



## **NALC Circular 2/86 - Code of Practice for handling complaints**

### **Preface**

From time to time members of the public have complaints about the administration or procedures of a Parish, Town or Community Council. As Councils are not subject to the jurisdiction of the Local Ombudsman there is no independent body to which the complainant can turn for an independent formal assessment of the position. For the benefit of good local administration it is suggested that these Councils should adopt a standard and formal procedure for considering complaints either made by complainants direct or referred back to the Council from other bodies to whom they have been made. The code set out below is recommended as a way of ensuring that complainants can feel satisfied that at the very least their grievance has been properly and fully considered.

Councils are urged to do their utmost to settle complaints and satisfy complainants in the interests of the good reputation of the Council. If the Council cannot settle a complaint it cannot refer the complaint to any other body for settlement but a complainant may well try to enlist the services of other bodies and provoke considerable expenditure of time and resources in responding to his further pressures.

Councils are advised to adopt the Code before any complaints have been notified.

### **Code of Practice**

1 If a complaint about procedures or administration is notified orally to a councillor or the clerk and it is not possible to satisfy the complainant fully forthwith the complainant shall be asked to put his complaint in writing to the clerk and be assured that it will be dealt with promptly after receipt.

2 If a complainant indicated that he would prefer not to put the complaint to the clerk he shall be advised to put it to the chairman.

3 On receipt of a written complaint the clerk or chairman, as the case may be, shall (except where the complaint is about his own actions) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the clerk or a councillor without first notifying the person complained of and giving him an opportunity to comment on the manner in which it is intended to attempt to settle the complaint.

Where the clerk or chairman received a written complaint about his own actions he shall forthwith refer the complaint to the council.

4 The clerk or chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

5 The clerk or chairman shall bring any written complaint that cannot be settled to the next meeting of the Council and the clerk shall notify the complainant of the date on which the complaint will be considered.

6 The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.

7 As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.