

NANTWICH TOWN COUNCIL



COMPLAINTS POLICY

1. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. This procedure does **not** relate to complaints about **policy** decisions made by the Town Council or its Committees.
2. This procedure does not cover complaints about the conduct of a member of the Town Council. The Localism Act 2011 required all Local Authorities to adopt a Code of Conduct setting out the standards of behaviour expected from local Councillors. Cheshire East Council's Audit and Governance Committee is responsible for considering any complaints that either a Cheshire East Borough Councillor or a Town and Parish Councillor within the Cheshire East area may have breached the relevant Code of Conduct.

Any complaint that a Councillor may have breached the Council's adopted code of conduct should be made in writing to:

The Monitoring Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

3. If a complaint about procedures, administration or the actions of any of the Town Council's employees is notified orally to a Councillor, or to the Clerk to the Council, and not resolved there and then by discussion, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
4. The complainant will be asked to put the complaint in writing (including email) to:

The Town Clerk,
Nantwich Town Council
Nantwich Civic Hall,
Market Street,
Nantwich,
CW5 5DG
E-mail nantwichtc@nantwichtowncouncil.gov.uk

The complaint will be acknowledged at once and then dealt with, so far as is reasonably possible, within 14 days of receipt. (Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.)

5. If the complainant prefers not to put the complaint to the Town Clerk (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Leader of the Council.
6.
 - a) On receipt of a written complaint, the Town Clerk (except where the complaint is about his or her own actions) or the Leader of the Town Council (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him / her an opportunity to comment. Efforts should be made to resolve the complaint at this stage.
 - b) Where the Town Clerk or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Leader of the Council. The Clerk will be formally advised of the matter and given an opportunity to comment.
7. The Town Clerk (or Leader if the complaint is not being dealt with by the Town Clerk) will report any complaint resolved by direct action with the complainant to the next appropriate meeting of the Town Council.
8. The Town Clerk (or Leader) will report any complaint that has not been resolved to the next appropriate meeting of the Town Council. The Town Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Town Council orally at that meeting, or if he/she is unable to attend, some other convenient meeting.
9. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, will be dealt with in accordance with the appropriate grievance and disciplinary procedures.
10. The Town Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at a Town Council meeting in public.
11. The Town Council may consider, in the circumstances of any particular complaint, whether to make any payment (without admission of liability) or provide other reasonable benefit to any person who has suffered loss as a result of the Town Council's maladministration. Any payment may only be authorised by the Council after obtaining independent legal advice on the propriety of such a payment.
12. As soon as possible after the Town Council's decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
13. The Town Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.