

## **Ledbury Town Council**

### **Code of Practice for Handling Complaints**

Ledbury Town Council recognises that from time to time there will be concerns expressed by members of the public over the activities of the Council or one of its members or employees. This is the Council's procedure for the handling of complaints. It allows the public a form of address to the Council for complaints, or unfair treatment in their dealings with the Council staff, Councillors, the Council or its Committees.

All correspondence and records relating to the complaint will be retained for the statutory period relating to Council records.

### **VERBAL COMPLAINTS**

1. All complaints must be made in writing (via post or email) and addressed to the Clerk to the Council.
2. If a member of the public contacts the office by phone or in person to make a complaint; The person or call should be passed to the Clerk or Deputy Clerk.
3. If a complainant indicates that he/she would prefer not to put the complaint to the Clerk or Deputy Clerk then he/she should be advised to put it to the Mayor.
4. The Clerk or Deputy Clerk should listen to the complaint and make a judgement. If the issue is minor and can be resolved by an immediate verbal apology the Clerk or Deputy Clerk should settle the matter. Otherwise the complainant should be advised that the issue needs to be investigated formally and that this will require a written complaint to the Clerk or to the Mayor.

### **COMPLAINTS AGAINST COUNCIL**

1. On receipt of a written complaint, the Clerk shall try to settle the issue directly.
2. If necessary, the Clerk will send a holding letter to the complainant to allow further time to address the issues raised.
3. The Clerk or Mayor shall bring any written complaint which has not been settled to the next meeting of the Full Council and the Clerk shall notify the complainant of the date of the meeting. The complainant will be offered the opportunity to attend the meeting to explain the nature of the complaint. Should they complainant wish to do so, he/she may bring a representative with them to the meeting.
4. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

5. The council 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 council meeting in public.
6. The Clerk will communicate in writing the decision that has been made by the Council and the nature of any action taken by the Council.

### **COMPLAINTS AGAINST THE CLERK**

1. A complaint against the actions of the Clerk must be submitted in writing to the Mayor.
2. Complaints made against the actions of the Clerk, will be considered as an employment issue and the Mayor will present the complaint to the Standing Committee of the Council for consideration at a meeting held in the absence of the press or public.
3. The complainant may be invited to attend part of the meeting to explain the nature of their complaint, in the absence of the public and press.
4. Persons mentioned in the complaint will have the opportunity to explain the nature of their actions to the meeting, in the absence of the public and press.
5. The result of any council consideration of a complaint will be announced at a Council meeting in public.
6. The decision taken at the meeting should be confirmed in writing to the complainant within seven working days together with details of any action to be taken.

### **COMPLAINTS AGAINST AN OFFICER OF THE COUNCIL**

1. All complaints must be submitted in writing.
2. Complaints made against the actions of an employee, will be considered as an employment issue. The Clerk will consider the complaint in consultation with the Mayor and determine whether it is an issue that the Clerk can resolve directly. The Clerk will obtain agreement of the complainant of the action taken. If the complainant is not content then the Clerk will proceed with the following steps.
3. If the Clerk cannot resolve the issue directly the Clerk will present the complaint to the Standing Committee of the Council for consideration at a meeting held in the absence of the press or public.
4. The complainant may be invited to attend part of the meeting to explain the nature of their complaint, in the absence of the public and press.
5. Persons mentioned in the complaint will have the opportunity to explain the nature of their actions to the meeting, in the absence of the public and press.
6. The result of any council consideration of a complaint will be announced at a Council meeting in public.

7. The decision taken at the meeting should be confirmed in writing to the complainant within seven working days together with details of any action to be taken.

### **COMPLAINTS AGAINST A MEMBER OF THE COUNCIL**

1. For complaints about the behaviour of a member of the Council, the Clerk must notify the person that the Town Council has no powers to deal with such complaints and provide the following information.
2. Town Councillors sign up to a Code of Conduct on taking office. A member of the public who wishes to submit a complaint for breach of this code should do so to the Monitoring Officer at Herefordshire Council.
3. The Clerk will inform the member named of the action taken.
4. The Clerk will inform the Mayor of the action taken.

(The Monitoring Officer, Assistant Director - Law and Governance), Brockington, 35 Hafod Road, Hereford HR1 1SH, Telephone 01432 260200.) Letters may be sent by post, fax or e-mail to the monitoring officer. Information and forms relating to the complaints process can be found on the Herefordshire Council website at: [www.herefordshire.gov.uk/council\\_gov\\_democracy](http://www.herefordshire.gov.uk/council_gov_democracy)

**Adopted by Ledbury Town Council – 15/03/2012**