

# BINGLEY TOWN COUNCIL

Bingley Town Council, Myrtle Place, Bingley, BD16 2LF



## Complaints Procedure

**Date of review: 28<sup>th</sup> May 2024**

**Next review date: May 2025**

### Background

Bingley Town Council aims to provide a courteous, prompt and efficient service to members of the public and organisations it comes into contact with.

Not every query should be dealt with as a complaint. The following informal stages may be undertaken.

### Everyday problems, queries and comments

The Council receives problems, queries and comments as part of its day to day running and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction. If someone is dissatisfied with the original service or response they have received and wishes to take the matter further then the issue should be recognised as a complaint.

### Informal complaint

During the course of daily business, minor complaints are made to councillors about the services the Council provides. The Town Clerk will usually deal with these. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

### Formal Complaints

This Complaints Procedure will be used for formal complaints about the Council's administration or its procedures. Any complaint is to be dealt with as a complaint against the corporate body of the Council, not as a complaint against individual employees or member(s) of the Council. A complaint against a Council that involves a complaint about the conduct of its employees must be handled in accordance with its Complaints Procedure. The formal complaint will be dealt with by the Staffing Committee. If following the outcome of the Committee meeting reviewing the complaint the Council decides that there may be the need to take disciplinary action, this should be in accordance with its internal Disciplinary Procedure. Members are free to raise matters of concern in respect of Council business by the submission of motions on relevant agendas. If a councillor has concerns about the conduct of a member of staff, they should notify the Chair of the Staffing Committee in writing.

Occasionally it might be necessary to notify the Council's insurers of a complaint immediately. This may be appropriate if a complainant seeks redress for personal injury, property or other financial loss. It is important that the Council takes instruction from its insurer as to how to respond to the complaint. The failure by a Council to notify its insurers as soon as a legal claim is threatened or made, may invalidate its insurance policy.

This procedure does not cover complaints about the conduct of town councillors. Any such complaint should be referred directly to:

City Solicitor/Monitoring Officer  
Room 311  
City Hall  
City of Bradford Metropolitan District Council  
BD1 1HY

### **When is the Complaints Procedure not appropriate?**

Other bodies have responsibility for certain types of complaint:

Type of Conduct	Refer to
Alleged financial irregularity	Local electors have a statutory right to object to a council's audit of accounts (s.16 Audit Commission Act 1998)
Alleged criminal activity	The police
Members' conduct	City of Bradford Metropolitan District Council, addressed to the Monitoring Officer

If an employee has a complaint about the workplace this may be raised in accordance with the Council's internal Grievance Procedure.

### **Data protection and confidentiality**

A council is expected to treat a complaint in confidence. To ensure the council complies with its obligations under GDPR and the Data Protection Act 1998, a council cannot disclose the identity, contact details or other personal data about an individual complainant unless they consent to disclosure.

### **Dealing with the complaint**

1. All formal complaints to the Council must be submitted on the Town Council Complaint Form (Appendix 1). They should be addressed as follows:

The Town Clerk, Bingley Town Council, Myrtle Place, Bingley, BD16 2LF  
[townclerk@bingleytowncouncil.gov.uk](mailto:townclerk@bingleytowncouncil.gov.uk)

2. If the complaint concerns the Town Clerk, it should be sent to the Chair of the Town Council. Details of the current Chair of the Council are found on the Bingley Town Council website: [www.bingleytowncouncil.gov.uk](http://www.bingleytowncouncil.gov.uk).

3. The receipt of the complaint will be acknowledged in writing within seven working days, together with confirmation of whether the complaint is to be treated as confidential (which is most likely the case) and confirmation of the next steps of the Complaints Procedure.
4. The complainant will be advised in writing that the Staffing Committee will be investigating the complaint. The Committee will be convened within fifteen working days of receipt of the written complaint. The complainant will be requested to provide any written evidence/ new information relevant to the complaint. That will be circulated to the Committee as part of the meeting papers. The Town Clerk or Chair (if the complaint involves the Town Clerk) will provide the complainant with new information or evidence relevant to the complaint. Such exchange of information needs to be in writing, take place at least five working days before the meeting and will be included as part of the meeting papers.
5. The complainant will be given the opportunity to make verbal representation to the Committee and bring a friend to the Committee meeting if they wish. This will be confirmed in writing.

#### **Meeting to hear the complaint**

1. The Chair will explain how the meeting will proceed.
2. The complainant should outline the grounds for the complaint and once this has been completed questions may be asked by the Town Clerk or members of the Committee.
3. The Chair will summarise respective positions and offer the Town Clerk and complainant the opportunity to also summarise their respective positions.
4. The Town Clerk and the complainant should be asked to leave the room whilst the Committee decides whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties will be invited back.
5. The Town Clerk and complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it will be communicated to them.
6. The decision will be confirmed within seven working days after it has been reached, together with any details of any action to be taken.
7. The complainant has the right of appeal of a decision and this will be heard by an Appeals Committee. If the complainant wishes to appeal the decision of the Staffing Committee, they must make this known in writing to the Town Clerk or Chair of the Staffing Committee within five working days of the decision.

## Appendix 1 - Complaints Form

# BINGLEY TOWN COUNCIL



The Hub, Myrtle Place, Bingley, BD16 2LF

### Complaints Form

Name	
Address	
Details of Complaint Please give as much detail as possible, including dates. (Continue on separate sheet if necessary)	
Date	
Signed	
Please print name	

Please return to the Town Clerk at the address at the top of the letter or by e-mail:  
[townclerk@bingleytowncouncil.gov.uk](mailto:townclerk@bingleytowncouncil.gov.uk)