



KINGTON TOWN COUNCIL

Complaints Policy

Introduction

Kington 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 we shall try to resolve your complaint.

This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- 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.
- 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 Herefordshire Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Herefordshire Council.
- Complaints involving financial irregularity should be dealt with in accordance with procedures under the Local Audit and Accountability Act 2014 and the Accounts and Audit Regulations 2015. Local electors have a statutory right to object to Council's audit of accounts and details of how that right can be exercised will be advertised on notice boards and the Council website each year at the appropriate time. Further information is available from the Clerk.
- Complaints involving criminal activity should be referred to the police and will be referred to the police by the Council where appropriate.

Procedure

1. 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.
2. There may also be the opportunity to raise your concerns in the public participation section of Council meetings, although you should be aware that Parish Council procedures require

that any items raised in the first instance during the public participation section be deferred to the next meeting so that the matter can be investigated before a decision is made.

3. 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.
4. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
5. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
6. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Town Mayor or the Deputy Mayor who will report your complaint to the Council.
7. The Clerk or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
8. The Council will set up a complaints panel to consider all complaints comprising three councillors (usually committee chairs although other councillors may be selected in accordance with the subject matter of the complaint). A meeting of the panel will be convened and you will be invited to attend the meeting and may bring a representative if you so wish. The meeting will be held in accordance with the Town Council's Standing Orders and Code of Conduct and you will be invited to give a statement (which you can provide in writing if you wish) outlining your complaint and may be asked further questions by Members.

At the meeting the Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by you and/or Members. You and the Clerk may then be asked to leave the room while the matter is discussed and a decision taken.

9. The Clerk or the Town Mayor will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
10. If you are unhappy with the decision of the Complaints Panel, you will have the opportunity to Appeal. Such an Appeal will only be allowed if you can show that the original decision was flawed either in the way the process was handled, failed to take all aspects of the complaint fully into account or the decision could be considered unreasonable. It is not intended that the Appeals process will simply re-hear the original complaint.
11. In the event of an Appeal:
 - The Appeal will be heard by Full Council in a properly constituted meeting
 - The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press

- The Mayor (or Deputy Mayor) will Chair the meeting in the usual way unless the complaint is about the Mayor in which case the Deputy Mayor will Chair the meeting, and vice versa
- You will be invited to explain the details of your complaint and why you feel the decision of the Complaints Panel is unreasonable
- The Complaints Panel will explain the reasons for their decision
- Members of the Council may ask questions of both the Complainant and the Complaints Panel for clarification. You, the Complaints Panel and Clerk will then leave the room while the Council makes a decision.
- The Council's decision is final and you will receive written confirmation of that decision within 10 working days together with details of any further action to be taken.

Contacts

The Clerk of Kington Town Council

Address: Kington Town Council
The Old Police Station
Market Hall Street
Kington, Herefordshire
HR5 3DP

Telephone: 07483914485

Email: clerk@kingtontowncouncil.gov.uk

The Chairman/Mayor of Kington Town Council

Name: Cllr. Philip Sell

Address: c/o Kington Town Council
The Old Police Station
Market Hall Street
Kington, Herefordshire
HR5 3DP

Email: cllr.e.banks@kingtontowncouncil.gov.uk

Deputy Mayor of Kington Town Council

Name: Cllr. Martin Woolford

Address: c/o Kington Town Council
The Old Police Station
Market Hall Street
Kington, Herefordshire
HR5 3DP

Email: cllr.p.sell@kingtontowncouncil.gov.uk

Approved by Kington Town Council
At its meeting held on 6.11.2023