



FLEETWOOD TOWN COUNCIL

Complaint Handling Procedure

DOCUMENT INFORMATION

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Effective From:	Date of resolution by the Council to approve and accept
Scope of Document:	Policy & Procedure relating to complaints raised against the Council
Objective:	To detail the process to be followed by the Council
Author:	Clerk to the Council (RFO)
Authorised by:	Fleetwood Town Council
Reviewer:	Clerk to the Council (RFO) - Irene Tonge
Date of Resolution:	27 July 2021
Dates of Review:	23 April 2021

1 INTRODUCTION

'A complaint is an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken, or the service provided by the council itself or a person or body acting on behalf of the council.'

Where possible complaints should be resolved by less formal measures or explanations provided to the complainant by the Clerk or Chairman, within 7 working days of receipt of the complaint. If a meeting is required, the council should follow the Complaints Procedure at 3 of this document.

All potential complaints from members of the public cannot be covered under one complaints procedure. The Council should consider engaging other procedures/bodies in respect of the following types of complaint:



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Type of conduct	Refer to
Financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, councils may need to consult their auditor / Audit Commission
Criminal activity	The Police
Member conduct	In England, a complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the standards committee of the relevant principal authority.
Employee conduct	Internal disciplinary procedure

2 COMPLAINT INFORMATION

- 2.1 Determine the type of conduct which is the subject of the complaint and follow the relevant procedure.
- 2.2 Have regard to confidentiality. The identity of a complainant should only be made known to those who need to consider a complaint. The council should take care to maintain confidentiality where circumstances demand (e.g., where matters concern financial or sensitive information or where third parties are concerned).
- 2.3 Deadlines should be set for complaint handling; however, some flexibility is required to deal with lengthier and more complex complaints.
- 2.4 FTC has established a Complaints & Grievance Panel to deal with complaints. This reduces the need for the Full Council having to assemble and makes the process less daunting for a complainant if they choose to attend a meeting in person. However, dependant upon the nature/severity of the complaint, it could also be dealt with by an established Committee, Working Group or by Full Council.



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- 2.5 It may be that the clerk represents the position of the council at the meeting. If the clerk puts forward justification for the action or procedure complained of, he or she should not advise the council or panel, as they need to determine the matter themselves.
- 2.6 At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly, and the process should be reasonable, accessible and transparent.

3 COMPLAINT PROCEDURE

Before the Meeting

- 3.1 The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk.
- 3.2 If the complainant does not wish to put the complaint to the clerk, he or she should be advised to address it to the chairman of the council.
- 3.3 The clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered and by either the Clerk, the Chairman, the Complaints & Grievance Panel, another Panel (e.g., if the complaint is concerning the Allotments, it may be considered by the Allotments Working Group) or if necessary, the Full Council. 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 or Full Council).
- 3.4 The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
- 3.5 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 on at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.



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At the Meeting

- 3.6 All complaints will be dealt with confidentially and will consider whether the outcome of a complaint should be announced publicly.
- 3.7 A member of the panel will explain the procedure.
- 3.8 The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the panel.
- 3.9 A member of the Panel will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) other members of the panel.
- 3.10 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, the complainant shall be invited back.
- 3.11 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 will be made and when and how it will be communicated to them.

After the Meeting

- 3.12 The decision should be confirmed within seven working days together with details of any action to be taken.