KIRKBY STEPHEN TOWN COUNCIL
Mr Christian Barnes, M.A. | Clerk to the Council | Kirkby Stephen Town Council | Local Links Vicarage Lane | Kirkby Stephen | Cumbria | CA17 4QX Tel/Fax: 017683 74854 | e clerk@kirkby-stephen.com | www.kirkby-stephen.com

COMPLAINTS PROCEDURE

General
Kirkby Stephen Town Council is committed to providing a quality service to our residents. The Council's preference is to deal with any complaints amicably and orally, directly with you. If you have a complaint, please contact the Clerk or, if the matter concerns the Clerk, the Chairman. The Clerk (or Chairman) will try to resolve the matter directly with you in a timely manner (wherever possible within 30 working days).

However, should it not be possible to resolve your complaint informally then we will follow the complaints procedures shown below.

Complaints about individual councillors
If a member of the public believes that a councillor is in breach of the council's Code of Conduct a complaint may be lodged with the Monitoring Officer at Westmorland and Furness Council.

Complaints about the council's financial affairs
If a member of the public wishes to raise an external complaint regarding the Council's finances, it should be lodged with the Government Appointed External Auditor or the Monitoring Officer at Westmorland and Furness Council.

Complaints under the Freedom of Information Act
Complaints regarding the release of information under the Freedom of Information Act 2000 can be referred to the Information Commissioner.

Complaints about Town Council Procedures, Services, Administration or the conduct of the Clerk
Receipt of Complaint
1. The complainant will be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, they are advised to address it to the Chairman of the Council.
3. The Clerk or Chairman shall acknowledge receipt of the complaint and either the Chair or the Clerk (as appropriate) will attempt to resolve the complaint amicably and orally, direct with the claimant. If the claimant is satisfied with the outcome no further action will be required.

Investigation
4. If the complainant is not satisfied with the outcome the Chair will ask the Clerk or another appropriate person to investigate the complaint and to prepare a written report. This report will consider whether the complaint is justified and, if it is, what remedial action should be taken.

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5. If the Council and the complainant are satisfied with the conclusion of the report and any proposed remedies, the remedies will be implemented, and no further action will be required.

Council or Committee

6. If the complainant is not prepared to accept the investigator's recommendations, the complaint will be considered by either the Council or by a committee established for the purposes of hearing the complaint. The complainant will be provided with a copy of the investigatory report and should also be advised whether the complaint will be treated as confidential.
7. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
8. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence they intend to rely on in the meeting. 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

9. 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 an ordinary council meeting in public.
10. The Chairman should introduce everyone and explain the procedure.
11. The investigating officer will present their report and explain their recommendations. The complainant, members of the Council and the Clerk will have the opportunity to question the investigating officer.
12. The complainant (or representative) should outline the grounds for complaint and, why they do not accept the investigating officer's recommendations. Thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
13. The investigating officer and then the complainant should be offered the opportunity to summarise their position.
14. The investigating officer and the complainant should be asked to leave the room while members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
15. The investigating 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.

This Policy will be reviewed every four years.

Date adopted:
Date for review:

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