



## **WILMSLOW TOWN COUNCIL – FORMAL COMPLAINTS PROCEDURE**

### **EMPLOYEE**

In the event that a complaint, in the form of a formal accusation, is made about an employee of Wilmslow Town Council, which suggests that the employee acted improperly, the matter should be dealt with as follows :-

1. The complainant should be asked to place their complaint in writing.
2. The complaint should be acknowledged by the Clerk in writing (the Council Chairman if the complaint is about the Clerk) stating that the matter will be investigated and dealt with internally.
3. The Clerk should determine the details of the complaint before presentation to the employment committee within 21 days of receiving the complaint. The committee should determine the recommended course of subsequent action if any, should sign off any external communication and instigate any internal disciplinary procedure.
4. Any proposed actions are to be recommended to the Town Council.

### **COUNCILLOR**

In the event that a complaint, in the form of a formal accusation, is made about a councillor, which suggests that the councillor acted improperly and contrary to the code of conduct, the matter should be dealt with as follows :-

1. The complainant should be asked by the Clerk that they should contact the Monitoring Officer at Cheshire East Council.
2. The Clerk should disclose all available contact details

## **COUNCIL**

In the event of a formal complaint being made by an individual or a complaint being referred to Wilmslow Town Council from another body and which relates to the actions and/or procedures of Wilmslow Town Council, the matter should be dealt with as follows :-

Wilmslow Town Council shall empower an Emergency Committee (comprising of the Chairman of the Council, the Vice- Chairman of the Council, and the Chairmen of all Council Committees) to hear all complaints relating to 'the council', determine the outcome and report back its decision to the following Council meeting. Any likely complaint directed at the Council is likely to relate to the legitimacy of their actions.

### **Before the Emergency Committee meet to discuss a complaint**

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk.
2. If the complainant does not wish to put the complaint to the clerk, they may be advised to put it to the Council Chairman.
3. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Emergency Committee, which meets for the purpose of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. 7 clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

### **At the Meeting**

6. The Emergency Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.
7. Chairman to introduce everyone.
8. Chairman to explain procedure.
9. Complainant (or representative) to outline grounds for complaint.
10. Members to ask any question of the complainant.

11. If relevant, Clerk to explain the council's position.
12. Members to ask any question of the clerk.
13. Clerk and complainant to be offered opportunity of last word (in this order).
14. Clerk and complainant to be asked to leave 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).
15. Clerk and complainant return to hear decision, or to be advised when decision will be made.

**After the Meeting**

16. Decision confirmed in writing within seven working days together with details of any action to be taken.

**Approved 21 May 2018**