2025

Deddington Parish Council

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COMPLAINTS PROCEDURE

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Introduction

Definition: A complaint is an expression of dissatisfaction about Deddington Parish Council's action or lack of action or about the standard of a service. It might also include an allegation of administrative fault such as not following procedures or standing orders.

Deddington Parish Council's complaints procedure will be available to the public – both residents and organisations – via the parish council website or from the Clerk's office. If a complaint is notified orally to a councillor or the Clerk of the Council, a written record of the complaint will be made noting the name and contact details of the complainant.

Examples of maladministration might include:

- neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice or conduct

The council recognises that it is generally in the interests of the complainant and the council to try to resolve matters informally, rather than deferring to the formal complaint's procedure.

If a complaint is made against individual member(s) of the council or staff, it will be treated initially as a complaint against the body corporate of the council.

If the complaint cannot be resolved informally and the substance of the complaint alleges that a councillor or councillors is in breach of Deddington Parish Council's Code of Conduct, then the Clerk will advise the complainant to forward their complaint, in writing, to Cherwell District Council and will inform them to whom it should be addressed.

If, following the outcome of the complaint, the council decides that there may be a need to take disciplinary action against a member of staff, this will be considered in accordance with the council's internal disciplinary procedure (which conforms with ACAS guidelines and is detailed in Deddington Parish Council's Disciplinary and Grievance policies).

Other types of complaints are dealt with by other bodies.

- Local electors may complain to the council's auditor about the audit of the accounts (in writing, and with a copy to the council. Contact details available from the Clerk).
- Alleged criminal activity should be reported to the police

A complaint against Deddington Parish Council will be treated as confidential unless the complainant confirms that he/she waives their right to confidentiality. The meeting of the complaints team of the council considering the complaint or inviting the complainant to make representations will exclude the public.

If a council upholds a complaint, the council will give the complainant an explanation of the matters complained of – and may offer a remedy. The whole process should be completed within 12 weeks.

If the parish council's complaints procedure has been exhausted – including an appeal – and all the requirements of the Freedom of Information Act have been met, the parish council will consider the matter closed.

The procedure

1) All formal complaints against Deddington Parish Council should be communicated in writing and sent to the Parish Clerk, Windmill Centre, Hempton Road, Deddington, Oxon OX15 0QH. If the complaint concerns the Clerk it should be sent to the Chair of Deddington Parish Council at the above address and marked Confidential.

2) The complainant will be asked at the outset to confirm if he/she wants the complaint to be treated confidentially.

3) Receipt of the complaint will be acknowledged in writing (this may be by email if an email address has been provided) within two weeks. The period may occasionally be extended because of staff holidays etc – the Clerk is only employed part time.

4) On receipt of a written complaint, the Clerk of the Council (except where the complaint is about his/her own actions) or the Chair of the Council, will seek to settle the complaint informally with the complainant. This will not be done without first notifying any person complained about and giving him/her sufficient time to comment (a minimum of one week). Efforts should be made to resolve the complaint at this stage.

5) If the complaint is not resolved, the complainant will be informed of the next step in the complaints procedure. This might be to direct the complaint to another authority: Cherwell District Council, auditor, police etc. Otherwise the complainant will be informed of the details of the parish council's own complaints procedure including the timeframe, the member of staff and the Complaints Team that will be dealing with the complaint.

Deddington Parish Council has a standing Complaints Team consisting of three councillors elected by the council, plus the Clerk. All three councillors will consider a specific complaint if the Clerk is unavailable or is the subject of the complaint. (Normally the team will not include officers of the council.)

6) A timeframe will be set for the council to investigate the facts of the complaint – normally three weeks, but more if necessary, depending on the complexity of the complaint. If more than three weeks the council will keep the complainant informed of progress.

7) The complaint may be handled through an exchange of written documents. Or the complainant may prefer to attend a meeting with the Clerk and the council's Complaints Team where he/she can make verbal representations (and bring a friend when doing so). A mutually convenient date will be arranged for the meeting.

8) Before the meeting both parties will provide the other side with all evidence relevant to the

complaint that they wish to be considered.

9) At the meeting the complainant should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk or by members of the Complaints Team. The Clerk or team members will have an opportunity to explain the council's position and questions may be asked by the complainant.

10) Following investigation and the meeting (if held), the outcome of the complaint will be determined within two weeks – or following the next meeting of the parish council if the Complaints Team decide the matter should be considered by the full council. (If the complaint does go to the full council, the public will be excluded while the matter is discussed, but the decision will be recorded in the minutes.)

11) Within the overall twelve-week timeframe, the council will write to the complainant to confirm whether or not it has upheld the complaint - giving reasons for its decision together with details of any action to be taken by the council if this is appropriate. The complainant will be informed in writing of the right to appeal the decision, and how the appeal would be conducted.

12) If the complaint is resolved at any stage before a full council meeting, then the Clerk will inform the council of the complaint and its resolution. The anonymity of the complainant will be preserved (unless it has been waived).

Appeal

An appeal to the parish council will not be possible where the full council has already voted upon the matter. If this is not the case and the complainant is not satisfied with the decision of the Complaints Team, he/she should inform the clerk within two weeks of his/her wish to appeal.

The Clerk will arrange an exchange of documents and if necessary, a meeting between the complainant and the Appeals Team, which will include the Chair and a Vice-Chair of the council and at least one other councillor who has so far had no connection with the complaint and who has experience of dealing with complaints.

The decision of the Appeals Team will be considered by the full council (with the public excluded from the meeting, but the decision recorded in the minutes). The complainant will be informed of the decision of the parish council. At this point the parish council can take the matter no further.

If the complainant still believes his/her complaint has not been resolved, the Clerk of the Council will inform him/her how he/she can make an appeal to Cherwell District Council.

Unreasonable and Vexatious Complaints

There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the parish council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should be or has been taken.

If the parish council's complaints procedure has been exhausted and all the requirements of the Freedom of Information Act have been met, the parish council may decide that no further action can usefully be taken in response to the complainant, and will inform the complainant of its decision, making it clear that only new and substantive issues will merit a response. The matter will be considered to be closed.

Anonymous Complaints

Anonymous complaints will not usually be acted upon unless they contain serious accusations that it is in the interest of the parish council to investigate.

Contact details

Letters of complaint should be emailed to

deddingtonparishcouncil@googlemail.com or posted to:

The Parish Clerk, Windmill Centre, Hempton Road, Deddington, OX15 0QH.

If the complaint concerns the Clerk it should be sent to the Chair of Deddington Parish Council at the above address and marked Confidential.