

Earby Town Council – Complaints Policy

Earby Town Council endeavours to always act in a professional manner in its dealings with other organisations and members of the public. There may be occasions when someone may be dissatisfied with our performance, for any number of reasons.

This policy sets out how to raise a complaint with Earby Town Council.

The complainant will be asked to outline the complaint to the Clerk of the Council, who will consult with the Chairman of the Council as to whether the complaint can be dealt with in an informal manner, perhaps verbally. If not then the complaint will be outlined to the Council and referred to the human resources (HR) committee, which will be made up of at least 4 councillors, including the Chairman of the Council and the following procedure followed.

1. 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.
2. If the complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by Council or more likely the HR committee, which has been tasked with the hearing of 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 Council or the HR committee.
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. 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.

At the Meeting

6. The Council or HR committee 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 or HR committee meeting in public.
7. The Chairman of the meeting should introduce everyone and explain the procedure.
8. 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.

9. 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.
10. The Clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. 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.
12. 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

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

Complaints against Employees

A complaint against an employee of Earby Town Council will be dealt with via their contractual internal disciplinary procedures, and heard at a meeting of the human resources committee, if necessary. A complaint against a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

Complaints against Councillors

This policy does not cover complaints against an individual Councillor. A complaint about the conduct of a Town Councillor must be in writing and should be addressed to:

The Monitoring Officer,
Pendle Borough Council
Market Street
NELSON
Lancashire
BB9 7LG

It will not deal with complaints about matters that are not covered by the Councillors

Code of Conduct. Complaints must be about a Councillor's failure to follow the Code of Conduct.

Anonymity

The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.