

PROCEDURE FOR USE IN COMPLAINTS AGAINST COLBURN TOWN COUNCIL

Before processing a complaint

1. All formal complaints must be communicated in writing.
2. The complainant will be asked at the outset to confirm if he/she wants the complaint to be treated confidentially. The Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
3. A copy of the Complaints Procedure will be given to the complainant and will contain the following information:-
 - the requirement to submit a complaint in writing
 - the postal address or email that the complaint must be sent to (the clerk)
 - that receipt of the complaint will be acknowledged in writing within a specified timeframe (10 days)
 - who will be dealing with the complaint (the Town Council or a nominated sub-committee)
 - the timeframe for investigating the complaint (according to the nature of the complaint)
 - whether there is an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur
 - the timeframe for determining the complaint
 - whether there is an opportunity to appeal the outcome of the complaint and an explanation of the appeal process

Receipt of the complaint

4. The clerk shall:
 - acknowledge receipt of the complaint in writing within ten days of receipt of letter
 - confirm to the complainant that the matter will be treated as confidential if requested
 - inform the Chair of the Council and arrange for the matter to be investigated. The council may decide to nominate a smaller sub-committee to establish the facts.

Investigating the complaint

5. The council or sub-committee will investigate the facts of the complaint and collate relevant evidence.
6. The complainant will be invited to a meeting with the Council or the sub-committee to make verbal representations of the facts and he/she may bring a friend when doing this. The chair of the meeting will explain how the meeting will proceed.

7. The complainant will outline the grounds for complaint and thereafter, questions may be asked by members of the Council or sub-committee.
8. The Chair will explain the council's position and questions may be asked by the complainant.
9. The Chair will conclude the meeting by summarising the position of the Town Council and the complainant will have the same opportunity to summarise his/her position.
10. The complainant will be advised when a decision about the complaint will be made and when it will be communicated to them.

After the complaint has been decided

11. Within the timeframe given at the meeting, the Council will write to the complainant to confirm whether or not it has upheld the complaint. The Council should give reasons for its decision together with details of any action to be taken by the Council.
12. If the complaint has been upheld the Council will offer a remedy which, as far as possible, puts the complainant back in the position he/she would have been in but for the matters complained of. If the matters complained about have caused the complainant to suffer financial loss, the council may want to offer financial compensation. Any offer or acceptance of financial compensation will confirm the council's payment is full and final settlement of the dispute and any claims which the complainant has against the Council and without admission of legal liability.
13. If it is more appropriate the Council may apologise to the complainant and will explain what steps it intends to take to reduce the risk of the matters complained of being repeated.

The decision of Colburn Town Council will be final. There is no facility for an appeals stage due to the small size of the council.

The Complaints Procedure is not a means of redress for the members of the council or staff. Members and staff are expected to work together professionally even if they hold differences of opinion and views.