



## STOTFOLD TOWN COUNCIL

### COMPLAINTS POLICY

Complaints procedures serve a crucial mechanism for addressing and resolving allegations or instances of poor performance. By actively engaging with and appropriately responding to complaints, the Town Council can gain insight into its shortcomings and use these as an opportunity for enhancement and refinement.

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 Town 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 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 the Members' Code of Conduct for the council may result in an allegation being made to the Monitoring Officer.
- Any matter that raises a suspicion of criminal wrongdoing can be referred to the police.
- 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 they have 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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### COMPLAINTS POLICY

1. If a complaint about procedures or administration is notified orally to a Councillor or Member of staff and it is not possible to satisfy the complainant fully forthwith, the complainant shall be asked to put their complaint in writing to the Town Clerk. The complainant shall be assured that the complaint will be dealt with promptly after receipt.
2. If the complainant would prefer not to put the complaint to the Town Clerk, they shall be advised to put it to the Chairman.
3. Upon receipt of a written complaint, the Town Clerk or Chair as appropriate shall try to settle the complaint directly with the complainant (except where the complaint is about their own actions).
4. Where the Town Clerk receives a complaint about their own actions it shall be referred to the Chair. Where the Chair receives a complaint about their own actions it shall be referred to the Council after first notifying the complainant of the manner in which it is intended to attempt to settle the complaint.
5. In any case, where a written complaint is about Conduct of a Councillor, the complainant shall be given contact details of The Monitoring Officer, Central Bedfordshire Council.
6. Where, in the opinion of the Town Clerk, a complaint cannot be resolved satisfactorily, it shall be referred to the next appropriate Council or Committee meeting. The complainant shall be notified of the date on which the complaint would be considered.
7. The Council or Committee shall determine whether the matter be discussed with the Exclusion of Press and Public and this decision shall be announced at the meeting in public.
8. As soon as practicable after the decision regarding the complaint has been made and the nature of any action to be taken, the complainant shall be informed in writing.
9. Matters relating to grievance or disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the council's Grievance and Disciplinary Procedures.
10. The council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the council meeting in public.
11. The council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who have suffered loss as a result of the council's maladministration. Any payment may only be authorised by the council after obtaining legal advice and advice from the council's auditor on the propriety of such a payment.
12. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
13. The council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received.

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#### Revision History:

Date Adopted	July 2009	
Date reviewed	2019	Address changed
Date reviewed	April 2024	Reviewed in line with SLCC policy