

Council Offices  
Station House  
Station Road  
PADSTOW  
Cornwall  
PL28 8DA

Sue Lee  
Town Clerk  
email: [theclerk@padstow-tc.gov.uk](mailto:theclerk@padstow-tc.gov.uk)  
website: [www.padstow-tc.gov.uk](http://www.padstow-tc.gov.uk)  
Tel: 01841 532296  
Fax: 01841 532171



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## CODE OF PRACTICE FOR HANDLING COMPLAINTS

Adopted by Padstow Town Council on 26 June 2012

1. Padstow Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how they shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
  - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
  - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of Cornwall Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Cornwall Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

## **VERBAL COMPLAINTS**

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1. On receipt of a complaint by telephone or word of mouth the Clerk will try to satisfy the complainant immediately or as soon as is practicable.
2. If the Clerk is unable to answer the complaint immediately, then full details of the complaint together with the complainant's telephone number etc will be recorded so that a further verbal response can be made as soon as possible.
3. If a verbal response is unable to satisfy, then the Clerk/member will ask that the complaint be put in writing in order that it can be investigated more fully.
4. A log of verbal complaints will be maintained by the Town Clerk and this will be reported to the Town Council quarterly.

## **WRITTEN COMPLAINTS – Council Activities & Procedures**

1. On receiving a written complaint by letter, fax or email, the Clerk shall try to settle the complaint directly.
2. If the complaint is about the behaviour of an employee of the Council, the Clerk must also notify the person and offer the opportunity for comment on the manner in which it is intended to try and settle the complaint.
3. If necessary, the Clerk will send a holding letter to the complainant to allow further time to address the issues raised.
4. The Clerk or Mayor shall bring any written complaint which has not been settled to the next meeting of the appropriate committee and the Clerk shall notify the complainant of the date of the meeting. The Complainant will be offered the opportunity to explain the nature of the complaint to the meeting.
5. The Clerk shall consult with the Mayor/Deputy Mayor to consider whether the written complaint warrants discussion at a Council meeting in the absence of the press and public, with the decision on the complaint shall be announced at the Council meeting in public.
6. The Clerk will communicate in writing the decision that has been made by the Council and the nature of any action taken by the Council.

## **COMPLAINTS AGAINST AN EMPLOYEE OF THE COUNCIL**

1. Any complaint against an employee must be submitted in writing, the initial verbal complaint shall be logged.
2. If the complaint is against the actions of the Clerk, it should be submitted in writing to the Mayor.
3. If the complaint is made against the actions of an employee, the Clerk will present the complaint to the Staffing committee for consideration at a meeting held in the absence of the press or public.
4. If the complaint is made against the actions of the Clerk, the Mayor will present the complaint to the Staffing committee for consideration at a meeting held in the absence of the press or public.

5. The Complainant may be invited to attend part of the meeting to explain the nature of their complaint, in the absence of the public and press.
6. Persons mentioned in the complaint will have the opportunity to will explain the nature of their actions to the meeting, in the absence of the public and press.
7. The result of any council consideration of a complaint will be recorded as a minute by the Staffing committee as appropriate.

## **APPEALS**

If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.