

Stroud Town Council – Code of Practice for Complaints

Reviewed February 2022

1. Stroud Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or who visit the town. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this document sets out how you may complain to the council and how we will resolve your complaint.
2. This Code of Practice applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Code of Practice does not apply to:
 - 3.1. Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - 3.2. Complaints about the conduct of councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council. If a complaint against a councillor is received by the council, it will initially be referred to the Monitoring Officer at Stroud District Council. If the Monitoring Office refers the complaint back to the Council it will then automatically be considered by a Complaints Committee as set out in sections 9 to 24 below.
 - 3.3. Alleged financial irregularity. Local electors have a statutory right to object to a Council's audit of accounts (s.16 Audit Commission Act) by contacting the Council's auditors.
 - 3.4. Alleged criminal activity should be reported to the police.
 - 3.5. Complaints about Council decisions. The appropriate time for influencing Council decision making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of

Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

3.6. Anonymous complaints which will be recorded but not responded to.

Procedure

4. Depending on the source, and content, each complaint is passed to an appropriate officer. Where a complaint is dispatched to multiple recipients, those recipients must swiftly decide amongst themselves who will be take responsibility for handling the complaint.
5. It is that officer's responsibility to acknowledge receipt of the complaint withing 5 working days. They will then establish further detail as required from all relevant sources, by all relevant means and report back findings as swiftly as possible to the complainant and seek the complainant's assurance that their complaint has been dealt with. If necessary, interim reports of progress and estimates of future timescales will be provided.
6. In general, the route of the complaint will be the route of response, i.e. e-mails will be responded to by e-mail, letter by letter.
7. Records of all complaints will be used to help us improve our performance and procedures in the future. Records will be kept in accordance with our Data Protection Policy.
8. The complainant has the option of escalating any complaint to the Town Clerk or the Mayor for further investigation and resolution if they are unsatisfied with the initial response.
9. If no other resolution can be found and the complainant wished to continue, the complaint will be brought to a Complaints Committee formed of three members of the Council, including the relevant Committee Chair where appropriate, for formal discussion and resolution.

Complaints Committee meeting procedures

Before the Meeting

10. The complainant will be asked to put in writing the details of their complaint to the Clerk (or the Mayor if complaint relates to the Clerk).
11. Receipt of the complaint will be acknowledged by the Clerk or Mayor and the complainant will be advised of the date when the Complaints Committee will hear the complaint.
12. The complainant will be invited to attend the meeting and to bring such representatives as they wish.
13. Seven working days prior to the meeting, the complainant and Council shall exchange any relevant documentation on which they wish to rely at the meeting.

At the meeting

14. The Complaints Committee will consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the full council meeting in public.
15. The Chair of the Complaints Committee introduces everyone and explains the procedure.
16. Complainant (or representatives) outline grounds for complaint.
17. Members ask questions of complainant.
18. If relevant, Clerk or other appropriate officer, explains the Council's position.
19. Members ask questions of Clerk/officer.
20. Clerk/officer and complainant are offered opportunity of last words (in this order).
21. Clerk or other officer and complainant will be asked to leave the room while Complaints Committee considers whether or not the grounds for complaint have been made. (If a point of clarification is required, both parties are to be invited back).
22. Clerk or other officer and complainant return to hear decision or to be advised when a decision will be made.
23. Where no resolution can be agreed the Complaints Committee will endeavour to resolve the matter through a process of mediation. Where necessary the Council

will seek the services of an external expert to forward this process to reach a conclusion satisfactory to both parties in the dispute.

After the Meeting

24. Decision is confirmed in writing within seven working days, together with details of any action to be taken.

Policy on the management of unreasonable complaint behaviour

25. Stroud Town Council is committed to dealing with all complaints fairly and impartially. However, we recognise that sometime complaints can become unreasonable because of their nature or frequency.

26. The Council will be guided by the [“Guidance note on managing unreasonable complainant behaviour”](#) issued by the Local Government Ombudsman in determining whether complaints are unreasonable and what action to take.

27. Deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants will not be tolerated. When it occurs, we will take proportionate action to protect the wellbeing of our staff and the integrity of our processes.

Date of next review: May 2023