



MARLOWTOWNCOUNCIL

COMPLAINTS PROCEDURE

The Clerk (proper officer) must advise the Chairman on receipt of any complaints. If together they agree that a simple letter of explanation or apology, if appropriate, from the Clerk will answer the complaint, then this shall be the first course of action. However if the complaint is of a more serious nature and could bring into question the conduct of the Council or Clerk, then the following procedure should be followed. Complaints about an individual Councillor should be referred to the Monitoring Officer at Wycombe District Council.

Standard Procedure

- 1.** The complainant will be asked and encouraged to put the complaint of the Council's procedures or administration in writing to the Clerk (proper officer)
- 2.** If the complainant does not wish to put the complaint to the Clerk, they will be asked to put it to the Chairman.
- 3.** The Clerk (or the Chairman) will acknowledge receipt of the complaint and advise the complainant as to when and how the matter will be considered.
- 4.** The complainant will be invited to attend the relevant meeting and may bring a representative with them.
- 5.** Seven clear days before the meeting (not including Sundays) the complainant shall provide the council with copies of any documentation or other evidence which they wish to refer to at the meeting. The Council shall provide the complainant with copies of any documentation to which they will refer at the meeting.
- 6.** If the complaint is to be considered at a public meeting the Council will consider whether it would be appropriate to exclude the press and public when dealing with the complaint. Any decision on a complaint will be announced at the Council meeting with the press and public present.
- 7.** The Chairman will introduce all present and explain the procedure.
- 8.** The complainant or their representative will outline the grounds for their complaint.
- 9.** Members may ask questions of the complainant appropriate to the complaint.
- 10.** If appropriate, the Clerk will explain the Council's position.
- 11.** The Clerk and the Complainant in that order will be offered the opportunity for a final word.

12. The Clerk and Complainant will be asked to leave the room while members decide whether or not there are grounds for the complaint, and if further clarification becomes necessary, both parties may be invited back into the meeting.

13. The Clerk and Complainant will be invited back into the meeting to hear the decision or to be advised on when a decision will be made.

14. The Clerk will confirm the decision in writing within seven working days together with details of any action to be taken.

This Complaints Procedure is not appropriate in the cases of:

Financial irregularity

Criminal activity

Member conduct

Employee conduct

These will be dealt with in accordance with the Council's disciplinary procedure, the police or the Audit Commission as appropriate.

Unreasonable or Vexatious Complaints

Where a complainant persists in wishing to proceed when the complaint clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other appropriate procedure has been taken, it may be decided by the Council or the Clerk that no further action can usefully be taken and will inform the complainant to that effect, making it clear that only new and substantive issues will merit a response.

Anonymous Complaints

Anonymous complaints may be dismissed at the discretion of the Clerk depending on the type and seriousness of the allegation Confidentiality Where circumstances demand, e.g. where matters concern sensitive information or third parties are involved, the Council and Clerk will take care to maintain confidentiality.