



## **CARLTON COLVILLE TOWN COUNCIL**

### **CODE OF PRACTICE FOR HANDLING COMPLAINTS**

To address a complaint adequately, the council must firstly define what constitutes a complaint. For the purposes of this procedure a complaint is defined as:

“Any expression of dissatisfaction or concern about the way in which a service is provided, the standard of that service or lack of action on the part of the Council or its employees”

#### **Complaint Hearing:**

Where a complaint reaches the stage of being heard, there will be a minimum of 5 councillors forming the committee to hear the complaint.

#### **Stage 1. Initial Complaint raised.**

1. Wherever possible the clerk will deal with the complaint in the first instance so that there is no requirement to instigate formal procedures to review the complaint.
2. Where a complaint cannot be resolved straightaway by the clerk, the complainant will be invited to put the complaint about the council's procedures or administration in writing to the clerk or other nominated proper officer.
3. If the complainant does not wish to put the complaint to the clerk or other proper officer, they will be advised to put it to the chairman of the council.
4. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the committee established for the purposes of hearing complaints.
5. The town council will arrange for a full investigation into the circumstances surrounding the complaint. This will normally be completed by the chair of council, assisted, where appropriate, by the clerk or another councillor.
6. If the above investigation can provide a resolution to the complaint that satisfies the complainant, a record of the conclusion to the complaint can be noted in the minutes of the next council meeting.

7. If the investigation is not able to provide a resolution to the complaint, then the complainant shall be invited to attend a meeting to review the complaint. The complainant will be advised that they can bring with them such representative as they wish. Such a meeting to be arranged at a mutually agreed time.
8. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

### **Stage 2. Meeting to hear complaint**

9. Four Members of council, including the chair, shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the next council meeting in public.
10. Chairman to introduce everyone.
11. Chairman to explain procedure.
12. Complainant (or representative) to outline grounds for complaint.
13. Members to ask any question of the complainant.
14. If relevant, clerk or other proper officer to explain the council's position.
15. Members to ask any question of the clerk or other proper officer.
16. Clerk or other proper officer and complainant to be offered opportunity of last word (in this order).
17. Clerk or other proper officer and complainant to be asked to leave room while *councillors* decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
18. Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

### **Stage 3. After the Meeting**

19. Decision confirmed in writing within seven working days together with details of any action to be taken. The decision is also to be announced at the next council meeting and recorded in the minutes of that meeting.

### **Stage 4. (If required) – Appeals Procedure**

20. If the complainant is not satisfied with the outcome of the complaints procedure, they may appeal the decision provided they do so in writing within ten days of the decision being made. Such appeal must detail the reason or reasons why the complainant does not agree with the decision.
21. If, in the opinion of the chairman of the council, there are grounds for the appeal, the complaint will be heard by councillors from another parish or town council who will not have been involved with the complaint before.
22. The format of the appeal hearing to follow the same procedure as that detailed in stage 2 above.
23. After hearing the appeal the councillors above will issue a final and binding decision that will be recorded in the next available minutes of the council.

Adopted: September 2018

Review Date September 2019