

LLANDRINDOD WELLS



LLANDRINDOD WELLS TOWN COUNCIL

The Council adopted the 'Code of Practice for Local Councils in Handling Complaints' at its meeting on 18 February 2003. It was amended in April 2006 to take into account the right of complainants to be given contact details of the Public Services Ombudsman for Wales – these are now included.

Code of Practice for Local Councils in Handling Complaints

Preface

Amongst the complaints which members of the public make about Parish, Town or Community Councils are complaints about administration or procedures. The quantity of these complaints is noticeably increasing. It is in the particular interest of the council concerned to settle a complaint because, even if it is unjustified, it will in the absence of any settlement be raised again. This is bad for the council since it wastes its time and affects its good reputation. It is also of general concern to all councils that complaints against any of them should be settled as soon as possible. Experience suggests that in many cases a complaint will not be pursued if the complainant sees that it has been properly handled. Every duly made complaint *should be dealt with according to the code* however trivial it might appear to be at first sight. For the benefit of good local administration it is suggested that Local Councils should adopt a standard and formal procedure for considering complaints either made by complainants direct or referred back to the Council from other bodies to whom they have been made. The Code set out below is recommended as a way of ensuring that complainants can feel satisfied that at the least their grievance has been properly and fully considered.

Councils are urged to do their utmost to settle complaints and satisfy complainants in the interests of the good reputation of the Council. If a complaint is not settled by the Council it cannot refer the complaint to any other body for settlement but a complainant may well try to enlist the services of other bodies and provoke considerable expenditure of the time and resources of the Council and others in responding to further pressures.

Councils are advised to adopt the Code before any complaints have been notified.

Code of Practice

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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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