



Beaminster Town Council

CODE OF PRACTICE FOR HANDLING COMPLAINTS

Introduction

The Town Council provides many services to the Town and this code of practice is aimed at dealing with complaints has been made about any aspect of Council business.

The aim is to deal with complaints efficiently and to preserve the good reputation of the Council through a transparent process. These procedures set out how to raise a complaint with the Town Council and how the Council will deal with it. It gives the complainant the assurance that their grievance has been properly and fully considered.

Informal complaint

Informal complaints can be made by telephone, email or a visit to the Council office. The complaint will be handled by the most appropriate member of staff, depending on the nature of the complaint. The Town Clerk will be kept informed of the handling of the complaint and its resolution.

Complaints should always be directed through the Council office, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

It is hoped that most complaints can be resolved quickly and amicably through this route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

Formal complaint

As the senior officer of the Council the Clerk to the Council is responsible for managing the formal complaints process. If a formal complaint is being raised against the Clerk, then the complaint should be raised with the Chairman of the Council.

A formal complaint can only be submitted in writing to the Council office, it should be addressed to the Clerk, or Chairman marked "Confidential – Formal Complaint", this will ensure the matter is handled by the Clerk.

The complaint will be acknowledged within three working days and the complainant will, within ten working days receive an update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint will be closed. The Clerk will report to the Council summary details of the complaint and its resolution.

If the complaint is unresolved, or the complainant is not satisfied with the proposed resolution then the matter will be referred to a meeting of a Complaints Committee (consisting of three councillors) and it is expected that the meeting would take place within ten days of being notified by the Clerk.

Prior to the Meeting

Seven clear working days prior to meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they need to refer to at the meeting. The Committee shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting

1. The Committee shall consider in advance whether the circumstances of the meeting warrant the exclusion of the public and press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, will require the exclusion of the press and public.
2. The Chairman of the Committee shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion
 - (a) The Complainant (or representative) shall be invited to outline the grounds for complaint and the Council given the opportunity to ask any questions of the complainant.
 - (b) If relevant, the Clerk will explain the Council's position and the Council shall ask any questions of the Clerk.
3. The Clerk and the Complainant shall be asked to leave the room while the Committee decide whether or not the grounds for the complaint have been made. Once a decision has been reached they will return to hear the decision, or to be advised when the decision will be made.
4. The announcement of any decision will be made in public and confirmed in writing within seven working days together with details of any action to be taken.

Timings

The Town Council will try to adhere to the timings outlined in this policy, but in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, may mean that the timings have to vary. Should this occur then the complainant will be kept advised of the revised timescales.

Appeal

If the Complainant remains dissatisfied once the decision has been reached they can refer it to The Local Government Ombudsman who is entirely independent from the Council. The Ombudsman can investigate a complaint regarding delay, unfairness, inefficiency or a similar failing in the way a decision has been reached by the Council (but not the merits of the decision itself).

Impact on Council Staff

A formal complaint is a serious matter. A complaint against a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

Anonymity

The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.

This Code of Practice was adopted by Beaminster Town Council at a meeting held on Tuesday 14th May 2019