



Complaints Policy

1. Introduction

Moretonhampstead Parish Council (MPC) is committed to providing high-quality services and to dealing with complaints in a way that is fair, transparent, and timely. Although the Local Government & Social Care Ombudsman does not have jurisdiction over parish councils, MPC follows best practice guidance issued by the Ombudsman and the National Association of Local Councils (NALC).

This policy sets out how members of the public may submit a formal complaint about:

- the Council's administration, procedures, decisions, or service delivery
- the conduct of Council staff
- the conduct of councillors (where not a Code of Conduct matter)

A complaint against the Council is treated as a complaint against the corporate body, not against individual councillors or employees.

2. Definition of a Complaint

A complaint is an expression of dissatisfaction about:

- action or lack of action by the Council
- the standard of a service
- administrative fault (e.g., not following procedures, delay, mistake)
- conduct of staff or councillors (where not a Code of Conduct breach)

Complaints may be made by any individual, organisation, or group affected by the Council's decisions or actions.

3. When This Procedure Applies

This procedure covers complaints relating to:

- delay, neglect, or failure to act
- failure to provide information or providing misleading information
- inefficiency or poor administrative practice



- conduct concerns relating to staff or councillors (except Code of Conduct matters)

4. When This Procedure Does *Not* Apply

Certain matters must follow other statutory or internal procedures:

- **Financial irregularity:** Local electors may object to the Council's accounts under s.27 Local Audit and Accountability Act 2014.
- **Criminal matters:** Must be referred to the police.
- **Code of Conduct complaints:** Must be referred to Teignbridge District Council's Monitoring Officer.
- **Employment matters:** Staff grievances or disciplinary issues follow the Council's internal HR procedures.
- **Legal claims or threats of litigation:** The Council must notify its insurers immediately and follow their instructions.

This complaints procedure is not a route for councillors or staff to raise concerns; they must use the appropriate internal procedures.

5. Confidentiality and Data Protection

The Council will treat complaints as confidential and will comply with the Data Protection Act 2018. Personal data will only be shared with those who need to consider the complaint. Agendas and minutes will not include personal or sensitive information.

If a complainant wishes to waive confidentiality, this must be confirmed in writing.

6. Submitting a Formal Complaint

All formal complaints must be submitted in writing.

The complaint should include:

- details of the issue
- relevant dates, events, and names
- any supporting evidence
- contact details
- whether confidentiality is requested



Complaints should be sent to:

- The Parish Clerk, unless the complaint concerns the Clerk
- The Chair of the Staffing Committee, if the complaint concerns the Clerk

Receipt will be acknowledged within 2 working days.

7. Informal Resolution

Where possible, concerns should be resolved informally through normal communication with officers or councillors. If informal resolution is not possible, the matter will proceed as a formal complaint.

8. Formal Complaints Procedure

Stage 1 – Acknowledgement and Initial Review

The Clerk (or Chair of Staffing Committee if the complaint concerns the Clerk) will:

- acknowledge the complaint within 2 working days
- confirm confidentiality arrangements
- outline the next steps

Stage 2 – Investigation

The Council will investigate the complaint and gather evidence. The investigation will normally be completed within 14 working days. If more time is required, the complainant will be notified with reasons.

If the Council's procedure allows verbal representations, the complainant may be invited to a meeting with:

- the Clerk or nominated officer, or
- the relevant committee/sub-committee

The meeting will be held in private.

Stage 3 – Determination

A written response will be issued confirming:

- whether the complaint is upheld
- reasons for the decision
- any actions the Council will take



If an appeal stage is offered, the complainant will be informed of how to request it.

Stage 4 – Appeal (if applicable)

If the complainant remains dissatisfied, they may request escalation within 28 working days.

Appeals will be heard by:

- The relevant committee, for service-related complaints
- The Staffing Committee, for complaints about staff (including the Clerk)
- The Chair and two councillors, for complaints about councillors not relating to the Code of Conduct

Those previously involved in the decision will not take part in the appeal.

The decision at this stage is final.

9. Complaints About Councillors

If the complaint alleges a breach of the Code of Conduct, it must be referred to the Monitoring Officer at Teignbridge District Council.

If the matter does not relate to the Code of Conduct but concerns behaviour falling short of expected standards, the Chair and two councillors may recommend appropriate action to Full Council.

10. Remedies

If a complaint is upheld, the Council may:

- provide an explanation
- apologise
- take steps to prevent recurrence
- offer a remedy or goodwill gesture (within legal powers)

The Council will avoid admissions of legal liability unless advised by insurers or legal professionals.

11. Vexatious or Malicious Complaints

Where a pattern of unreasonable, vexatious, or malicious complaints arises, the Council may seek legal advice before responding. New evidence will always be considered.



12. Anonymous Complaints

Anonymous complaints will be considered at the Clerk's discretion, depending on seriousness and credibility.

13. Review

- **Policy adopted:** September 2026
- **Next review due:** August 2028