



# WINDERMERE & BOWNESS TOWN COUNCIL

*Representing the interests of the communities of Windermere, Bowness and Troutbeck Bridge*

## **COMPLAINTS PROCEDURE**

**Adopted by Full Council 25.7.18: Revised 11.9.24 date July 2020: Revision due 11.9.26**

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### **1. Introduction**

Windermere & Bowness Town Council is committed to providing a quality service to our residents. Our preference is to deal with any complaints amicably and orally, directly with you. The Council receives queries, problems and comments as part of its day-to-day business and these should not all be regarded as complaints. If you have a complaint please contact our Clerk or, if the matter concerns our Clerk, our Town Mayor. The Clerk (or Mayor) will try to resolve the matter directly with you in a timely manner (wherever possible within 20 working days). However, should it not be possible to resolve your complaint informally then we will follow the complaints procedures shown below.

### **2. Informal Complaints**

It is not appropriate to deal with all complaints from members of the public under the formal complaint's procedure. It is hoped that less formal measures or explanations provided to the complainant by the Clerk, will resolve most issues raised by a member of the public. Informal complaints will be reported to the Council for information where appropriate.

### **3. Formal Complaints**

In certain circumstances procedures/bodies other than Windermere & Bowness Town Council may be appropriate in respect of the following types of complaint:

<b>Type of Conduct</b>	<b>Refer to</b>
Financial Irregularity	Statutory right to object to Council's audit of accounts pursuant to Local Audit and Accountability Act 2014. On other matters the Council may need to consult its auditor.
Criminal Activity	Police
Member Conduct	If the complaint relates to a failure to comply with the Localism Act 2011 it must be submitted to the Monitoring Officer of Westmorland & Furness Council.
Employee Conduct	Internal Disciplinary Procedure
Clerk Conduct	Write to the Chair of Windermere & Bowness Town Council
Failure to disclose information under The Freedom of Information Act 2000	Information Commissioner: 03031231113 <a href="https://ico.org.uk/">https://ico.org.uk/</a>

Pursuant to the Local Government Act 1972 the Local Government Ombudsman has no jurisdiction over Parish and Town Councils in England.

4. If a member of the public is not satisfied with the outcome of a complaint dealt with under the Informal Complaints Procedure, then the complainant should put the complaint about the Council's procedures or administration in writing to the Clerk. Address: Windermere & Bowness Town Council, Langstone House, Broad Street, Windermere, LA23 2AB

5. If the complainant does not wish to put the complaint to the Clerk, he or she should address it to the Mayor, Windermere & Bowness Town Council, Langstone House, Broad Street, Windermere, LA23 2AB, marked "Personal".
6. The Clerk shall acknowledge receipt of the complaint and provide feedback once the matter has been dealt with.
7. The complainant will be invited to attend a meeting and to bring with them a representative if they wish.

#### **8. Prior to the Meeting**

Seven clear working days prior to the meeting, the complainant must provide the Council with copies of any documentation or other evidence relied on. The Council will provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

#### **9. At the Meeting**

The Council will 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 next Council meeting in public.

10. The Chairman of the Council will introduce everyone and explain the procedure.
11. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii) members of the Council.
12. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members of the Council.
13. The Clerk and then the complainant should be offered the opportunity to summarise their position.
14. The Clerk and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties will be invited back.
15. The Clerk and the 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 is likely to be communicated to them.

#### **16. After the Meeting**

The decision should be confirmed in writing within seven working days together with details of any action to be taken.