

Wirksworth Town Council



Complaints Procedure

Policy - Updated 19/11/18

Adopted May 2010

Minute C103/18

OVERVIEW

At Wirksworth Town Council we take pride in the way we deal with our customers. We try to provide good and efficient services at all times but recognise that despite our best efforts sometimes things can go wrong. This procedure sets out how we will respond to concerns and complaints that anyone may have about the Wirksworth Town Council's administration and procedures.

COMPLAINTS REGARDING COUNCILLORS AND COUNCIL DECISIONS

The conduct of Councillors is covered by the Model Code of Conduct for Parish and Town Councils – Local Authorities (Model Code of Conduct) Order 2007 No 1159, including Paragraph 12 (2), originally adopted from 1 October 2007 and revised in July 2012. This will be referred to in dealing with complaints regarding Councillors. Complaints against policy decisions made by the Council shall be referred back to Council (but note paragraph 11 of the Council's Standing Orders which states that issues shall not be re-opened for six months).

COMPLAINTS ABOUT PROCEDURES, ADMINISTRATION OR BEHAVIOURS AS PRACTISED BY THE COUNCIL'S EMPLOYEES

1. INFORMAL [ORAL] COMPLAINT

- If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Town Clerk, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
- If the complainant prefers not to put the complaint to the Town Clerk, he or she should be advised to put it to the Chairman of Council/Mayor.

2. FORMAL (WRITTEN) COMPLAINT

- On receipt of a written complaint the Chairman of Council/Mayor or the Town Clerk (except where the complaint is about his or her own actions), shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complaining against and giving him or her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.
- Where the Clerk or the Chairman of Council/Mayor receives a written complaint about the Clerk's own actions, he or she shall refer the complaint to the Chairman of Council/Mayor. The Clerk shall be notified and given an opportunity to comment.
- The Town Clerk or Chairman of Council/Mayor shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
- The Town Clerk or Chairman of Council/Mayor shall bring any written complaint that has not been settled to the next meeting of the Council. The Clerk shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally¹.

Footnote 1: This is unless the matter relates to a Grievance, Disciplinary or similar proceeding that is already taking place, or likely to take place, and failure to exclude public and press may prejudice those hearings: then the complaint will have to be heard under Exempt ("confidential") Business, which would exclude any member of the public or the press, or the matter may be deferred on appropriate advice received. See also additional note re Privacy.

- The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.

PRIVACY

The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.

RESOLUTION

As soon as possible after the decision has been made, a response will be issued in writing to the complainant.

REVIEW OF FORMAL COMPLAINT

Following resolution by the Council if complainants remain dissatisfied with the outcome of the complaint, they can refer directly to the Monitoring Officer at Derbyshire Dales District Council.