



MABLETHORPE & SUTTON TOWN COUNCIL

COMPLAINTS PROCEDURE & 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 complaint's 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 object Council's audit of accounts pursuant to Local Audit and Accountability Act 2014. On other matters, the Council may need to consult their appointed internal auditor or seek advice from the Lincolnshire Association of Local Councils (LALC) or the National Association of Local Councils (NALC).
Criminal activity (i.e., theft)	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 East Lindsey 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 has 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) who make such complaints 'personal' against staff members may be subject to restrictions within the Town Council adopted Vexatious Policy.

Prior to a meeting where any complaint is to be heard

3. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk or other nominated officer. The Town Council shall 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 or other nominated officer, he or she will be advised to address it to the Mayor (Chairman of the Council).
5. The Clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
6. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

7. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall 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. The Council shall provide reasonable assistance to the complainant in accessing any written documentation or materials.

At the Meeting

8. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.
9. The Chairman should introduce everyone and explain the procedure.
10. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), Members.
11. 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.
12. The Clerk or other nominated officer, and then the complainant should be offered the opportunity to summarise their position.
13. The Clerk or other nominated officer and the complainant should 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.
14. The Clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting

15. The decision should be confirmed in writing within seven working days, together with details of any action to be taken.

*****Where an accusation of financial wrongdoing is suggested, a complaint may be made to the Council's external auditor. Aside from referring the matter to another body if required, the nationally appointed external auditor will have the power to carry out such actions as refusing to sign off the accounts or produce a public interest report.