



ALSAGER TOWN COUNCIL

COMPLAINTS PROCEDURE

REVISED JANUARY 2018

CODE OF CONDUCT

COMPLAINTS PROCEDURE

Introduction

From time to time the public have complaints about the administration or procedures of the Town Council. Sometimes the Town Council may be in the wrong but on occasions complaints may not be justified. The Town Council recognises that it is not subject to the jurisdiction of the Local Government Ombudsman but has adopted this Code to ensure that complainants can feel satisfied that at the very least their grievance has been properly and fully considered.

If you have a complaint against a Town Councillor, you should write to the Monitoring Officer at Cheshire East Council:

The Monitoring Officer
Legal and Democratic Services
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

monitoringofficerCEC@cheshireeast.gov.uk

If you have a complaint against the Town Council, then the following procedure should be followed to be sure your grievance will be properly and fully considered. It is hoped that by following this transparent process, the good reputation of the Town Council will be maintained.

This Complaints Procedure does not apply to complaints by one council employee against another council employee, or between a council employee and the council as an employer (including an individual councillor). These matters are dealt with under the council's disciplinary and grievance procedures.

Informal Complaint

1. When a complaint is received, the complainant usually wants a quick fix and an apology if the Town Council are at fault. Examples are the late payment of an invoice or not responding to a letter. The Town Council will put things right as quickly as possible and admit fault if that is the case. If it is unable to help or disagrees with the complaint, it will state clearly why it takes that view.

Formal Complaint

2. If a complainant is not satisfied, or the complaint is too serious for a “quick fix”, the complaint will be recorded as a Formal Complaint. The complainant will be asked to confirm the complaint in writing to the Town Clerk at 3 Lawton Road Alsager ST7 2AE, or if they do not wish to submit it to the Clerk it can be forwarded directly to the Chairman of the Council hereinafter referred to as ‘Chairman’.
3. The Town Clerk or Chairman will acknowledge receipt of the complaint and advise the complainant when the complaint will be considered and by whom.
4. The Town Clerk or Chairman will (except where the complaint is about his/her own actions) try to settle the complaint directly with the complainant, but shall not do so in a case about a member of staff or a Councillor, without first giving that person an opportunity to comment on the matter and the manner in which it is intended to settle the complaint. Where the Clerk or Chairman receives written complaint about his/her own actions, he/she will forthwith refer the complaint to the Town Council.
5. The Clerk or Chairman will report to the next meeting of the Town Council, any written formal complaint disposed of by direct action with the complainant.
6. The Clerk or Chairman will bring any written formal complaint which cannot be settled to the next meeting of the Town Council and the Town Clerk/ Chairman will notify the complainant of the date of the meeting and invite them to attend with a representative if they so wish.
7. Seven clear days prior to the meeting, the complainant will provide the Town Council with copies of any documentation or other evidence which they wish to refer to the meeting. The Town Council will similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting
8. The Town Council will 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 will be announced at the Town Council meeting in public.
9. The Complainant may opt not to attend or to attend but not present a verbal case.
10. The Chairman will introduce everyone present and will explain the procedure.
11. The complainant or representative will outline the grounds for complaint
12. Members will ask any questions of the Complainant.
13. If relevant the Town Clerk or Chairman will explain the Town Council’s position. Members may ask any questions of them.
14. The Chairman (if the complaint is against the whole council) or the individual Councillor and complainant will be offered the opportunity of having a last word (in that order)

15. The complainant will leave the room (along with any member whose actions are part of the complaint) while members decide whether or not the grounds for the complaint have been made. If a point of clarification is required, both parties will be invited back into the room.
16. The parties will be invited back to hear the decision.
17. As soon as possible after the decision has been made, it and the nature of any action to be taken, will be communicated in writing to the complainant.
18. Complaints will be kept on file for no more than five years.

Adopted by Alsager Town Council

Chairman of the Council.....

Date.....2018