

BRADING TOWN COUNCIL



COMPLAINTS POLICY

REVIEWED: 21 June 2021
ADOPTED: 21 June 2021
Minute No: 8/21 (iv)

INTRODUCTION

A complaint is ***an expression of dissatisfaction by one or more members of the public about the councils action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council .***

Brading Town Council has a Complaints Procedure, detailed below, which is based on clear systems and defined responsibilities. The procedure is reviewed and analysed regularly to spot patterns of complaints and lessons for service improvement. The Council believes it is through dealing with and responding to accusations or instances of poor performance or delivery of service with rigour and fairness that the organisation sees its faults and has the opportunity to address them and improve.

Some types of complaints can be dealt with by other procedures and /or bodies, such as:

Financial irregularity	Local electors statutory right to object to councils audit of accounts pursuant to s106 Audit Commission Act 1998. On other matters, councils may need to consult their auditor/ Audit commission.
Criminal activity	The Police
Member conduct	A complaint relating to a members failure to comply with the Code of Conduct must be submitted to the standards committee of the Isle of Wight Council.
Employee conduct	Internal disciplinary procedure

Where someone feels very strongly that a decision of the Parish Council was unlawful, they may apply to the courts for a judicial review of the Council's decision. Complaints under the Freedom of Information legislation, that the council has not released information in the manner that person believes it should have done, can be referred to the Information Commissioner. Here, the legislation **requires the Parish Council to have a complaints procedure** to be able to deal with these sorts of matters.

COMPLAINTS PROCEDURE

A Complaints Committee comprising three members of the Town Council will consider complaints in three stages as detailed below.

STAGE 1 – BEFORE A MEETING.

- The complainant will be asked to put the complaint about the councils procedures or administrations in writing to the Town Clerk.
- If the complainant does not wish to put the complaint to the Clerk he/she will be advised to address it to the Chairman of the Town Council.
- The Clerk will acknowledge receipt of the complaint and try to resolve the issue. If this fails the complainant will be advised that the matter will be considered by the Town Councils Complaints Committee. The complainant will also be advised whether the complaint will be treated as confidential or whether the public and press will be excluded.
- The complainant will be invited to attend a meeting and to bring with them a representative if they wish.

- Seven clear working days prior to the meeting, the complainant will provide the council with copies of any documentation or other evidence to be relied on. The council will provide the complainant with copies of documentation upon which they wish to rely at the meeting and will do so promptly allowing the complainant the opportunity to read the material in good time for the meeting.

STAGE 2 – AT THE MEETING.

- Whether the meeting is confidential or not, any decision on a complaint will be announced at a council meeting in public.
- The Chairman will introduce everyone and explain the procedure.
- The complainant (or representative) will outline the grounds for complaint and thereafter, questions may be asked by :
 - i) The Town Clerk or other nominated officer
 - ii) Members.
- The Town Clerk (or nominated officer) will have the opportunity to explain the councils position and questions may be asked by :
 - i) the complainant
 - ii) members
- The Clerk or nominated officer and then the complainant will be offered the opportunity to summarise their positions.
- The Clerk or nominated officer and the complainant will be asked to leave the room whilst members decide whether or not the grounds for complaint have been made. If a point of clarification is necessary, both parties will be invited to return.
- The Clerk or nominated officer and the complainant will be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they will be advised when the decision is likely to be made and when and how it will be communicated to them.

STAGE 3 – AFTER THE MEETING.

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



SignedMayor of Brading

Date21 June 2021.....