

## **SEVENOAKS 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 Chief Executive/Town Clerk.
- 3.2 If the complainant does not wish to put the complaint to the Chief Executive/Town Clerk they are advised to put it to the Town Mayor.
- 3.3 The Chief Executive/Town Clerk shall acknowledge receipt of the complaint within 5 working days and advise the complainant when the matter will be considered by the panel established for the purposes of hearing complaints.
- 3.4 The panel will consist of three of the following:- the Town Mayor, the chairmen or vice chairmen of Finance & General Purposes, Open Spaces and Leisure, Planning and Personnel committees.
- 3.5 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.
- 3.6 The meeting will not be open to the public and press; however, witnesses may be called for the appropriate part of the hearing.
- 3.7 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 Town Mayor, or in his/her absence the chairman of the panel, to introduce everyone.
- 4.2 The Town 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 Chief Executive/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 Chief Executive/Town Clerk or committee chairman and complainant and his/her representative to be asked to leave the room while the panel decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
- 4.9 Chief Executive/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 Finance and General Purposes 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.

- \* Following the abolition of the Standards Board Sevenoaks District Council is responsible for handling complaints which relate to a member's failure to comply with the council's code of conduct.