

SHIPSTON-ON-STOUR TOWN COUNCIL



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Warwickshire
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Town Clerk:
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Number: QC 05 04 00050
Over 100 years service
to the local community

CODE OF PRACTICE FOR HANDLING COMPLAINTS

Introduction

This Code of Practice deals with the handling of complaints about the administration or procedures of Shipston on Stour Town Council.

This Code of Practice is primarily aimed at situations where a complaint is being made about the administration of the Town Council or about its procedures. It is not meant as an appropriate means of addressing a complaint against an individual.

Complaints about an employee including the Town Clerk are dealt with, in the first instance, by the Staffing Working Group who will deal with the matter internally, resulting in appropriate action being taken.

Complaints about a serving Councillor is subject to the jurisdiction of the Standards Board and complainants are advised to contact the local Monitoring Officer at Stratford-on-Avon District Council. Additional information may be obtained from the Clerk to Shipston on Stour Town Council, Tel: 01608 662180

Objective

Shipston on Stour Town Council takes the views of local people seriously and needs to be aware when there is dissatisfaction in the services which the Council delivers. The objective of this Code of Practice is to:

- (a) Achieve a satisfactory outcome, if possible, for all parties involved, which will assist the Council in reviewing and where necessary changing the way services are delivered.
- (b) Resolve the complaint at the earliest opportunity in the process

Code of Practice – Before the meeting

- 1) If a complaint about procedures or administration is notified orally to the Clerk or a Councillor, initial action must be taken to establish the real issues and attempt an immediate resolution. This is particularly the case when the issue is one of information, understanding or interpretation. If this fails to resolve the situation, the complainant should be offered the opportunity to discuss their grievance with the Town Clerk or the Mayor.
- 2) If it is still not possible to satisfy the complainant, then the complainant should be asked to put the complaint in writing to the Clerk.

- 3) If the complainant does not wish to put the complaint to the Clerk, they will be advised to write to the Mayor.
- 4) Within three working days of receipt of a complaint, the Clerk shall acknowledge the receipt of the complaint in writing to the complainant and try to settle the complaint directly. If the complaint involves the Clerk or a Councillor, this shall not be done without notifying the person concerned and giving them an opportunity to comment on the manner in which it is proposed to settle the complaint. Where the Clerk or the Mayor receives a written complaint about their actions, this shall immediately be referred to Council's Complaints Panel, comprising of the Mayor and Chairmen of the working groups.
- 5) The Clerk or the Mayor shall bring any written complaint which cannot be settled to the Complaints Panel and the Clerk shall notify the complainant of the date on which the complaint will be considered, inviting them to attend and bringing with them such representatives they wish.
- 6) Seven clear working days prior to the meeting, the complainant shall provide the Complaints Panel 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 they wish to rely.

Code of Practice – At the meeting

- 7) The Complaints Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the next Town Council meeting in public.

The order of business for the Complaints Panel Meeting is in accordance with NALC's legal guidance (note 51) as follows:

- 8) The Mayor shall introduce everyone and explain procedure.
- 9) The Complainant or their representative will outline the grounds for complaint.
- 10) Councillors may ask any questions of the complainant.
- 11) The Clerk will be asked to explain the Council's position.
- 12) Councillors may ask any questions of the Clerk.
- 13) Complainant and Clerk (in that order) will be offered the opportunity of the last word.
- 14) The complainant and Clerk will be asked to leave the room whilst Councillors decide whether the grounds for complaint have been put. (If a point of clarification is necessary **both** parties shall be invited back).
- 15) The Complainant and the Clerk will return to hear the decision, or advised when a decision will be reached.

Code of Practice – After the meeting

Following the conclusion of the Complaints Panel Meeting, the complainant will be advised of the decision, in writing, within seven working days, detailing the actions to be taken. The decision is final with no further right of appeal.

Georgina Beaumont
Town Clerk
30th September, 2010