



BRAUNSTONE TOWN COUNCIL

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COMPLAINTS PROCEDURE

Code of Practice for dealing with Complaints

The Purpose of this Procedure

1. This procedure should be used for complaints relating to the Town Council's service, procedures of administration or conduct of staff. Complaints about the conduct of Town Councillors should be made in accordance with the Town Council's Councillor Code of Conduct.
2. The procedure does not cover challenging the decisions of the Town Council or its Committees unless the decision is illegal or the process for taking that decision is not lawful. The Council has a Safeguarding Policy, which should be used to address issues of concern relating to safeguarding. Some areas of Council activity have a separate policy, which includes a complaints and appeals procedure. Complainants are encouraged to seek advice as appropriate.
3. The purpose of this procedure is to provide an open and fair process for satisfactorily resolving issues of dispute.

Raising Initial Complaints

4. In the first instance a complaint should be raised informally with the responsible manager, this can be orally or in writing. If the complainant for some reason is unable to do this, e.g. the complaint relates to actions of that individual, the complaint should be raised with that person's line manager, the Executive Officer & Town Clerk or a Councillor as appropriate.
5. The responsible manager and/or the Service Manager will seek to resolve the complaint where possible.

Making a Complaint Formally

6. If it is not possible to satisfactorily resolve the complaint under 5 above, or the complaint is significant in nature, a complaint should be put in writing to the Executive Officer & Town Clerk. If the complainant for some reason is unable to do this, e.g. the complaint relates to actions of the Executive Officer & Town Clerk, the complaint should be put in writing to the Leader of the Council.

7. The complainant will receive an acknowledgement within three working days of their complaint which will include anticipated timescales (which must be reasonable and proportionate) for dealing with their complaint and details of how to contact directly the person who is investigating the complaint.

Investigating Formal Complaints

8. An appropriate method of investigating the complaint will be used, which includes adequate opportunity for the complainant to expand on and clarify the nature of their complaint and for other parties involved to do the same. Mediation can be considered where all parties agree to this approach.
9. The person dealing with the complaint will write a formal report summarising the complaint, evidence gathered and their conclusions, including recommendations for resolving the complaint.
10. Where a complaint is about the Executive Officer & Town Clerk, the formal report by the person dealing with the complaint will be considered by the Council's Employing Committee.
11. The recommendations for resolving the complaint will be offered to the complainant, who can either accept the resolution in full or can appeal the decision.

Outcome of Formal Complaints

12. The complainant must confirm in writing that they accept the proposed resolution, after which the person dealing with the complaint will ensure the recommendations are implemented. If the complainant is not happy with the outcome and wishes to appeal, the complainant must indicate their wish to do so in writing, summarising their reasons for appealing the decision, to the person dealing with the complaint within 14 days of being notified of the outcome. Failure to notify acceptance or appeal will result in implantation after 14 days have elapsed. Acceptance of the recommendations prior to the 14 days precludes the right of appeal.

Appeal Process

13. The complainant will receive an acknowledgement within three working days confirming the appeal, which will include anticipated timescales (which must be reasonable and proportionate) for dealing with the appeal, and details of the Committee of the Council which will be considering the Appeal.
14. The complainant shall be notified of the date on which the Appeal will be considered. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
15. The Committee shall determine whether the circumstances of the complaint warrant the matter being discussed in the absence of the press and public.

Procedure for Hearing the Appeal in Committee

16. A written submission will be prepared by the complainant and other relevant documentation relating to the hearing will be supplied by the person who investigated the complaint. The documentation will be made available to the members hearing the appeal, the complainant and the person who investigated the original complaint (the Council's Representative) at least 5 working days prior to the meeting.
17. The procedure for considering the complaint in Committee is as follows:-
 - a) The complainant (or their representative) should put their case.
 - b) The Council's Representative should then be able to put any questions they have to the complainant (or their representative).
 - c) The Committee can then ask questions of the complainant (or their representative).
 - d) The Council's Representative should put their case.
 - e) The complainant (or their representative) should then be able to put any questions they may have to the Council's Representative.
 - f) The Committee can then ask questions of the Council's Representative.
 - g) The complainant (or their representative) sums up their case.
 - h) The Council's Representative then sums up the Council's case.
 - i) The parties withdraw and the Committee reaches its decision (if a point of clarification is necessary, both parties will be invited back).
 - j) Once the Committee has reached its decision it will invite both parties back to inform them of the decision, this will be confirmed in writing within 7 working days.
18. Following confirmation of the outcome, the decision will be implemented.

Monitoring Complaints

19. The Executive Officer & Town Clerk shall report annually to Policy & Resources Committee on formal complaints received and how they were dealt with.
20. Policy & Resources Committee will be able to determine as a result of those complaints whether policy or procedural changes are required to ensure that future reoccurrence is minimised.

DATE ADOPTED	1st October 2015	REVIEW DATE	October 2024
REVISED DATE/S	1st November 2018, 28th October 2021		