first instance.

5.2 The **Parish Clerk** will seek to resolve issues promptly by:

- Providing clarification or explanation
- Taking corrective action where appropriate

5.3 Informal complaints will be reported to the Parish Council for information.

6. Making a Formal Complaint

6.1 Where informal resolution is not possible, a complaint may be made formally.

6.2 Complaints should normally be made in writing (by letter or email). Anonymous complaints will not be considered.

6.3 Reasonable adjustments will be made to assist complainants in accordance with the **Equality Act 2010**.

7. Submission of Complaints

7.1 Complaints about Council services, policies or procedures

To be addressed to:

R. Foster - Parish Clerk

Hollym Parish Council

Phone: 07730691410

Email: clerk@hollym-pc.gov.uk

7.2 Complaints about Council staff (including the Parish Clerk)

Chairman of the Council

Cllr A. Boasman

Email: cldr.a.boasman@hollym-pc.gov.uk

Address:

Holme Farm

Vicar Lane

Hollym

HU19 2RT

7.3 Complaints about the conduct of a Councillor

Monitoring Officer

Head of Legal and Democratic Services

East Riding of Yorkshire Council

County Hall, Beverley HU17 9BA

Email: standards@eastriding.gov.uk

8. Acknowledgement of Complaints

8.1 The Council will acknowledge receipt of a formal complaint within **7 working days**, advising:

- Who is dealing with the complaint
- How it will be considered
- The anticipated timescale for response



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9. Stage One – Clerk Investigation

9.1 The Parish Clerk will investigate the complaint and attempt to resolve the matter directly.

9.2 The outcome will be confirmed in writing.

9.3 Where resolution is not achieved, the complainant will be informed that the matter will progress to **Stage Two**.

10. Stage Two – Council Review

10.1 The complaint will be considered by the Parish Council at a Full Council meeting.

10.2 The complainant will be invited to attend and may be accompanied or represented.

10.3 At least **7 clear working days** before the meeting, both parties will exchange copies of all documents to be relied upon.

11. Procedure at the Meeting

11.1 The Council will consider whether to exclude the press and public in accordance with Section 1(2) of the **Public Bodies (Admission to Meetings) Act 1960** and the **Local Government Act 1972**.

11.2 The Chairman will outline the procedure.

11.3 The complainant (or representative) will present the complaint.

11.4 Councillors may ask questions of the complainant.

11.5 The Clerk (if relevant) will explain the Council's position.

11.6 Councillors may ask questions of the Clerk.

11.7 The Chairman will summarise and invite the complainant to sum up.

11.8 The complainant and any representative will withdraw while the Council deliberates.

11.9 The complainant may be recalled for clarification if required.

11.10 The complainant will be advised of the decision, or the timescale for the decision.

12. Decision and Notification

12.1 The Council's decision will be confirmed in writing within **7 working days** of the meeting.

12.2 The notification will include:

- The decision reached
- The reasons for the decision
- Any action to be taken by the Council

13. Finality of Decision

13.1 The decision of the Parish Council is final.

13.2 Parish councils are not subject to the Local Government and Social Care Ombudsman.

14. Unreasonable or Vexatious Complaints

14.1 Where a complainant pursues a complaint unreasonably or repetitively without new evidence, the Clerk may refer the matter to the Parish Council.

14.2 The Council may determine that:

- No further action will be taken
- Only new and substantive matters will be considered

The complainant will be informed of this decision in writing.



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15. Complaints Concerning Staff

15.1 Complaints relating to employees will be handled as confidential employment matters.

15.2 The complainant will be informed that appropriate action has been taken, but no personal details will be disclosed.

16. Review and Publication

16.1 This policy will be reviewed periodically and at least every four years.

16.2 The policy will be published on the Council's website and made available upon request.

Formal Resolution for Adoption

Resolved:

That Hollym Parish Council adopts the Complaints Policy and Procedure (NALC-aligned) as presented.

Adopted on: _____

Minute Reference: _____

Signed: _____ (Chair)

Next Review Due: January 2030