

STAMFORD TOWN COUNCIL

COMPLAINTS PROCEDURE AND HANDLING METHOD

To determine whether a complaint procedure is appropriate:

1. It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. The Council will need to refer or use procedures / bodies in respect of the following types of complaint:

Type of Conduct	Refer to
Financial irregularity	Local electors' statutory right to make objections at audit pursuant to Sec. 16 of Audit Commission Act 1998. On other matters the Council may need to consult their appointed Internal Auditor or the Audit Commission
Criminal Activity	The Police
Member Conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at South Kesteven District Council.
Employee Conduct	Internal disciplinary procedure

2. A member of the public may also consider a criticism about a service (e.g. an untidy park area, or unclean public toilet) or a fee (e.g. the level of charge for an allotment) to be a complaint, but these do not fall within the formal complaints procedure unless the Council acted improperly and should be treated as normal service requests.

It is to be noted that staff members are not responsible for any works or maintenance carried out by any Town Council appointed contractor (s). Such complaints must be made in writing to the Council. Person (s) making personal complaints against staff members may be subject to restrictions within the Town Council adopted Vexatious Policy.

Prior to a meeting where any complain is to be heard:

3. The complainant should be asked to put details of their complaint in writing to the Town Clerk. The complaint should be acknowledged within no more than three working days of receipt. The Town Clerk should provide reasonable assistance to the complainant, to accurately record the complaint, where the complainant cannot or has difficulty in setting out a written complaint.
4. If the complainant does not wish to put the complaint to the Town Clerk, they will be advised to address it to the Mayor (Chairman of the Council).
5. The Town Clerk shall inform the complainant when the matter will be considered by the appointed Hearing Panel to consider the complaint. The complainant should also be informed how the complaint will be treated once it has been investigated.
6. The complainant and defendant (in the event of there being a complaint against a member or employee) to attend a meeting and bring with them a representative if they wish.

Complaint Procedure

7. The Town Clerk will gather all necessary and relevant information to substantiate the complaint. Within seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied upon. The Town Clerk shall provide the complainant with copies of documentation upon which they wish to rely upon at the meeting, allowing the complainant (and defendant if applicable) the opportunity to read the material in good time for the meeting. The Hearing Panel shall provide reasonable assistance to the complainant in accessing any written documentation or materials.

At the Meeting

8. The Hearing Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision of a complaint shall be announced at the council meeting in public.
9. The Chairman should introduce everyone and explain the procedure.
10. The complainant should outline the grounds of the complaint and thereafter questions may be asked by the Hearing Panel. (If applicable the defendant will outline any defence to the complaint and thereafter questions may be asked by the Hearing Panel.)
11. The Hearing Panel will have an opportunity to explain the council's position and any further questions may be asked by complainant and respondent