

HAYWARDS HEATH TOWN COUNCIL
CODE OF PRACTICE FOR HANDLING COMPLAINTS

1. This code is concerned with complaints about the Council's procedures and administration.
2. It is not concerned with complaints against an individual employee, which will be dealt with as an employment matter; nor is it concerned with complaints about an individual councillor, which are subject to the jurisdiction of the Standards Board*.
3. **Making a complaint**
 - 3.1 The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Town Clerk.
 - 3.2 Upon receipt of a written complaint to the Town Clerk, the he/she shall try to settle the complaint directly with the complainant in writing within 10 working days except where the complaint is about his/her own actions).
 - 3.3 If the complainant does not wish to put the complaint to the Town Clerk they are advised to put it to the Mayor.
 - 3.4 Upon receipt of a written complaint to the Mayor, the he/she shall try to settle the complaint directly with the complainant in writing within 10 working days.
 - 3.5 If 3.2 and 3.4 fail the Town Clerk shall acknowledge receipt of the complaint within 10 working days and advise the complainant when the matter will be considered by the panel established for the purposes of hearing complaints within 20 days of the notice of the panel hearing the complaint.
 - 3.6 The panel will consist of three of the following: - the Mayor, the Leader of the Council and the chairmen or vice chairmen of Policy and Finance committee.
 - 3.7 The complainant shall be invited to attend the meeting of the panel and bring with them such representative who is either a friend or relative, or a trade union representative.
 - 3.8 The meeting will not be open to the public and press; however, witnesses may be called for the appropriate part of the hearing.
 - 3.9 Seven clear working days prior to the meeting the complainant shall provide the council with copies of any documentation or other evidence that they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.
4. **At the Meeting**
 - 4.1 The Mayor, or in his/her absence the chairman of the panel, to introduce everyone.
 - 4.2 The Mayor, or in his/her absence the chairman of the panel, to explain procedure.
 - 4.3 The complainant (or representative) to outline the grounds for complaint.
 - 4.4 Members to ask any question of the complainant.

- 4.5 The Town Clerk or relevant committee chairman to represent and explain the council's position.
- 4.6 Members to ask any question of the council's representative.
- 4.7 Council representative and complainant or his/her representative to be offered the opportunity of summing up. No further evidence may be introduced at this stage.
- 4.8 Town Clerk or committee chairman and complainant and his/her representative to be asked to leave the room while the panel decide whether the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
- 4.9 Town Clerk or committee chairman and complainant and his/her representative return to hear decision or to be advised when decision will be made. The decision of the panel will be by simple majority and will be final.

5. Vexations and Repeated Complaints

If it appears to the Complaints Committee of the Council that a complaint is:

- a. Trivial*
- b. Vexations*
- c. Repetitive*
- d. Frivolous*

it shall so report to the Policy and Finance and Committee with a recommendation that no further correspondence related to it be entered into by any members of officers.

6. After the Meeting

- 6.1 Decision confirmed in writing to the complainant within ten working days together with details of any action to be taken.
- 6.2 Any decision on a complaint shall be announced at a Council meeting in public.

Ends