

SWANWICK PARISH COUNCIL CUSTOMER COMPLAINT PROCEDURE



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Introduction

Swanwick Parish Council is committed to making a difference for Swanwick. This includes a commitment to listen to, consult with, act on feedback and involve our community in our services and decisions.

If you're unhappy with any aspect of our service please let us know.

We know we don't always get it right but we can't do anything about it if we're not aware there is a problem in the first place. When things go wrong we want to know so that we can use the information to put things right, and learn from the experience.

What is a Complaint?

A complaint is defined as:

- Where a customer has not been satisfied with the service they have received from Swanwick Parish Council

For the purposes of this procedure, Customers are external customers.

What is a Customer Complaint Procedure?

A Customer Complaint Procedure is a systematic and usually staged method used by organisations for receiving, recording **and** responding to complaints made by their customers. Our aim is to ensure that complaints are responded to efficiently and effectively.

Customer Complaint Procedures also generate valuable management information. Customer feedback is used in a positive way to improve the effectiveness of the organisation. Swanwick Parish Council is a small organisation and our aim is to provide a community service on a personal level to the satisfaction of our residents; never-the-less sometimes things do go wrong. A complaint procedure sets out in clear terms:

- What you can complain about
- The ways in which you can lodge a complaint
- The way you can expect your complaint to be dealt with by Swanwick Parish Council, and
- Where to take your complaint in the event it is not resolved.

What is not covered by the Customer Complaint Procedure?

Below is a list of potential complaints that are not covered by this procedure (the list is illustrative and not exhaustive):

- Internal complaints by employees for which separate arrangements exist within Swanwick Parish Council's Employee Rules

- Complaints about the conduct of a Member of Swanwick Parish Council or a Swanwick Ward Member of Amber Valley Borough Council are dealt with under a separate procedure by **The Standards Committee, Amber Valley Borough Council, Town Hall, Ripley, DE5 3BT.**
- Complaints against third parties or services provided by third parties not contracted by Swanwick Parish Council
- Appeals against decisions not to award Section 137 grants
- Complaints about the level of council tax
- Planning appeals
- Political complaints, election complaints
- Matters that are subject of legal proceedings
- Insurance claims against Swanwick Parish Council

Anonymous Complaints

Anonymous complaints, whether verbally or written will not dealt with under this Customer Complaint Procedure

Meaning of Terms used in the Customer Complaints Procedure

In these procedures the following terms are used to identify the parties to the procedure:

- **'We', 'our', 'us'** indicate Swanwick Parish Council
- **'You', 'your'** indicate the person making the complaint

How can Complaints be made to the Council?

Complaints may be made:

- In person, by you or a person acting on your behalf
- By telephone
- In writing (letter, contact form on the website or email)
- Via a Councillor

We do not accept complaints through any of the social media

Abusive or Threatening Behaviour

We do not tolerate **any** abusive or threatening behaviour towards our employees or towards Councillors. If you use any abusive or threatening behaviour towards the member of staff or Councillor taking the complaint, you will be asked to leave and, if you wish to pursue the complaint further, to put the complaint in writing addressed to the Clerk or Chair.

What are the stages in the procedure?

It is always better to raise your concern/complaint as soon as possible after the event or receiving the service you are complaining about.

Stage 1 – Informal Resolution

In the first instance your concern should be raised with the person providing the service to look into the matter/complaint once again and try to put things right.

If a complaint is received verbally by a Councillor or the Clerk, then this shall initially be dealt with by the Councillor or Clerk as appropriate.

The Councillor or Clerk will agree with you how and by when we will communicate the outcome of the Informal Stage.

If you have written to us either by letter, email or through the contact page on our website we will aim to acknowledge receipt within 5 days. We will agree with you how and when we will communicate the outcome of the Informal Resolution

Details of the complaint, and the resolution reached, will be entered onto the complaints system so that the Council can make sure we learn from and monitor how we have responded to complaints.

If you are not satisfied with the outcome of Stage 1 - Informal Resolution, you will be asked if you wish to instigate the Formal Complaint Procedure.

