



Complaints Policy and Procedure

Approved by Council Minute 7 – 10th May 2022

THE IMPORTANCE OF COMPLAINTS

Complaints are valuable because they provide an opportunity to correct errors and to ensure that the same mistake is not repeated. The Council seeks to deal with complaints in a positive manner to inform future business of the council

DEFINITION OF A COMPLAINT

A complaint is *'any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council or its staff which affects an individual customer or group of customers'*.

What the complaints procedure will deal with:-

The complaints procedure will deal with matters of maladministration.

Some examples include:

- neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to provide advice or information when reasonably requested • providing misleading or inaccurate advice • unprofessional practice or conduct.

What the complaints procedure will not deal with:-

- complaints for which there is a legal remedy or where legal proceedings already exist.
- internal complaints about employment matters - the Council operates alternative procedures to deal with grievances or disciplinary matters against staff.
- complaints about Councillors (should be directed to the Borough Monitoring Officer)
- complaints relating to the services of another Council (these complaints will be referred on to the relevant body)

EQUAL OPPORTUNITIES

The Council is committed to equal opportunities. Complaints and feedback will be used to highlight discriminatory practices, and to promote equality of opportunity. Complaints by members of the public of discrimination and/or harassment against the Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory process.

COMPLAINTS OFFICER

The Complaints Officer is the Clerk. The Clerk's main duties are:

- the day-to-day operation and management of the procedure, including providing a reference point for queries on informal complaints.
- to oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
- to maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
- to identify improvement points arising from any complaints.

Where a complaint relates to the Clerk, the complaint will be dealt with by the Chairman in line with the stages of procedure as detailed below.

STAGES OF THE PROCEDURE

The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

Everyday problems, queries and comments

The Council receives queries, problems and comments as part of its day-to-day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction. If someone is dissatisfied with the original service or response they received and wishes to take the matter further then the issue should be recognised as a complaint.

Informal Complaint

During the course of daily business, minor complaints may be made to officers about the services we provide. These will usually be dealt with by the relevant officer as appropriate. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

Formal Complaint (First Stage)

A customer may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This complaint should be made in writing and will be recorded as a complaint and passed to the Clerk to investigate, or if about the Clerk, the Chairman. The complainant will be notified of the outcome of their complaint in writing within 20 working days of the formal complaint being made. Where this time scale cannot be met, due to the nature of the complaint or resources, the complainant will be informed. If the complainant remains unsatisfied with the response following an investigation, they should be informed of their right to take the matter further.

Review of Investigation and Complaint (Second Stage)

If the complainant is not satisfied with the Clerk's response, (or Chairman's if relating to the Clerk), they should be advised of their right to have the complaint referred to the Full Council which will review the complaint at its next scheduled meeting in a private session. If no meeting is scheduled within 4 weeks of the request being made, then a special meeting will be called at the earliest convenience. The complainant may attend to make a presentation of the facts but will be asked to leave the meeting whilst the Council deliberates. The outcome will be delivered in writing to the claimant and will be final. If the issue still remains unresolved, the complainant should be notified of his or her right to contact the Local Government Ombudsman

Unreasonable and Vexatious Complaints

There will be circumstances when a complainant persists in wishing to pursue a complaint when it has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, has been taken.

These matters should be referred to the Clerk with a summary of the issues and of the attempts made to resolve the complaint. She may, in such circumstances, decide that no further action can be taken in response to the complainant, and inform the complainant of this, advising that only new and substantive issues will merit a response.

Anonymous Complaints

The Council will not respond to this type of complaint

Resolutions and Remedies

The aim in dealing with all complaints is to provide a remedy or reasonable explanation or, if appropriate, an apology.