

## COMPLAINTS ABOUT THE COUNCIL

Approved by the Council on the 30<sup>th</sup> day of June 2005

From time to time, the Council may receive complaints from those who feel that the Council or its staff have not discharged their responsibilities properly. This protocol sets out the way in which the Council will deal with such complaints.

### 1. Receiving and acknowledging complaints

- 1.1 Complaints about the Council or one of its committees, one of its staff or any other person acting on its behalf must be notified to the Registrar on the form approved for that purpose by the Audit Committee from time to time. Where the complaint relates to the Registrar, the Deputy Registrar shall undertake his or her responsibilities under this Protocol.
- 1.2 The complaint form need not be signed but it must identify the complainant.
- 1.3 Each complaint shall then be acknowledged within 2 working days.

### 2. Requiring additional information about the complaint

- 2.1 Where the complaint is made to the Council by a person not directly involved in the matters giving rise to the complaint, the Registrar shall take all reasonable steps to secure written confirmation of the complaint from a person directly involved in the matters giving rise to it.
- 2.2 Written confirmation need not be sought where –
  - (a) the person directly involved in the matters giving rise to the complaint is under 18 years of age and the complainant is the person responsible for that child;
  - (b) the person directly involved in the matters giving rise to the complaint is deceased, and the complainant is a relative or representative of the deceased.

### 3. Obtaining further information and documents

- 3.1 In order to obtain information and documents held by a third party relating to any person, the Council will require a permission form to be signed and dated by that person.
- 3.2 A permission form will be acceptable where –
  - (a) the person to whom the documents relate is under 18 years of age and the person signing the notice is the person responsible for that child;
  - (b) the person to whom the documents relate is deceased and the person signing the notice is a relative or representative of the deceased.
- 3.3 Save in circumstances where a complainant refuses to allow access, the Council shall seek copies of all documents held by third parties.

#### **4. Responding to the complaint**

- 4.1 Once the Registrar is satisfied that all relevant information and documents have been obtained, he shall, within 14 days, assess the complaint and respond to the complainant indicating:
- (a) whether or not any remedial action will be taken in respect of the subject matter of the complaint; and
  - (b) whether he or she will be making a recommendation to the Finance and Procedure Committee for amendment of one or more of the Council's procedures.
- 4.2 Where the complaint relates to a Council member, the Registrar will also consider whether to make a recommendation to the Council that the Council member should be suspended or permanently removed from the Council.

#### **5. Consideration of complaints by the Audit Committee**

- 5.1 Where the complainant is dissatisfied with the response of the Registrar, the complainant may request the Audit Committee to consider the complaint.
- 5.2 The complaint should be considered at the first available opportunity and copies of relevant papers should be circulated to the Committee members within 7 days of the receipt of the request.
- 5.3 The Audit Committee shall, in considering each complaint, decide whether or not the complaint should be upheld and, if so:
- (a) whether or not any remedial action should be taken in respect of the subject matter of the complaint;
  - (b) whether to make a recommendation to the Finance and Procedure Committee for amendment of one or more of the Council's procedures; and
  - (c) where the complaint relates to a Council member, whether to make a recommendation to the Council that the Council member should be suspended or permanently removed from the Council.

#### **6. Communicating decisions of the Audit Committee**

- 6.1 The decision of the Audit Committee shall be notified to the complainant in writing within 7 days of the decision which, in normal circumstances, should be within 28 days of receipt of the complaint.
- 6.2 The notification shall include the decision of the Committee and the reasons for it.

#### **7. Information storage**

- 7.1 All incoming correspondence and documents shall be scanned onto the Council's computer system in a separate electronic file.
- 7.2 Each complaint file shall be retained in paper form for 12 months following which it shall be confidentially destroyed.
- 7.3 Each complaint file shall be retained in electronic form for such period as the Registrar shall think fit.