

Leigh-on-Sea Town Council

COMPLAINTS PROCEDURE

Code of Practice for Handling Complaints

This Code of Practice is designed for those complaints that cannot be satisfied by less formal measures provided to the complainant by the Town Clerk, or the Chair of the Town Council or nominated Deputy.

The Code is aimed at those situations where a complaint has been made about the administration of the Town Council (the Council) or about its procedures.

It is not an appropriate procedure for a complaint against individuals, these should be dealt with by the Monitoring Officer at Southend City Council.

The Monitoring Officer only deals with complaints in the breach of the Code of Conduct.

Procedure

Stage 1

1. The complainant shall be asked to put the complaint about the Council's procedures or administration in writing to the Town Clerk. This can be by letter or email.
2. If the complainant does not wish to put the complaint to the Town Clerk, they shall be advised to put it to the Chair of the Council.
3. The Town Clerk shall acknowledge receipt of the complaint by letter or email within 5 working days of receipt.
4. The Town Clerk (or Chair of the Council if paragraph 2 applies) will let the complainant have a response in writing within 15 working days. If the complaint is very serious or complex, it may take longer, in which case, the complainant will be advised accordingly.
5. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.

Stage 2

1. Complaints initially handled by the Town Clerk – if the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Chair of the Council, who should respond to the complainant, in writing, in 7 working days.
2. Complaints initially handled by the Chair of the Council – if the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Vice Chair, who will respond to the complainant, in writing, in 7 working days.

Stage 3

1. If the complainant is still unhappy, their case can be presented either in person or in writing to the Finance and Governance Committee, which will consider the matter in the absence of any members who have been previously involved.
2. The complainant shall be invited to attend the relevant meeting and bring with them such representation as they wish.

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3. Seven clear working days prior to the meeting, the complainant shall provide the Council 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 which they wish to rely on at the meeting.

At the Meeting

1. 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.
2. The Chair of the Committee or the member presiding will introduce everyone and will explain the procedure.
3. The complainant (or representative) will outline the grounds for the complaint.
4. Members may ask any question/s of the complainant.
5. If relevant, the Town Clerk to explain the Council's position.
6. Members may ask any question/s of the Town Clerk.
7. Town Clerk and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made.

(If a point of clarification is necessary, both parties to be invited back).

8. Town Clerk and complainant return to hear decision, or to be advised when decision will be made.

After the Meeting

1. The decision will be confirmed in writing to all parties involved within seven working days together with details of any action to be taken.

The Investigation and Report should contain:

- Full details of the outcome of the investigation
- A recommendation whether they believe the complaint is: upheld/partially upheld/not upheld
- Any actions proposed to deal with the issues raised and necessary to avoid this happening in the future
- On receipt of the report of the Investigation, the Town Clerk will prepare a response including determining if a refund of fees is appropriate
- Recommendations of how to avoid this type of complaint in the future will be sent to the relevant employee

Date effective from:	22 May 2024
Review Date:	21 May 2024
Minute ref	184
Next review:	May 2025