If you want to take your concern/complaint further to the Stage 2 – Formal Complaint Procedure, a copy of the Customer Complaint Procedure will be given to you or sent to you by post or email as appropriate.

Stage 2 – Formal Complaint Procedure

Unless the complaint is so serious as to merit starting at Stage 2, you will be expected to have tried to resolve your complaint using Stage 1 – Informal Resolution.

Your Complaint in Writing

You must put your complaint in writing (either in a letter or email with attachments) and provide all the relevant information or evidence to support your concern/complaint, including:

1. Your full name, address, contact telephone & email (if available). How you prefer to be contacted – telephone, letter, email
2. Provide an outline of your concern or complaint about the service or aspect of administration provided by Swanwick Parish Council.
3. Provide the Council with copies of any documentation or other evidence, that you rely on in support of your complaint

4. Identify when and with whom you have discussed or to whom you have reported your concern or complaint, and the outcome of the complaint dealt with under Stage 1 - Informal Resolution.
5. Explain the reason(s) why you are not satisfied with the outcome of the attempt at Informal Resolution (Stage 1)
6. Provide specific information about how the service or administration complained about has personally affected you.
7. Set out in clear term what remedy you expect.
8. Complete the Monitoring Information sheet at the end of the Customer Complaints Procedure

Customer Complaint Form

Alternatively You can complete the Customer Complaint Form & Monitoring Information Sheet included at the end of the Customer Complaint Procedure.

The letter or completed Customer Complaints Form and Monitoring Information Sheet should be marked **CONFIDENTIAL** and sent to

**The Chair of Swanwick Parish Council
c/o 265 Sleetmoor Lane, Swanwick, Derbyshire, DE55 1RH**

Monitoring Information Sheet

Whether you write to us or complete a Customer Complaint Form please complete a copy of the Monitoring Information Sheet. This can be found at the back of these procedures.

Acknowledging your complaint

Swanwick Parish Council (the 'Council') will acknowledge receipt of the complaint within five working days of receiving your written complaint.

The Council will advise you if further detail or investigation is necessary and the timescale required.

How we will deal with your complaint

Paper review

It may be possible to will deal with your complaint with the paper evidence you have provided. If our investigations confirm the allegations you make, then we will write to you with a decision and indicate any remedial action that we will take.

Complaint Hearing Panel

If not, then your complaint will be put before a specially convened Complaint Hearing Panel of at least 3 members including the Chair of the Parish Council. We will give you seven days' notice of the meeting.

Complaint Hearing Meeting

You will be expected to attend the meeting and to take part in the procedure described below. You may be accompanied by someone who is able to support you, but that person will not be allowed to ask or answer questions on your behalf.

The Council shall consider at that time whether the circumstances of the case warrant the exclusion of the public and press pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 by reason of the confidential nature of the business to be transacted.

Complaint Hearing Procedure

At the Complaint Hearing Meeting convened to hear the complaint the procedure will be as follows:

1. The Chair to introduce everyone.
2. The Chair to explain the procedure.
3. The Complainant (You) to outline the grounds for complaint.
4. Members to ask questions of the complainant (You).
5. If relevant, the Clerk to explain the Council's position.
6. Members to ask any questions of the Clerk.
7. Clerk and Complainant (You) to be offered the opportunity of the last word (in this order).
8. The Clerk and the Complainant (You and your representative) will be asked to leave the room (if appropriate) while Members decide whether the grounds of the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
9. The Clerk and the Complainant (You and your representative) return to hear the decision, or to be advised when a decision will be made.
10. Closure of the meeting

The Decision

The decision will be confirmed to you in writing within seven working days after the Complaint Hearing Meeting. You will be notified of details of any action to be taken by the Council and, if appropriate, your right of appeal.

Right of Appeal

Right of Appeal will only be granted to you if the complaint has been dismissed. If you wish to appeal against the decision made by the Complaint Hearing Panel to dismiss your complaint, you must do so in writing within **5 days** of being notified of the original decision stating the grounds on which you are appealing.

