



COMPLAINTS PROCEDURE

1. This Policy sets out procedures for dealing with any complaints that anyone may have about the Town Council's Administration and procedures. It applies to the Town Council's employees. Councillors are covered in the Code of Conduct adopted by the Town Council on **14/05/19**. Complaints against policy decisions made by the council shall be referred back to Council [but note paragraph **7 page 11** of the Council's Standing Orders which says that issues shall not be re-opened for six months].
2. Complaints should be sent via email to administrator@mirfieldtowncouncil.gov.uk, clerk@mirfieldtowncouncil.com or to the email address of the current Mayor (email address can be found at www.mirfieldtowncouncil.com) see item 6.
3. The complainant will be asked at the outset to confirm if he wants the complaint to be treated confidentially. The council will comply with GDPR in such an event.
4. Receipt of the complaint will be acknowledged via email within 7 days subject to Annual leave of the Clerk/Chairman and Summer recess.
5. If a complaint about procedures or administration as practiced by the Council's employees is notified orally to a Councillor or the Clerk to the Council, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Clerk to the Council and include details of the complaint including relevant events, dates, names of relevant members, staff or contractors of the council and include full contact details and be assured that it will be dealt with promptly after receipt.
6. If the complainant prefers not to put the complaint to the Clerk to the Council he or she should be advised to put it to the Chairman of the Council/Mayor.
7. The council will investigate the facts of the complaint and collate relevant evidence.

8. The council will endeavour to determine the complaint within 1 month of receipt. However, this will be subject to investigation and collation of relevant evidence. The council reserves the right to extend this period if it feels it is warranted in doing so.
9. (a) On receipt of a written complaint the Chairman/Deputy of the Council (except where the complaint is about his or her actions), the Chairman / Deputy shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complained against and giving him or her, the opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.

(b) Where the Office or the Chairman/Deputy of the Council receives a written complaint about the Clerk to the Council's own actions, the Office shall refer the complaint to the Chairman of the Council. The Clerk shall be notified and given an opportunity to comment.
10. The Clerk (or if the complaint concerns them, another member) will have an opportunity to explain the council's position and questions may be asked by the complainant.
11. The Clerk or the Chairman of the Council shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
12. The Clerk or the Chairman of the Council shall bring any written complaint that has not been settled to the next meeting of the Council. 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. (Unless such a matter maybe related to Grievance, Disciplinary or Standard Board proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings when the complaint will have to be heard under Exempt Business to exclude any member of the public or the press, or deferred on appropriate advice received).
13. 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.
14. The council will write to the complainant to confirm whether or not it has upheld the complaint. The council will give reasons for its decision together with details of any action to be taken by the council if appropriate.
15. A Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practise arise on which advice is necessary. The complaint shall be dealt with after the advice has been received.