

Wells-next-the-Sea Town Council **Complaints Procedure**

1. Wells-next-the-Sea Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
 - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 11/06/2012 and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of North Norfolk District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of North Norfolk District Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the full council or other appropriate committee.

8. The Clerk or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council.
11. Where the complaint is referred to the full council, it shall be referred to the next full Council meeting for consideration by the Council. A specific Agenda item will be included at the Meeting for Members to consider and make a decision on the complaint.
12. If more information or more time is required because of the complexity of the complaint or information cannot be gathered in time for the next meeting, the complainant will be notified. All supporting information from the complainant e.g. documents, must be with the Clerk 10 working days before the meeting.
13. The complainant will be advised of the date of the meeting to which the complaint will be referred. The complainant is welcome to attend and there may be the opportunity to speak during the meeting; the complainant may bring a representative to support them if they so wish.
14. The Council shall decide whether the circumstances of the complaint warrant the exclusion of the public and press whilst the matter is being considered. The identity of the complainant will only be made known to those who need to consider the complaint. However, the content and result of the complaint will still be included in the public minutes of that meeting.
15. The Council shall consider the complaint at the Meeting and shall, whenever possible, make a decision at that Meeting on whether to take further action or not regarding the complaint.
16. If a complaint cannot be decided at that Council meeting, the complainant shall be kept informed of the Council's actions and any progress that has been made.
17. The Clerk or the Chairman of the Council will notify the complainant within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of the complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, the complainant will be kept informed.)

18. If the complainant is not satisfied with the response to their complaint they usually do not have any opportunity to refer their complaint to any other body for settlement as Parish Councils are not subject to the jurisdiction of the Local Government Ombudsman, and there is no independent body to which the complainant can turn for an independent formal assessment of the position. However, for clarification, the details of the Ombudsman are given below.
19. Nevertheless, Wells Town Council will allow complainants to ask for the Council to consider the complaint again.
20. This request must be made in writing, and must give reasons as to why the matter should be reconsidered. The Council will consider this request at the next full Meeting, or the one after if the request is not received 10 or more working days before the next Meeting.
21. If it agrees to hear the complaint on this basis, the complainant will be notified within 10 days from the date of that Meeting when it will be considered, which will usually be the next Meeting.
22. The complainant shall be invited to attend the Meeting at which the complaint will be re-considered and shall be informed that they may bring a representative to support them if they so wish.
23. If new information is to be provided for this Meeting, 10 clear working days prior to the Meeting the complainant shall provide the Clerk (or Chairman as appropriate) with copies of any new documentation or other evidence upon which he or she shall rely. The Council shall, if requested within 10 working days before the date of the meeting, provide the complainant with any documentation upon which they shall rely at the Meeting as promptly as reasonable, allowing the complainant the opportunity to read the material prior to the Meeting.
24. The complainant and representative will be able to ask the Council questions, and the Council via the Chairman of the Meeting will be able to seek clarifications from the complainant and representative. If the matter is heard with the public and press excluded, the complainant and their representative will be asked to leave the meeting whilst a formal decision is taken.
25. Following the meeting the complainant will be notified in writing of the outcome of the review of the original complaint within 10 working days from the meeting, and the result will be reported in the minutes at the next Meeting of the full Council.

26. Financial Irregularity

When a complaint relates to a financial irregularity, local electors will be informed that they have a statutory right to object to the Council's audit of accounts pursuant to s.16 Audit Commission Act 1998.

27. Criminal Matters

Complaints relating to criminal activity of any Members or Employee of the Council shall immediately be referred to the Police.

Contacts

The Clerk to Wells Town Council

Address: Town Clerk
Wells-next-the-Sea Town Council
Wells Community Hospital, Mill Road,
Wells-next-the-Sea
NR23 1RF

Telephone: 01328 710564
Email: clerk@wellstowncouncil.org.uk

The Chairman of Wells Town Council

Address: Mr Allen Frary
43 Freeman Street
Wells-next-the-Sea,
NR23 1BQ

Telephone: 01328 710140

The Local Government Ombudsman

PO Box 4771
Coventry CV4 0EH

Telephone: 0300 061 0614

Local Government Ombudsman Fact Sheet

<http://www.lgo.org.uk/publications/fact-sheets/complaints-about-parish-councils/>

Adopted by the full council.....7/03/2016