An appeal will only be allowed on the grounds that:

1. the procedure was not followed and as a consequence this has materially affected your case or
2. new evidence, not available at the time of the Complaint Hearing Meeting, has come to light.

Appeal Panel

If an Appeal is made by you against the decision of the Complaint Hearing Panel, an Appeal Panel will be set up, with new members including the Chair, to hear your appeal. The procedure outlined above (1) – (10) for the Complaint Hearing Meeting will be followed.

The decision of the Appeal Panel is final.

Reporting the outcome to Full Council

After allowing time for an appeal to be lodged, any decision on a complaint shall be announced at the following Full Council meeting in public.

The Council shall consider at that time whether the circumstances of the case warrant the exclusion of the public and press pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 by reason of the confidential nature of the business to be transacted.

Monitoring Information Sheet

Swanwick Parish Council collects information about gender, ethnicity, age, sexual orientation, religion and disability of its customers.

This information can help us plan to meet the needs of the community and ensure that everyone has equal access to the services we provide. The information is collected and collated without identifying personal information. This monitoring information will be separated from your complaint on receipt. **Please do not record your name or address or any other identifying personal information on this sheet.**

Unresolved Complaints

In the unfortunate event that a complaint is not resolved by using Stage 1 and Stage 2, the unresolved complaint against a Parish Council does not progress to an Investigation by the Local Government Ombudsman.

It may be possible for you to seek mediation through an independent body or organisation. This will be at your own expense unless costs are awarded against the Parish Council.

The only further remedy available to you as a complainant is Judicial Review.

**Swanwick Parish Council
Customer Complaint Procedure**

CUSTOMER COMPLAINT FORM

NAME & Title (Please fill in your full name and title, if any)		
ADDRESS		
Post code		
TELEPHONE		
EMAIL		
HOW WOULD YOU LIKE TO BE CONTACTED (Please tick box(es) below as appropriate)		
TEL	LETTER	EMAIL
Do you consider your complaint to be related to any of the following? Please circle yes or no as appropriate		
Race	Yes / No	
Religion/Belief	Yes / No	
Sexual Orientation	Yes / No	
Disability	Yes / No	
Gender	Yes / No	
Age	Yes / No	
Did you speak to a member of staff or Councillor about your complaint? If so, who and what was the outcome?		
What is your complaint? (Please use additional sheets as necessary. Ensure you have added your name and numbered the pages x of y so we know how many pages you are attaching)		

MONITORING INFORMATION SHEET			Please
	GENDER		tick
1.		Female	
2.		Male	
ETHNICITY			
3.	White	British	
4.	White	Irish	
5.	White	Any other White background	
6.	Mixed	White and Black Caribbean	
7.	Mixed	White and Black African	
8.	Mixed	White and Asian	
9.	Mixed	Any other mixed background	
10.	Asian or Asian British	Indian	
11.	Asian or Asian British	Pakistani	
12.	Asian or Asian British	Bangladeshi	
13.	Asian or Asian British	Any other Asian background	
14.	Black or Black British	Caribbean	
15.	Black or Black British	African	
16.	Black or Black British	Any other Black background	
17.	Other ethnic groups	Chinese	
18.	Other ethnic groups	Any other ethnic group	
AGE			
19.	16-18 years		
20.	19-24 years		
21.	25-34 years		
22.	35-44 years		
23.	45-54 years		
24.	55-64 years		
25.	65-74 years		
26.	75 years & over		
SEXUAL ORIENTATION			
27.	Heterosexual		
28.	Gay		
29.	Lesbian		
30.	Bisexual		
31.	Other		
RELIGION or BELIEF			
32.	Buddhist		
33.	Christian		
34.	Hindu		
35.	Jewish		
36.	Muslim		
37.	Sikh		
38.	No Religion or belief		
39.	Other (please specify)		
DISABILITY			
40.		Disability - YES	
41.		Disability - NO	

Swanwick Parish Council Customer Complaint Procedure	Adopted May 2016 Minute No. 163.3/2016
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