

Nailsea Town Council

Complaints Policy

1. Purpose¹

- 1.1 This procedure is designed to deal with situations where a complaint has been made about the administration of the Council or about its procedures.
- 1.2 This procedure is not designed for complaints against individuals. These complaints are dealt with as follows:
 - Councillors: complaints are subject to the jurisdiction of the Standards Board.
 - Employees: complaints against any employee of the Council should be dealt with as an employment matter.

2. Introduction

- 2.1 Feedback of all descriptions should be regarded as an opportunity to review and improve practices and procedures. Complaints are, by definition, negative feedback, but if the complainant benefits from an efficient and professional handling of the complaint a positive outcome can be achieved.
- 2.2 At all times the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent. The intention is that the procedure should achieve the following objectives:
 - A full and impartial investigation into the complaint.
 - A fair and well reasoned conclusion.
 - The outcome is well communicated and fully understood by the complainant.
 - A straightforward process easily understood by the complainant, and accepted by them as fair and reasonable.

3. Procedure

3.1 Type of complaint

- 3.1.1 Minor complaints should be satisfactorily dealt with by an explanation to the complainant by the Clerk, or other Proper Officer or Chairman of the Council.
- 3.1.2 This procedure should be used in minor cases where the complainant remains unsatisfied, or in more significant cases where a formal process is required.

3.2 Receiving the complaint

- 3.2.1 The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated Proper Officer.

¹ This procedure is based on the National Association of Local Councils Legal Topic Note (LTN06), 'Code of Practice for Local Councils in Handling Complaints' July 2003

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- 3.2.2 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.
- 3.2.3 The Clerk will acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Council. The Council will form a sub-committee to deal with complaints. This will be more time efficient than if the full Council or another committee were to investigate. It is also more likely to create an environment in which the complainant feels comfortable.
- 3.2.4 The complainant will be invited to attend the relevant meeting and bring with them a representative.
- 3.2.5 The complainant will be informed in good time that they must provide to the Clerk, at least 7 working days prior to the meeting, copies of any documentation or other evidence which they wish to refer to at the meeting. The Council will similarly provide to the complainant at least 7 working days before the meeting copies of any documentation it intends to rely on at the meeting.

3.3 At the meeting

- 3.3.1 The Council will consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
- 3.3.2 The Chairman will introduce everyone and explain procedure.
- 3.3.3 The complainant, or their representative, will explain their grounds for complaint.
- 3.3.4 The members will ask any questions of the complainant.
- 3.3.5 If relevant the Clerk or other Proper Officer will explain the Council's position.
- 3.3.6 Members will ask any question of the Clerk or other Proper Officer.
- 3.3.7 The Clerk or other Proper Officer and the complainant will be offered the opportunity of having the last word (in that order).
- 3.3.8 The complainant will be asked to leave the room while the members deliberate. The Clerk or other Proper Officer may be asked to leave the room if the circumstances warrant. If a point of clarification is necessary, all parties will be invited back into the room.
- 3.3.9 The Chairman will communicate the decision to all parties at the same time, or advise when a decision will be made.

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3.4 After the meeting

- 3.4.1 The decision will be confirmed in writing to the complainant within 7 working days together with details of any action which has or will be taken.

- 3.4.2 The sub-committee will report the decision and action taken to the next meeting of the Town Council.

- 3.4.3 Any decision on a complaint shall be announced at a Council meeting in public.

HISTORY

Recommended by Policy Committee 22 March 2006 and approved by Town Council on 5 April 2006 (minute 17/06). Re-approved by Town Council on 31st March 2010 (min 27/10)