



KIRKBYMOORSIDE TOWN COUNCIL

COMPLAINTS PROCEDURE

1 Types of complaints and procedures for their resolution

- i) Where a complaint is made about **a member of the Town Council** the complainant will be given the contact details of the Monitoring Officer for North Yorkshire Council from whom advice over the procedure to be followed will be given.
- ii) Where the complaint is about **an employee of the Town Council**, the matter will be dealt with under the Town Council's Grievance & Disciplinary Procedure and the complainant advised accordingly.
- iii) Where a complaint is made about **Town Council administration and procedures**, either the Town Council will itself deal with the complaint or appoint a committee to deal with it. The Committee will be composed of three members including the Town Mayor and Deputy Town Mayor ex officio. Standing Order 1w applies re the committee quorum. The Committee will have full power to deal with the complaint but will report its findings at the next meeting of the Town Council.

The Town Council, prior to deciding whether it is to deal with the complaint or refer it to a committee, will determine the role of the Town Clerk, i.e. are they to represent the position of the council or advise the council or, if appointed, the committee, it being understood that they cannot do both. Should they represent the position of the council and it is decided that advice might be needed, then the Town Mayor, on behalf of the Town Council, will contact an appropriate legal representative.

2 Procedure for dealing with complaints about Town Council administration and procedures

i) Before the meeting

- a) The complainant should be asked to put the complaint about the Town Council's procedures or administration in writing to the Town Clerk.
- b) If the complainant does not wish to put the complaint to the Town Clerk, they will be advised to put it to the Town Mayor.
- c) The Town Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered, in the first instance by the Town Council who may appoint a committee to deal with it, [and referral of the matter to YLCA and any appropriate bodies for guidance.](#)
- d) The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
- e) Seven clear working days prior to the meeting, the complainant shall provide the Town Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Town Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

ii) At the Meeting

- a) The Town Council or the committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
- b) Any decision on a complaint shall be announced at the meeting in public. If a committee deals with the complaint, the committee will report its decision publicly at the next meeting of the Town Council.
- c) Chairman to introduce everyone.
- d) Chairman to explain procedure.
- e) Complainant (or representative) to outline grounds for complaint.
- f) Members to ask any question of the complainant.
- g) If relevant, the Town Clerk to explain the Town Council's position. [A suitable representative of YLCA or appropriate body may be present if appropriate.](#)
- h) Members to ask any question of the Town Clerk.
- i) The Town Clerk and complainant to be offered opportunity of last word (in this order).
- j) The Town Clerk and complainant to be asked to leave the room while Members 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).
- k) The Town Clerk and complainant return to hear decision, or to be advised when decision will be made.

iii) After the Meeting

- a) The decision confirmed in writing within seven working days together with details of any action to be taken or, if a committee deals with the complaint, the day following the next meeting of the Town Council.

3. Procedure for dealing with complaints about a council contractor or, if relevant, the people in their employment or the implementation of a contract.

- i) The Town Clerk to establish the seriousness of the complaint to determine whether to deal with it themselves without reference to the contractor or the contractor needs be involved, or whether the council should deal with it (e.g. failure to cut a section of grass would not be deemed serious but poor work over a number of weeks would).
- ii) Where the issue is deemed to warrant discussion with the contractor the town clerk will ensure that the contractor has the opportunity to respond fully to the complaint and, if it is deemed appropriate, to meet the complainant with the town clerk in attendance. Otherwise the town clerk will contact the complainant and bring the matter to a conclusion.
- iii) Where the issue requires the council's involvement, the town clerk will draft a report for the council's consideration and the council itself will determine how to proceed.

Contact Information:

Town Clerk, Kirkbymoorside Town Council, Church House, 7 High Market Place, Kirkbymoorside YO62 6AT Tel: 01751 432 217 Email: town.clerk@kirkbymoorsidetowncouncil.gov.uk

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