Kingskerswell Complaints Procedure

1. This complaints procedure is intended to ensure that complaints by members of the public about the Council's actions, or lack of action, or standard of service are dealt with promptly and effectively. The object of the procedure is to put things right when they have gone wrong and ensure that mistakes do not recur in the future.

   The Local Government Ombudsman has no jurisdiction in respect of parish and town councils except where the council is working jointly with a principle council through a joint committee or is carrying out a function of a principle council.

2. This procedure does not apply to:

- complaints about the substance of policy decisions made by the Council
- complaints about the conduct of an individual councillor, which should be made to the Monitoring Officer at Teignbridge District Council
- complaints by an employee of the Council about the Council's actions as an employer, which should be dealt with under the Council's grievance procedure.

3. Complaints about the Council's administration and procedures should be made initially to the clerk to the Council, and will be dealt with initially by the clerk. If the complainant is unwilling to approach the clerk a complaint may be made to the Chairman of the Council, who will refer the complaint either to the clerk or to a specific committee set up to investigate the complaint.

4. Complaints may be made in writing, by email, by phone or in person. Complaints which cannot be dealt with immediately to the satisfaction of the complainant will be acknowledged in writing within 5 working days.

5. Complaints should be dealt with promptly. Complaints will be dealt with within 20 working days of receipt, although this time limit may be extended with the agreement of the complainant, or where the clerk feels it necessary to take legal or other advice.

6. Where it appears that the complaint includes an allegation that a criminal offence has been committed the clerk may deal with the complaint by referring it to the police.

7. If a complainant is dissatisfied with the clerk's decision on a complaint, or if the complaint is not dealt with to the satisfaction of the complainant within the time limit set out in paragraph 5, above, the complainant can ask for the matter to be referred to a specific committee set up to investigate the complaint.

8. Where a complaint is referred to a specific committee set up to investigate the complaint the complainant will be informed of the date, time and place of the meeting. At least ten working days' notice will be given. The complainant will be invited to attend the meeting and also to submit any documents to which s/he wishes to refer. Any such documents must be received by the clerk seven working days before the meeting to enable them to be circulated to members. The clerk will provide to

the complainant, within the same timescale, any documents to which s/he wishes to refer. The clerk will also inform the complainant whether it is likely that the meeting will be open to the press and public or whether the press and public are likely to be excluded (for example because the personal affairs of an individual may be discussed).

9. At the Committee meeting the chairman should introduce everyone and explain the procedure. The complainant will be asked to outline the grounds of complaint and may then be questioned, first by the clerk and then by committee members. The clerk may outline the Council's position and may be questioned, first by the complainant and then by committee members. The clerk and then the complainant may give a final summary of their position.

10. The complainant and the clerk will then leave the room to allow the committee to reach a decision on the complaint. They will be called back when the committee has reached a decision.

11. If the committee considers that a complaint alleges misconduct by an employee the decision on the complaint may be deferred until the allegation has been dealt with under the Council's disciplinary procedure.

12. Committee decisions on a complaint should normally be announced in public. The complainant should be notified in writing within seven working days of the decision and what action will be taken.

13. Where a complaint is upheld the clerk should report to a subsequent meeting of the committee and of full council what action has been taken to ensure that any mistake does not recur.

END