



STOTFOLD TOWN COUNCIL

COMPLAINTS PROCEDURE - GUIDANCE

Complaint procedures are an integral part of the machinery of nearly every commercial or public service organisation. This is because it is through dealing with, and responding to, accusations or instances of poor performance or service delivery that the organisation sees its faults and has the opportunity to address them and improve.

Depending on the nature of the complaint, and to some extent the person who is making it, there will be an occasion in the life of every parish council when a complaint cannot be resolved and the complainant wishes to take the matter further.

These will include complaints concerning the following:

- 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;
- An accusation of financial wrongdoing, where a complaint may be made to the Council's external auditor. Aside from referring the matter to another body if required, the auditor will have the power to carry out such actions as refusing to sign off the accounts or producing a public interest report;
- Breaches of Members' Code of Conduct for the Council may result in an allegation being made to the local standards committee. It has been known for all members of a Council to be reported for a possible breach of the code. This may be in respect of financial wrongdoing, acting on prejudicial interests, not complying with equality legislation, and so on;
- Any matter that raises a suspicion of criminal wrongdoing can be referred to the police;
- Where the Council carries out functions on behalf of another authority, such as litter picking, or crime and disorder measures under an agency agreement with the District/County or Unitary Council, the complaint can be referred to them. In such a situation, the ombudsman may be involved if the matter is not resolved by the principal authority.
- A complaint that the Council has not released information under the Freedom of Information Act 2000 in the manner that a person requesting believes it should have been done, can be referred to the Information Commissioner. A Parish Council must give reasons for any decision and must inform the applicant if he/she has a right to complain to them about the handling of the request (e.g. through a complaints or other procedure and give details of the procedure), or state that there is no procedure, and of his/her right to complain to the Information Commissioner.

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