



Midsomer Norton Town Council

COMPLAINTS PROCEDURE

Introduction

Midsomer Norton Town Council is committed to providing people who live in, work in or visit the town, with a high standard of service. Where the service does not meet this standard, the Town Council wishes to provide a simple but effective procedure for people to complain and for the Council to handle that complaint. The Local Government Ombudsman cannot consider complaints about a Town or Parish Council unless it is delivering a service on behalf of another organisation within its scope. This makes it even more important that the Town Council has a clear and effective complaints procedure.

What does this procedure cover?

This procedure applies to complaints about Council administration, procedures and the delivery of its services and may include complaints about how council employees or contractors have carried out their work.

What is excluded?

The procedure does not apply to;

- Complaints against Councillors – these are covered by the Town Council's Code of Conduct as adopted. Any complaint against a Councillor will be referred to the Chair of the Standards Committee through the Monitoring Officer at Bath and North East Somerset Council.
- Financial irregularity – electors have the right to object to an audit of accounts through the Audit Commission or the Council's auditor but this cannot be considered by the Town Council.
- Criminal activity – this must always be referred to the Police.

How does it work?

There are three stages – the informal stage, the formal stage and the appeal stage.

Informal stage

In the first instance, a complaint about the Town Council's administration, procedures or services can be made to the Town Clerk, in writing, by e mail, by phone or by visiting the Town Council office. You should include what remedy you are seeking in your complaint. If you consider that it would be inappropriate to make the complaint to the Town Clerk, you can complain to the Town Mayor.

As a first step, where possible, the complaint will be handled informally and a satisfactory resolution will be agreed. **You should expect this process to take no more than 2 weeks.**

If a resolution cannot be agreed, you may request that a formal process should begin at which point you will be asked to put your complaint in writing, if you have not already done so, to the Town Clerk or the Town Mayor.

Formal Stage

A complaint at the formal stage will be considered at the next possible meeting of the Full Council unless it relates to planning matters when it may be considered by the Planning Committee. The Town Clerk or the Town Mayor as appropriate will write to you and tell you when the complaint will be considered and whether or not it will be treated as confidential and discussed after the public and press have been excluded.

You will be invited to attend the meeting as a member of the public and to provide the Council (or the Planning Committee) with copies of documents or any other evidence to support the complaint at least 7 days in advance. The Council will provide you with copies of any documents or evidence that it proposes to consider at least 7 days in advance.

As a member of the public, you may address the Council or Planning Committee for a brief period before a meeting but you cannot do so once the meeting has started. So it is important that you provide all the information you wish to before the meeting.

In the event that the Council or the Planning Committee decides to exclude members of the public and press whilst they consider the complaint, they will recall them so that they may announce their decision in public.

You should expect this process to take no more than 6 weeks. But this will depend entirely on the date of the next Council or Planning Committee meeting. Only in exceptional circumstances will a special meeting be called to consider a complaint.

Can I appeal after the formal process?

You can request a complaint hearing at which you would meet with three Members (to include the Town Mayor or Deputy Mayor) to set out your reasons for appealing the decision of the Council or Planning Committee. At a complaint hearing, you will be invited to set out the grounds of your complaint and your appeal. The Members will question both you and the Town Clerk or other nominated officer and reach a decision on the complaint.

You should expect the complaint hearing to take place within 4 weeks of requesting it and a decision within 1 week of the hearing. The decision of the appeal hearing is the final stage of the process and you would need to consult a legal professional to consider your options if you were still unhappy with the outcome.