



INGLEBY BARWICK TOWN COUNCIL

COMPLAINTS PROCEDURE

1.0 INTRODUCTION

- 1.1 This complaints procedure applies to complaints about the Town Council's administration and procedures.
- 1.2 All complaints will be:
- taken seriously
 - recorded and kept in a 'Register of Complaints'
 - dealt with promptly and in accordance with the 'Complains Procedure'
 - investigated to the level required.
- 1.3 The identity of a complainant will only be made known to those who need to consider the complaint; the Town Council will take care to maintain confidentiality.

2.0 DEFINITION

- 2.1 A complaint is defined by the Town Council as "an expression of dissatisfaction by one or more members of the public about the Council's action, or lack of action, or about the standard of a service, whether the action was taken, or the service provided, by the Council itself or a person or body acting on behalf of the Council."

3.0 CONDUCT OF MEMBERS

- 3.1 Complaints relating to the conduct of Members are not covered by this Procedure but shall be referred immediately to the Monitoring Officer at Stockton-on-Tees.

4.0 FINANCIAL IRREGULARITY

- 4.1 When a complaint relates to a financial irregularity, local electors shall also be informed that they have a statutory right to object to the Council's audit of accounts pursuant to the Audit Commission Act 1998, S.16.

5.0 CRIMINAL MATTERS

- 5.1 Complaints relating to criminal activity of any Member(s) or Officer(s) of the Council shall immediately be referred to the Police.

6.0 COMPLAINTS ABOUT THE TOWN COUNCIL'S DECISIONS OR STANDARDS OF SERVICE

- 6.1 If a complaint is made verbally, either to a Member or to the Clerk to the Council, and it is not possible to satisfy the complainant fully at that time, the complainant shall be asked to put the complaint in writing (letter or email) to the Clerk to the Council and an assurance shall be given that it will be dealt with promptly following receipt, and within no more than 7 working days.
- 6.2 The Clerk to the Council or Chairman of the Council shall report to the next Meeting of the full Town Council any written complaint that has been resolved by direct action with the complainant. Where the Clerk to the Council has received a written complaint about his or her own actions, then he or she shall refer the complaint to the full Town Council.
- 6.3 If a complainant has indicated that he or she would prefer not to make the complaint to the Clerk to

the Council, then he or she shall be advised to make it to the Chairman of the Council.

- 6.4 On receipt of a written complaint, the Clerk to the Council, or Chairman of the Town Council, shall acknowledge receipt of the complaint and advise the complainant when the matter is to be considered, either at a Town Council Meeting or a Meeting of the Personnel Committee. The complainant shall also be advised whether the complaint will be treated as confidential.
- 6.5 The identity of the complainant shall only be made known to those who need to consider the complaint.
- 6.6 The complainant shall be invited to attend the Meeting at which the complaint will be considered and shall be informed that he or she may also bring with them a representative if they so wish.
- 6.7 Seven clear working days prior to the Meeting, the complainant shall provide the Town Council with copies of any documentation or other evidence upon which s/he shall rely. The Town Council shall, if requested, provide the complainant with any documentation upon which they shall rely at the Meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the Meeting.
- 6.8 The Clerk to the Council shall maintain a detailed register of all correspondence, telephone calls, meetings and action taken relating to the complaint. Complaints relating to the Town Council's decisions, actions, lack of action or standard of service shall be considered in the following manner:
 - a. The complainant or the complainant's representative shall be given the opportunity to speak during a public adjournment of a Town Council Meeting. The complainant or complainant's representative shall then outline the grounds for complaint and thereafter may be asked questions by Members or the Clerk to the Council.
 - b. Provided that the complaint has been received in writing and relates to a Town Council decision, action, lack of action or standard of service, then a specific Agenda item must be included for the Meeting for Members to consider and decide on the complaint.
 - c. When the Meeting has been reconvened, the Town Council shall decide whether the circumstances of the complaint warrant the exclusion of the public and press whilst the matter is being considered.
 - d. The Town Council shall consider the complaint at the Meeting and shall, whenever possible, decide at that Meeting on whether to take further action or not regarding the complaint.
 - e. If a complaint takes more time to investigate than a single Meeting of the Town Council will allow, the complainant shall be kept informed of the Town Council's actions and any progress that has been made.
 - f. The Clerk to the Council or Chairman of the Council shall bring any written complaint which cannot be settled to the next Meeting of the full Town Council and the Clerk to the Council shall notify the complainant of the date on which the complaint will be considered further.
 - g. If the complainant is not happy with the outcome of their complaint, they have the right to take the matter to the Local Government Ombudsman.

7.0 COMPLAINTS AGAINST THE CLERK TO THE TOWN COUNCIL

- 7.1 Complaints regarding the conduct of the Clerk to the Council shall be considered in the following manner:
 - a. Any complaint regarding the conduct of the Clerk to the Council shall be considered by the Personnel Committee.

- b. At the meeting, the Committee shall decide whether the circumstances of the complaint warrant the exclusion of the public and press whilst the matter is being considered.
- c. The complainant or the complainant's representative shall be given the opportunity to speak during the Meeting. The complainant or complainant's representative should then outline the grounds for complaint and thereafter may be asked questions by Members or the Clerk to the Council.
- d. The Clerk to the Council will be given an opportunity to speak and questions may be asked by the complainant or committee Members.
- e. The Clerk to the Council and the complainant will then be asked to leave the room whilst committee Members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
- f. The Clerk to the Council and the complainant shall be given the opportunity to wait for the decision, but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is to be communicated to them. The decision, and any further action to be taken, shall be confirmed in writing to the complainant within seven working days.
- g. Any decision on a complaint shall be announced at the next Town Council Meeting, in public.
- h. If the complainant is not happy with the outcome of their complaint, they have the right to take the matter to the Local Government Ombudsman.

8.0 RECORDS OF COMPLAINTS

- 8.1 A file of all complaints received shall be kept by the Clerk to the Council and each complaint shall be held for a period of two years following a conclusion reached.