



ST AUSTELL TOWN COUNCIL

COMPLAINTS PROCEDURE

1 Introduction

- 1.1 St Austell Town Council aims to provide a courteous, prompt and efficient service to members of the public and organisations. If you are not satisfied with any of the Council's services provided to you, you have the right to complain.

Not all queries or concerns raised are complaints and we are keen to ensure that any problems are dealt with effectively in order that they do not develop into complaints.

- 1.2 This procedure will be adopted for dealing with complaints about the Council's administration or its procedures, it does not specifically focus upon complaints about an employee of the Council that are appropriate to be dealt with as an employment matter and in accordance with the Council's Disciplinary Procedure.

Complaints that an employee may have about a colleague or a Senior Officer must be conducted in accordance with the Council's Grievance Procedure.

- 1.3 This procedure does not cover complaints about the conduct of Members of the Town Council. Any such complaints are subject to the jurisdiction of the Monitoring Officer of Cornwall Council and complainants are advised to contact him direct. His contact details are as follows:

Mr Simon Mansell MBE
Monitoring Officer
3rd Floor
West Wing
New County Hall
Treyew Road
Truro TR1 3AY

Telephone: 0800 1234 100

Email: councillorcomplaints@cornwall.gov.uk

Website: www.cornwall.gov.uk

2 What you can expect from the Council

- 2.1 St Austell Town Council will:

- Listen and record the complaint and ensure that it is investigated promptly;
- Resolve the problem straight away, where possible;
- Acknowledge receipt of the complaint within seven working days;
- Advise the complainant if there is likely to be a significant delay while the matter is investigated and provide some indicative timescales; and
- Assign the complainant a dedicated contact officer who can be contacted about the complaint whilst the process is underway.

3 **Receipt of the Complaint**

- 3.1 It is preferable for the complainant to put their complaint in writing (letter or email) using the Council's Complaints Form to provide sufficient detail regarding the nature of the complaint. It should be addressed as follows:

**Town Clerk
The Stable Block
Pondhu House
Penwinnick Road
St Austell
Cornwall
PL25 5DP**

e-mail: david.pooley@staustell-tc.gov.uk

- 3.2 If a complaint about the procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor or the Town Clerk, then a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
- 3.3 Acknowledgement of receipt of the complaint will be provided within 7 days. The Council aims to respond to the complaint within 28 working days, if this is not possible you will be advised of actions taken to date and an anticipated completion date (this may be necessary as staff and/or Councillors may be on leave or information may need to be obtained from other parties who provide services to the Council).
- 3.4 If the complainant prefers not to address the complaint to the Town Clerk (because the matter relates to the Clerk, for example), he or she will be advised to address it to the Mayor whose contact details can be found on the Town Council's website www.staustell-tc.gov.uk.

4 **Resolving the Complaint**

- 4.1 The Council's aim is to resolve any complaint that it receives at the earliest opportunity. It does however recognise that this is not always possible in the view of the complainant, therefore this procedure provides for the complainant to make a direct approach to the Council's elected Members through a formal process.

Where the complaint is successfully dealt with through direct action with the complainant, the Town Clerk will report this to the next meeting of the Council.

5 **Dealing with the Complaint (Formal Process)**

- 5.1 Where it is not possible for the Town Clerk to resolve the complaint through direct action with the complainant then it will be necessary for Councillors to become involved.

In such circumstances the usual practice is for a panel of three Councillors comprising of the Mayor or Deputy Mayor a Chairman or Vice Chairman of one of the Council's standing committees and one other Councillor depending on availability and as far as possible them not having been previously involved in the matter.

- 5.2 The request for a formal process will be acknowledged in writing and the complainant advised of when the Panel will meet and who will be sitting on it. The complainant will be invited to bring a "friend" with them either to represent them or to give moral support.

A minimum of two weeks prior notice of such a panel will be given. At the time the complainant is notified in writing of the panel date, they will also be requested to provide any written evidence that they wish to present to the meeting no later than 7 days prior to that date and the Council will confirm that it will present any material it intends to present to the complainant within the same time scale.

- 5.3 As general policy, the public and press are not permitted attendance at such complaints panel meetings (although the Chairman of the relevant Committee will report on the outcome of the panel meeting at the following Full Council meeting).

6 Format of Panel Meeting

- 6.1 The order of business for the complaint's panel meeting is normally in accordance with the National Association of Local Council's guidance as set out in its Legal Topic Note but may be amended by agreement.

7 Reporting the Outcome

- 7.1 Following conclusion of the meeting, the complainant will be advised that the decision of the panel, which is final with no further right of appeal, will be confirmed in writing within 7 days together with details of any action to be taken.
- 7.2 The Council may defer dealing with a complaint if it is considered that further advice is necessary. The advice will be obtained and considered and the complaint will then be dealt with at the earliest available opportunity (i.e. the next meeting).

8 Review

- 8.1 This procedure will be reviewed regularly (not less than annually) and amended as necessary based on changes to legislation or evidence taken forward.

9 Alternative Formats

- 9.1 The Equality Act 2010 – copies of this document in large print (A3 Format) or larger font size, or recorded onto tape as a 'talking book' can be made available for those with sight impairment on request from the Council Office or by telephoning 01726 829859 or e-mailing david.pooley@staustell-tc.gov.uk
- 9.2 The Council can also arrange to provide versions in other languages for individuals whose first language is not English.

10 Freedom of Information

- 10.1 In accordance with the Freedom of Information Act 2000, this Document will be posted on the Council's Website www.staustell-tc.gov.uk and copies of this document will be available for inspection on deposit in the Council Office.