

PRESTEIGNE AND NORTON TOWN COUNCIL

Formal Complaints Procedure

This Policy sets out procedures for dealing with any complaints that anyone may have about the Presteigne and Norton Council's **administration and procedures** or the conduct of the Council's employees. The conduct of Councillors is primarily covered by Code of Conduct (as adopted by the Council). Advice on the Code of Conduct may be sought from the Monitoring Officer of Powys County Council. Formal Complaints about the conduct of Councillors should be reported to the Local Government Ombudsman. Complaints against **policy decisions** made by the Council shall be referred back to the next available meeting of the Council.

A complaint is defined as '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 that service was provided by the Council itself or by a person or body acting on behalf of the Council.'

Please note, 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. 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 Council Standing Orders is followed

The Council considers that any complaint should be made within six months of the problem occurring. Any complaint received after this time will only be considered in exceptional circumstances.

The Complaints Policy of Presteigne and Norton Town Council is as follows -

Stage 1

1. If a complaint about procedures or administration is notified orally to a councillor or the clerk and they cannot satisfy the complainant fully forthwith the complainant shall be asked to put the complaint in writing to the clerk and be assured that it will be dealt with promptly after receipt.
2. If a complainant prefers not to put the complaint to the clerk he or she shall be advised to put it to the chairman.
3. (a) On receipt of a written complaint the clerk or chairman as the case may be, shall (*except where the complaint is about his or her own actions*) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the clerk or a councillor without first notifying the person complained of and giving an opportunity for comment on the manner in which it is intended to attempt to settle the complaint.
(b) Where the clerk or chairman receives a written complaint about his or her own actions he or she shall forthwith refer the complaint to the council.
4. The clerk or chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

Stage 2

1. The clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
2. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
3. As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
4. A Council shall defer dealing with any written complaint only if it is of opinion that issues of law or practice arise on which advice is necessary from the Association. The complaint shall be dealt with at the next meeting after the advice has been received.

Stage 3

1. If still not satisfied the complainant has the right to complain to the Public Services Ombudsman for Wales – contact details as follows:

0845 601 0987 (calls to this number are charged at local rate)

1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ
ask@ombudsman-wales.org.uk
www.ombudsman-wales.org.uk

Please note that in the event of serial facetious, vexatious or malicious complaints from a member(s) of the public the Council will consider taking further advice before responding (in accordance with the recommendations of the Local Government Ombudsman).

Town Council Contact Details

Town Clerk

Mrs T. Price
Garn Farm
Chapel Lawn,
Bucknell,
Shropshire

01547 528575
pntc@hotmail.com

Chairman/Mayor Contact Details are Available on Request