

Briercliffe with Extwistle Parish Council

Policy: Complaining about a Parish Council Service



Adopted by: Briercliffe with Extwistle Parish Council – 6th August 2026

Minute Number – 26/27/094 Next Review: August 2029 / Every 3 years or earlier if required

1. Our Commitment

Briercliffe with Extwistle Parish Council is committed to providing high-quality, responsive services to its community. We recognise that sometimes things may go wrong and welcome complaints as an opportunity to put matters right and improve how we work.

You may make a complaint if you believe the Council has:

- Done something incorrectly or poorly
- Failed to do something it should have done
- Treated you unfairly, discourteously, or unreasonably

This policy applies to complaints about Parish Council services or administration. Complaints about the conduct of Councillors are dealt with separately under the *Code of Conduct Complaints Procedure* administered by Burnley Borough Council.

2. Legislative Framework

This policy has been developed in accordance with:

- Local Government Act 1972
- Localism Act 2011
- Burnley Borough Council Complaints Arrangements (April 2024)
- Data Protection Act 2018
- Equality Act 2010
- Guidance from National Association of Local Councils (NALC)

3. Governance and Management (Roles and Responsibilities)

Parish Council

- Overall responsibility for adoption and review of this policy

Clerk to the Council

- Day-to-day implementation of the complaints procedure
- Monitoring compliance with this policy
- Ensuring complaints are handled fairly and within timescales

Councillors

- Adherence to the policy
- Promptly reporting any concerns or complaints received

4. Who can Complaint

Anyone who is affected by, or has a legitimate interest in, a Parish Council service or decision may make a complaint.

You may ask someone to act on your behalf, provided the Council have your consent.

The Council will not normally investigate complaints about matters that occurred more than six months before the complaint was made, unless there are exceptional circumstances.

5. How to Make a Complaint

Complaints may be made in the following ways:

- Completing and submitting the Contact Form on the Parish Council website
- Emailing: clerk@briercliffe-pc.gov.uk
- Writing to:

Briercliffe with Extwistle Parish Council
c/o Briercliffe Community Centre
Jubilee Street
Briercliffe
BB10 2JD

Contacting any Parish Councillor (details available on the website)

If a complaint is made by telephone and cannot be resolved informally and immediately, we will send you a written summary of the complaint for agreement before progressing it further.

To help us investigate fully, please include:

- Your name and contact details
- What went wrong
- When and where the issue occurred
- What outcome you are seeking

6. Matters Excluded from this Procedure

This complaints process will not be used where:

- There is a statutory right of appeal or redress through the courts or another body
- The complaint relates to a Councillor's conduct (this must be referred to Burnley Borough Council's Monitoring Officer)
- The complaint concerns a Council employment matter, grievance, or disciplinary issue
- The complaint challenges the lawfulness of a Council decision (such matters may be referred to the Secretary of State or the courts)

7. Early Resolution and Initial Handling of Complaints

The Council will seek to resolve issues informally at the earliest opportunity, wherever possible.

a) Upon receipt of a complaint, the Clerk, Chair, or relevant service-lead Councillor will attempt to resolve the matter directly with the complainant.

b) Complaints concerning:

- The Clerk will be referred to the Chair
- The Chair will be referred to the Vice-Chair

The person complained about will be formally notified and given the opportunity to respond.

c) Where a complaint is considered serious (including potential financial loss, reputational damage, risk of legal action, police involvement, or tenancy termination), it will progress directly to Stage 1 of the Formal Complaints Procedure and may be referred to a Complaints Committee.

8. Formal Complaints Procedure

Stage 1 – Local Resolution

Where informal resolution is not possible or appropriate, the complaint will be handled under Stage 1.

- The complaint will be considered by the Clerk, Chair, relevant service-lead Councillor, or a Complaints Committee where appropriate
- Any person complained about will have the opportunity to respond
- A written response will normally be issued within 15 working days

If the matter is complex and cannot be resolved within this period, the complainant will be informed of the reason for the delay and provided with a revised timescale. The Council's target for a full response is 30 working days.

The complainant will be advised in writing of:

- The outcome of the complaint
- Any action taken
- Their right to appeal

Stage 2 – Appeal

If the complainant is dissatisfied with the Stage 1 outcome, they may appeal.

- Appeals must be submitted within 20 working days of receiving the Stage 1 decision
- Appeals may be made using any of the contact methods listed in Section 5
- Appeals will be considered by the Parish Council as a whole, excluding any Councillors involved in the original consideration
- Appeals may be heard at a scheduled or extraordinary meeting of the Council

The complainant will be notified in writing of the final decision and the reasons for it.

Stage 3 – Local Government and Social Care Ombudsman

If the complainant remains dissatisfied after completing all stages of the Parish Council's complaints procedure, they may refer the matter to the Local Government and Social Care Ombudsman (LGSCO).

The Ombudsman is independent and normally requires the Council's own procedure to be completed before accepting a complaint.

Local Government and Social Care Ombudsman
Beverley House
17 Shipton Road
York
YO30 5FZ
Telephone: 01904 380200

9. Reporting

- The fact that a complaint has been received and resolved will be reported to the next public meeting of the Council, without identifying personal details and without prejudice to appeal rights
- Outcomes of appeals will be reported in the same manner

10. Confidentiality & Data Protection

The Council will protect confidentiality at all stages of the complaints process.

The press and public may be excluded from meetings where personal data, confidential information, or legal considerations require this, in accordance with the Local Government Act 1972.

All personal data will be processed in accordance with the UK General Data Protection Regulation and relevant legislation.

11. Remedies

Where maladministration has caused loss or injustice, the Council may consider appropriate remedies, including:

- An apology
- Service improvement
- A financial or other suitable remedy

Any payment may only be authorised following legal advice and formal Council approval.

12. Complaints Committee

Composition

- Normally the Chair and Vice-Chair, plus one additional Councillor or an independent person
- The Clerk will attend to provide advice and administrative support but will not take part in decision-making

- Where the complaint concerns the Clerk, alternative administrative support will be arranged

Process

- Meetings will be formally convened Council meetings
- The complainant will be invited to attend and present their complaint
- Failure to attend will not prevent the complaint from being considered
- Witnesses or advisors may be invited where appropriate

The Committee's decision constitutes a Stage 1 decision and is subject to appeal under this policy.

13. Equality and Diversity

The Council is committed to equality and will not unlawfully discriminate under the Equality Act 2010.

14. Monitoring and Review

This policy will normally be reviewed every three years or earlier if required due to:

- Legislative changes
- Operational Requirements
- Updated national guidance

15. Adoption

This policy was adopted by Briercliffe with Extwistle Parish Council held on 6th August with a meeting Minute Ref **26/27/094**.

Chair Signature:



Date 6th August 2026