

# Lowestoft Town Council

## 1.2 Complaints Procedure

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

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

The Monitoring Officer  
Waveney District 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 the Chair of the Council, whose details can be found on the Town Council's website:

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**If you have any other complaint you should write to the Clerk to the Council:**

***The Town Clerk  
Lowestoft Town Council  
c/o Waveney District Council  
Council Offices  
4 Canning Rd  
Riverside  
Lowestoft  
NR33 0EQ***

**To allow your complaint about the Town Council's procedures or administration to be dealt with, the Town Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council.**

The Council will not deal with anonymous complaints.

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.

1. The Council shall be asked to put the complaint about the Council's procedures or administration in writing to the Council's Proper Officer, the Clerk.
2. The Clerk will seek to provide reasonable support to a person to ensure a complaint can be put in writing if the complainant is unable to do so owing to a disability.
3. If the complainant does not wish to put the complaint to the Clerk, they will be advised to put it to the Chair of the Council.
4. The Clerk or Chair will acknowledge the receipt of the complaint and advise the complainant if they consider the matter warrants consideration by the Town Council or relevant Committee.
5. 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 5 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.
6. The complainant will be invited to attend any relevant meeting, where it is considered appropriate and productive for determining the finding of the meeting.
7. No more than 7 clear working days prior to the meeting, the complainant will provide the Council/Committee with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council/Committee will similarly provide the complainant with copies of documentation upon which they wish to rely at the meeting.
8. The Council/Committee will consider 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.
9. The Chair will introduce everyone.
10. The Chair will explain the procedure.
11. The Complainant (or any representative permitted to attend) will outline the grounds for complaint.
12. The Council/Committee members will then ask any question of the complainant.
13. If relevant or necessary the Clerk will explain the Council's position.
14. The Council members will ask any question of the Clerk.
15. The Clerk and the complainant will be offered a final opportunity to sum up the respective positions.

16. The Clerk and the complainant will be asked to leave the room while the Council members decide 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.
17. The Clerk and the complainant will return to hear the Council's decision or will be advised as to when the decision will be made.
18. The decision will be confirmed in writing within 5 working days together with details of any action to be taken.

### **Appeals against Decisions**

19. 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 to the Council within 7 days of the decision being made.
20. 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 hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.
21. Where possible the appeal hearing will be conducted by Councillors who were not previously involved in the case.
22. Following the appeal hearing the Clerk will confirm, in writing and within 5 working days, the outcome of the appeal.