CAPEL PARISH COUNCIL

# Complaints Procedure

*A fair and proportionate process for complaints about Council administration and services*

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| **Status** | Final | **Policy owner** | Parish Clerk |
| **Adopted** | November 2026 | **Minute reference** | Item 18, 16/11/2026 |
| **Last reviewed** | November 2026 | **Next review** | November 2027 |
| **Review cycle** | Annual | **Applies to** | Council, committees, staff and members |

## 1. Scope

This procedure covers complaints about the Council's administration, services, procedures, or the actions of staff acting for the Council. It does not cover:

- complaints about a councillor's conduct (see section 9);
- staff grievances or disciplinary matters (see the Staff Handbook);
- requests for information or complaints about how personal data is handled (see the Information Governance Policy);
- criminal allegations or matters with a separate legal or statutory appeal process.

## 2. Informal resolution

Most concerns can be fixed quickly. Please raise the issue with the Clerk first, by email, phone or in person. A complaint about the Clerk should be sent to the Chair, marked "private and confidential".

## 3. Making a formal complaint

- Put the complaint in writing (email or letter) to the Clerk, giving what happened, the dates, who or what service was involved, any evidence, and what outcome you want.
- If you need help to put it in writing (for example because of a disability or language need), tell the Clerk and we will make reasonable adjustments.
- The Council will acknowledge the complaint within **5 working days** and say who is handling it.
- The person or panel handling it should not have been directly involved in the matter wherever practicable.
- We may gather records and ask the people involved for a factual response. Personal information will be shared only where necessary.

## 4. Decision

We aim to send a written outcome within **20 working days** of acknowledging the complaint. If we need longer (for example for a complex, legal or confidential matter) we will tell you why and when to expect a reply. The outcome will say whether the complaint is upheld, partly upheld or not upheld, give the main reasons, set out any remedy or improvement action, and explain how to ask for a review.

## 5. Review

If you think the outcome is flawed, ask for a review within **20 working days** of the outcome, explaining why. The review is carried out by people not previously responsible for the decision wherever practicable (normally a panel of councillors), and the review outcome is the end of the Council's complaints process.

After that, you may be able to complain to the Local Government and Social Care Ombudsman about administrative fault by the Council.

## 6. Meetings and confidentiality

A complaint may be considered at a meeting where this helps fairness. The complainant will be told the arrangements and may be accompanied. The Council decides by resolution whether any part is taken in private, balancing openness against personal data, legal privilege and fairness. Complaints about staff are always handled in a way that respects employment confidentiality.

## 7. Remedies and learning

Outcomes may include an explanation, apology or correction; completing or reconsidering an action; improving a process, training or record keeping; or referral to an insurer, adviser or regulator. The Clerk keeps a log of complaints (without unnecessary personal detail) and reports numbers and lessons learned to the Council at least once a year.

## 8. Unreasonable behaviour

The Council may manage contact where behaviour is abusive, threatening, excessively repetitive or places a disproportionate burden on limited resources. See the **Managing Abuse and Unreasonable Behaviour Policy**. Any restriction must be evidence-based, proportionate, in writing, time-limited and reviewed, and must not prevent access to statutory rights or emergency services.

## 9. Other routes

- **Councillor conduct:** write to the Monitoring Officer at Mole Valley District Council.
- **Information rights:** see the Information Governance Policy; you may complain to the Information Commissioner's Office.
- **Employment matters:** use the Grievance or Disciplinary Procedure in the Staff Handbook.
- **Suspected crime or immediate danger:** contact the police (999 in an emergency, 101 otherwise).

## 10. Records

Complaint files are kept for 6 years after the complaint is closed (see the Retention Schedule in the Information Governance Policy), then securely destroyed.