

HEANOR AND LOSCOE TOWN COUNCIL

COMPLAINTS PROCEDURE

Heanor and Loscoe Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. 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 Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- complaints against Town Councillors. Complaints against Town Councillors are covered by the Code of Conduct for Members adopted by the Town Council (a copy is available to download from our website or in hard copy from the Town Council office). If a complaint against a Town Councillor is received by the Town Council, it will be referred to the Monitoring Officer of Amber Valley Borough Council.

Further information on the process of dealing with complaints against Town Councillors may be obtained from the Monitoring Officer of Amber Valley Borough Council, Town Hall, Ripley, Derbyshire, DE5 3BT.

- services offered or provided by an authority other than the Town Council (for example, Amber Valley Borough Council or Derbyshire County Council). We will let you know if this is the case and provide you with the contact details of these authorities.
- complaints by one Town Council employee against another Town Council employee, or between a Town Council employee and the Town Council as employer. These matters are dealt with under the Town Council's disciplinary and grievance procedures.

Dealing with complaints informally

If you have a grievance or complaint about the Town Council, its employees or services, you should start by speaking with the Town Clerk wherever possible. You may be able to agree a solution informally between you.

Formal Grievance

If the matter is serious or you wish to raise it formally you should put the grievance in writing to the Town Clerk. You should keep to the facts and avoid language that is insulting or abusive.

If your grievance is against the Town Clerk and you feel unable to approach them, you should raise it with the Complaints Committee. This committee is chaired by the Deputy Mayor (this information is available on the Council website) and should be addressed as such.

Evidence Gathering Hearing

The Complaints Committee may call you to a meeting, usually within 14 working days, to discuss your grievance and gather the evidence pertaining to your particular complaint.

(Please Note: No decision is made at this stage and any feelings or comments expressed are those of the individuals present and do not represent in any way the views or thoughts of the Council and in no way indicate the formal outcome of your complaint).

If the Committee needs more information before making the decision they will inform you of this and the timescale.

After the meeting, the Complaints Committee will give you a decision in writing, usually within 7 working days.

If the Committee finds merit to your complaint and you are unhappy with the response you will be advised of the next stage in the appeal.

Appeal Hearing

If your grievance has been found to hold merit and if you are unhappy with the decision by the Committee you can raise an appeal.

You should notify the Town Clerk and the Committee of your intentions within 7 days from the date of the decision.

If no notification is received within the given timeframe then the complaint will be closed.

You will be given the opportunity to address the full Council.

Format of the Closed Appeal Hearing

The Town Mayor or where appropriate, the Deputy Mayor shall chair the meeting.

The Town Clerk shall address the Council to outline your complaint.

You will be given enough time to address the full Council. You should keep to the facts and avoid language that is insulting or abusive.

Please note, this is not a fact finding hearing or an opportunity to present further issues. All members will have already been made aware of your full complaint and relevant investigations.

This is your opportunity to address the full Council and not a question and answer session. No member has the right to ask questions or answer them. The only people who can and will speak are the Chair, the Town Clerk, the Complainant and where applicable the respondent.

You and the Town Clerk will then be asked to retire from the meeting whilst the members of the Council discuss.

You and the Clerk will be asked to return.

The Chairman shall read out the decision of the full Council.
Note – you will not have any opportunity to respond to the decision.

The Chairman shall close the meeting.

After the hearing, the decision reached by the full Council shall be sent out in written Correspondence, usually within 48 hours.

THE DECISION THAT HAS BEEN MADE BY THE FULL COUNCIL IS FINAL.

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