



Lowestoft Town Council Complaints Procedure

1.0 Complaints Against Procedures or Administration, Town Councillors or Staff

1.1 The following procedure should be followed by anyone wishing to make a complaint against the Council's procedures or administration:

If you have a complaint against a Town Councillor you should write to:

The Monitoring Officer
East Suffolk Council
Council Offices
4 Canning Rd
Riverside
Lowestoft
NR33 0EQ

If you have a complaint against an employee of the Town Council, you should write to the Clerk or, if the complaint is about the Clerk, to the Mayor, whose details can be found on the Town Council's website:

www.lowestofttowncouncil.gov.uk.

2.0 Contact for Complaints

Lowestoft Town Council
First Floor
Hamilton House
Battery Green Road
Lowestoft
Suffolk
NR32 1DE

admin@lowestofttowncouncil.gov.uk.

3.0 Complaints Procedure

3.1 Complaints about the Town Council's administration or procedure will be dealt with as follows:

- a. The Council will not deal with anonymous complaints.
- b. Complaints made to the Clerk are complaints made to the Council. The Clerk will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities will be reserved.
- c. The complainant shall be asked to put the complaint about the Council's procedures or administration in writing.
- d. Reasonable support will be provided to any person with a disability which affects their ability to put a complaint in writing.



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- e. If the complainant does not wish to put the complaint to the Clerk, they will be advised to put it to the Mayor.
- f. The Clerk or Mayor will acknowledge the receipt of the complaint and advise the complainant that the matter will be passed for consideration to the Mayor, Deputy Mayor and the Chair of the Personnel Committee to consider with the Clerk.
- g. If they consider the matter does not warrant referral, they shall explain in writing why the matter will not be referred, which might include how the matter has been resolved or why the matter is not appropriate or does not warrant referral, including where the matter is repetitious or vexatious. An appeal request must be made within ten working days and will be referred to the Council/Committee unless they have previously considered this, related matters or the complainant (or an associated person) repetitious or vexatious.
- h. In the event of a referral, the complaint will be considered by a panel comprising three appointed Councillors nominated by the Personnel Committee from amongst its members. The three Councillors on the panel will evaluate the complaint and if they feel no further action is required by the Council they will provide a response as to why. Should they decide that further action is required, they will decide how this is taken forward and by whom.
- i. At any stage in this process, documentation and further information may be required of the complainant, and the complainant may be requested to attend a meeting.
- j. Consideration will be given as to whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be announced at the meeting in public, excluding any confidential information.

In the event of a formal process, the following guidance applies:

- k. The Chair of the meeting will introduce everyone.
- l. The Chair of the meeting will explain the procedure.
- m. The Complainant (or any representative permitted, at the discretion of the panel, to attend) will outline the grounds for complaint.
- n. The panel will then ask any question of the complainant.
- o. If relevant or necessary the Clerk will explain the Council's position.
- p. The panel will ask any question of the Clerk.
- q. The Clerk and the complainant will be offered a final opportunity to sum up the respective positions.
- r. The Clerk and the complainant will be asked to leave the room while the panel decides whether the grounds for the complaint have been made and to decide the outcome of the complaint. If a point of clarification is necessary then both parties will be invited back.



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- s. The Clerk and the complainant will return to hear the panel’s decision or will be advised as to when the decision will be made.
- t. The decision will be confirmed in writing within ten working days together with details of any action to be taken.

4.0 Appeals Against Decisions

- 4.1 If the complainant feels that it wishes to appeal against the process in which the decision was reached, they should appeal in writing, stating the full grounds of appeal, to the Clerk within ten working days of the decision being made.
- 4.2 The Clerk will have delegated responsibility for making arrangements for an appeal, where it is appropriate to do so and will give written notice of the date, time and place of the appeal hearing. The appeal should be able to set aside the original decision if it is found that the decision is incompatible with the facts or that the correct procedures were not followed.
- 4.3 The appeal hearing will be conducted by Councillors who were not previously involved in the procedure. Those Councillors not on the Personnel Committee may be called upon should the complaint go to appeal.
- 4.4 Following the appeal hearing the Clerk will confirm, in writing and within ten working days, the outcome of the appeal.

Revisions	
Date	Amendment
20220704	3.1h amended ‘panel comprising any three from six appointed Councillors formed by the Personnel Committee, from amongst its members’ to ‘three appointed Councillors nominated by the Personnel Committee from amongst its members’ 4.2 amended ‘The appeal hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.’ to ‘The appeal should be able to set aside the original decision if it is found that the decision is incompatible with the facts or that the correct procedures were not followed’ 4.3 Deleted ‘Where possible’ from first sentence