

Harberton Parish Council Complaints Procedure

Adopted on: 13th May 2025

This complaints procedure has been adapted from the national model Town & Parish Council complaints procedure published by the Society of Local Council Clerks (SLCC). The model is based on the guidance on handling complaints produced by the Local Government Ombudsman. This document sets out how you may complain to the Council and how we shall go about resolving your complaint.

1. Harberton Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
 - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on [12th October 2021] and should be referred to the Monitoring Officer at South Hams District Council. Further information on the process of dealing with complaints against councillors may be obtained from South Hams District Council's website: <https://www.southhams.gov.uk/your-council/comments-and-complaints/standards-complaints-about-councillors>
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person by speaking with the Clerk at a public meeting, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below:

Cat Radford, Harberton Parish Clerk
0845 557 8469
clerk@harbertonparishcouncil.org
Harberton Parish Council c/o The Bungalow, Old Road, Harbertonford, Totnes, Devon, TQ9 7TA.
6. Wherever possible, the Parish Clerk will try to resolve your complaint immediately and without referring to the formal procedure. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days and will instigate the formal procedure.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chair of the Council who will liaise with the Clerk in resolving your complaint.

8. If the formal procedure is invoked you will be asked to put your complaint in writing, either on paper or by email. You will be asked to use the Parish Council's Formal Complaints Form found at the end of this document. You must submit your name, address and either a telephone or email address where you can be contacted. The Parish Clerk will investigate your complaint, obtaining further information as necessary from you and/or from staff or members of the Council (as appropriate).
9. The Parish Clerk will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to a Complaints Committee of the Parish Council or to the Full Council (as appropriate). A Complaints Committee would be made up of three Councillors appointed to review the complaint. The Complaints Committee will appoint a Chair from one of its members. No Councillor with direct involvement in the matter shall be appointed to the Complaints Committee. If this is not possible, the matter will be referred to Full Council. You will be notified in writing of the outcome of the review of your original complaint, usually within 8 weeks of the complaint, although this period may be extended in exceptional circumstances.
11. If the complaint is about the Parish Clerk, the Chair of the Council will manage the process for the complaint in conjunction with another suitable officer, and in liaison with the Finance Committee, who advise the Full Council on employment conditions and any other personnel matters.
12. Some disputes may need to be handled outside of this complaints procedure, for instance where legal proceedings are involved or where a claim for compensation is made that we need to refer to our insurers. If this is the case the Parish Clerk will seek legal advice before advising you of the process to be followed.

Harberton Parish Council Formal Complaints Form

Please use this form if you want to make a complaint to Harberton Parish Council about an administrative or procedural matter. This form is not to be used regarding complaints concerning individual Parish Councillors and the Code of Conduct as such complaints should be raised with the South Hams District Council Monitoring Officer.

Formal complaints must be received in writing, either by submitting a paper copy or sending as an attachment to an email.

In line with the requirements of the Disability Discrimination Act 2000, we can assist you if you have a disability that prevents you from making your complaint in writing. If you need any support in completing this form, please contact the Parish Clerk on 0845 557 8469.

Please return the form to:

The Parish Clerk
c/oThe Bungalow
Old Road
Harbertonford
Totnes
Devon
TQ9 7TA

clerk@harbertonparishcouncil.org

Any complaint regarding the Parish Clerk should be sent to the Chair of the Parish Council. Contact details can be found on www.harbertonparishcouncil.org or displayed on Parish Council Noticeboards in Harberton and Harbertonford.

1. Your details

Your details will be only used in relation to contacting you with regard to your complaint.

Title:	
First Name:	
Last Name:	
Address:	
Daytime Telephone:	
Evening Telephone:	
Email Address:	
Date complaint submitted:	

2. Details of your complaint

Please explain in the box below or on separate sheets if necessary the nature of your complaint. It is important you provide all the information you wish to have taken into account when your complaint is considered. For example:

- You should be specific (wherever possible) about exactly what you are alleging the Parish Council has done.
- You should provide dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe;
- You should confirm whether there are any witnesses to alleged conduct of any employees of the Parish Council and provide names and contact details of witnesses if possible.
- You should provide any relevant background information and documents.

Please provide us with the **details of your complaint**. Continue on a separate sheet if there is not enough space on this form.

3. Informal resolution.

It is often possible to resolve complaints without a formal investigation. In such cases it is important that appropriate action is taken without delay to try and resolve the matter. To help us to do this, please can you describe what remedy you are seeking or what action you think would be appropriate to resolve your complaint?

Please provide us with details of what remedy you are seeking or what action you think might provide a satisfactory resolution to your complaint:

4. Confidentiality

Only complete this section if you are asking that your identity is kept confidential.

Please provide us with details of why you believe we should withhold your name and/or withhold the details of your complaint:

Signed

Date

You will receive written acknowledgement of receipt of your complaint within 5 working days of receipt.