

# **LLANSANTFFRAID AND DEYTHEUR COMMUNITY COUNCIL**

## **COMPLAINTS POLICY CODE OF PRACTICE FOR HANDLING COMPLAINTS**

The following procedure should be followed by anyone wishing to make a complaint against Llansantffraid and Deytheur Community Council.

If you have a complaint against a Councillor,  
you should write to:

Powys County Council Standards Committee

Powys County Hall  
Spa Road East  
Llandrindod Wells  
Powys  
LD1 5LG

If you have a complaint against an employee, you should write to the Chairman: -

Bethan Cross, Yew Tree Cottage, The Winllan, Llansantffraid, Powys, SY22 6TW.

If you have any other complaint you should write to the Clerk to the Council: -

Anna Davies, Arosfa, Llansantffraid, Powys, SY226AU/email:- llansantdcc@gmail.com

In order for your complaint about the Community Council to be dealt with, the following Code of Practice has been adopted; so that you can be assured that your grievance will be properly and fully considered. We hope that by following this transparent process, we shall maintain the good reputation of the council. This procedure will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the Chairman. The Clerk to the Council is the Proper Officer of the Council and will represent and advise the Council at any meeting where the complaint will be aired unless the Clerk is putting forward the justification for action or procedure of the complaint.

1. All complaints about the Council's procedures or administration should be given in writing to the Community Clerk.
2. If the complainant does not wish to write to the Community Clerk the complaint should be addressed to the community council chairman.
3. Receipt of the complaint shall be acknowledged by the Community Clerk and the complainant will be advised when the matter will be considered by the Community Council as soon as is practicable.
4. Receipt of a complaint about the Community Clerk will be acknowledged by the Chairman.

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5. A meeting will be arranged for the complaint to be heard and the complainant will be invited to attend. The complainant is entitled to bring a representative if they wish.

6. At least 7 clear working days before the meeting, the complainant shall provide the Community Council with supporting documentation or evidence to substantiate the complaint against the council. The meeting will not take place unless this is adhered to. The complainant will also be provided with relevant documentation to which the Council will rely upon when the complaint is heard at the meeting.

7. Under Public Bodies (Admission to meetings) Act 1960 the Council will decide whether the complaint warrants the exclusion of the public and press. The decision of the Community Council however, will be made public at the conclusion of the meeting.

### **1.0 At the Meeting**

1.1 The Chairman to introduce everyone and explain procedures.

1.2 The Complainant will outline the nature of the complaint and the reason.

1.3 Councillors will question the complainant.

1.4 Councillors will question the Clerk to the Council.

1.5 The Complainant and the Clerk (in that order) will be given the opportunity of a last word.

1.6 The Complainant and the Clerk will be asked to leave the room whilst councillors decide whether or not the grounds of the complaint have been made. Where clarification may be necessary both parties shall be invited to return to the meeting.

1.7 The Clerk and Complainant return to hear the decision or if no decision can be reached, both parties shall be advised when a decision will be made.

1.8 The Complainant will be notified of the decision in writing within 7 working days together with details of any action to be taken

### **2.0 After the Meeting**

2.1 The decision will be confirmed in writing within seven working days together with details of any action to be taken.

2.2 The result of the proceedings will be reported at the next council meeting after the appeal.

### **3.0 Appeals Process**

3.1 Should the complainant not agree with the decision they will be entitled to appeal the decision within fourteen days of receipt of the result of the proceedings.

3.2 The councillors nominated to handle the appeal will, within twenty-one days of receiving the appeal, examine the way in which the council dealt with the complaint.

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3.3 If procedures were correctly handled by the council then the appellant will be notified that the appeal has not been successful. If the complaint was not handled correctly, it will be referred back for consideration as at 3.0.

3.4 The appellant will be notified of the result of the appeals process within fourteen days.

### **CODE OF PRACTICE FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS**

From time to time the Parish Council receives complaints from members of the public. Some complaints are received by telephone or in writing and some by visit to the Community Clerk's home.

In order to deal with complaints efficiently and effectively, the Community Council has a Complaints Policy. The Community Council's administration is carried out by a part time Community Clerk. In the event that a complainant begins to make frequent contact with the Community Clerk and hinders the normal day to day running of the Community Council, the Community Clerk will implement a policy for dealing with frequent or vexatious complainants, since such complaints can be time consuming and could lead to unnecessary additional cost to the council tax payer. The Community Council's policy for dealing with unreasonable and persistent complainants will become operative if the complainant is deemed to be unreasonably persistent either by written or oral communication or excessive visits to the Community Clerk's home.

A vexatious complainant will be notified that the Community Council's Policy for dealing with unreasonable and persistent complaints is to be enforced, together with the reason why. The complainant will then be asked to adopt one or all of the following procedures

- request contact with the Community Council in a particular form (for example, letters only);
- Request contact to take place with a Councillor present;
- Restrict telephone calls to specified days and times; and/or be asked to enter into an agreement about future contact with the Community Council.

The Council will decide how long it will spend on any one complaint and whether it feels the complaint has been sufficiently dealt with. In all cases where a complainant is deemed to be unreasonable and persistent, the Council will write to the complainant to justify its course of action and explain for how long it will be operative. The complainant may challenge the Council's decision, although proof that the complaint has not been sufficiently dealt with will be required. However, if deemed to be a fair challenge the Council will conduct a review of the complaint and will reconsider whether the complaint should still be treated as unreasonable and/or vexatious.