



Handling Complaints

Introduction

Any organisation will get it wrong sometimes. It is important for the organisation to know when this has happened, to be able to understand why it has happened and to have the opportunity to put it right. A good organisation is one that is open to complaints, has a proper procedure to deal with them and reviews activities to prevent a recurrence.

What is a complaint?

A complaint is an expression of dissatisfaction by one or more members of the public about the council's 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.

Complaints Procedure

This is Bollington Town Council's complaints procedure and is based on the National Association of Local Councils (NALCs) guidance.

It should be noted that the Local Government Ombudsman (LGO) has no jurisdiction over parish and town councils in England. However, this does not mean that councils such as Bollington are less focussed on providing good services. We are local, approachable and accountable and, in Bollington's case, we have 12 locally elected councillors who are just as anxious as you to ensure services are efficient and effective.

It may not be appropriate to deal with all complaints internally or use this complaints procedure. In some circumstances the Council will hand over the investigation to another body. Equally the complainant has a statutory right to take their complaint directly to that body.

The Following table identifies these areas

Type of conduct	Refer to
Financial irregularity	Local elector has a statutory right to object the Council's audit of accounts pursuant to section 16 Audit Commission Act 1998. On other matters, Councils may need to consult their auditor / Audit Commission
Criminal activity	The Police
Member conduct	In England a complaint relating to a Councillor's (member's) failure to comply with the Council's Code of Conduct must be submitted to the Monitoring Officer of the relevant principal authority. In Bollington's Case this is Cheshire East Council. A copy of the Council's Members Code of Conduct can be found on the Town Council's Website www.bollington-tc.gov.uk or at the Town Hall.

Complaining to the Local Government Ombudsman (LGO)

The LGO has no jurisdiction in respect of town and parish councils and the town and parish council cannot make a complaint through this channel. However, an individual member of the town or parish council can, in a personal capacity, make a complaint about another public body and in their official capacity assist members of the public to do so. The complaint must be in writing and within 12 months of the matter they are complaining about. They must first have exhausted the authority's complaints process.

Further information can be obtained from the LGO website: www.lgo.org.uk

Complaining to the Town Council

The key elements of a good complaints system are detailed below. Bollington Town Council's system embraces these elements:

- well publicised and easy to use;
- helpful and receptive;
- not adversarial;
- fair and objective;
- based on clear procedures and defined responsibilities;
- quick, thorough, rigorous and consistent;
- decisive and capable of putting things right where necessary;
- sensitive to the special needs and circumstances of the complainant;
- adequately resourced;
- fully supported by councillors and officers
- regularly analysed for patterns of complaint and lessons for service improvement.

Confidentiality

The identity of a complainant will only be made known to those who need to consider the complaint. In councils it is not feasible to deal with complaints outside some sort of committee structure but, nevertheless, Bollington Town Council will take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned).

Stages within the process

Before a meeting of the Complaints Committee

1. The complainant should submit the complaint in writing to the Town Clerk at the following address:
 - The Town Clerk
 - Bollington Town Council
 - The Town Hall
 - Wellington Road
 - Bollington, Macclesfield
 - Cheshire SK10 5JR
2. If the complainant does not wish to submit the complaint to the Clerk, he or she should address it to the Mayor (Chairman) of the Council at the above address and mark it personal and confidential.

3. If the complaint is received by the Clerk it will be acknowledged and the Clerk will do his or her best to address it and satisfy the complainant within a maximum period of 10 working days. If it is likely to be longer than this period the Clerk will inform the complainant of the delay and the reason for it. If the complainant is not satisfied with the delay or the outcome he or she may request that the matter be considered by the Complaints Committee.
4. If the complaint is received by the Mayor it will be acknowledged and the Mayor will arrange for it to be considered by the Complaints Committee.
5. If the matter is being dealt with by the Complaints Committee, the complainant will be invited to attend the meeting and to bring with them a representative if they wish. The date of the meeting will be within 20 working days of the complaint or failure of the Town Clerk to remedy the problem to the satisfaction of the complainant. The complainant will also be advised whether the complaint will be treated as confidential or whether, for example, notice of the meeting will be given in the usual way for the public to attend.
4. At least 7 working days prior to the meeting, the complainant will provide the Council with copies of any documentation or other evidence relied on. The Council will then provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

6. The Committee will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be announced at the committee meeting as a recommendation to the next Council Meeting.
7. The chairman will introduce everyone and explain the procedure.
8. The complainant (or representative) will outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
9. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The clerk or other nominated officer and then the complainant will be offered the opportunity to summarise their position.
11. The clerk or other nominated officer and the complainant will be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
12. The clerk or other nominated officer and the complainant will be given the opportunity to wait for the decision. If the decision is unlikely to be finalised on that day they will be advised when the decision is likely to be made and communicated to them.

After the Meeting

16. The decision will be confirmed in writing within five working days following the next Council meeting.