



SPILSBY TOWN COUNCIL

COMPLAINTS POLICY

APRIL 2016

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1. The Importance of Complaints

Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.

It is essential that complaints be dealt with positively. The Town Council is anxious to hear residents' comments and is committed to making full use of complaints, information to contribute to continuous amenities improvement.

A complaint from a member of the public, employee or member should be addressed to the Clerk to the Council and will be dealt with promptly to maintain public confidence. Should the complaint be in regard to the Clerk to the Council it should be addressed to the Mayor/Chairman. A fair and courteous response will be given in all cases, and a full and proper investigation may be undertaken to establish all the pertinent facts.

2. 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 Town Council, Councillors, or its staff which affects an individual person or group.

What the complaints procedure will deal with:

The complaints procedure will deal with matters of maladministration, which is, if the Town Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- Neglect or unjustified delay
- Malice, bias, or unfair discrimination
- Failure to tell people their rights
- Failure to provide advice or information when reasonably requested
- Providing misleading or inaccurate advice
- Inefficiency, ineffectiveness, bad and 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
- Complaints about employment matters-these are dealt with separately

3. Informal Complaint

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. The Town Clerk or Mayor as the case may be, will (except where the complaint is about his/her own actions) try to settle the complaint directly with the complainant. Telephone, face to face or letter is preferable to email.

4. Formal Complaint

If the complainant is not satisfied, or the complaint is more serious, the complainant will be asked to confirm the complaint in writing to the Town Clerk, or if the complaint is about the Town Clerk, it can be directed to the Mayor/Chairman.

If the complaint is about a decision or the general operations of the Council, or the Council as a body, the Town Clerk, Town Mayor and Chairman of the relevant committee will investigate the complaint and may refer it to the necessary Committee to discuss. If the complaint could be settled without referral to the committee a memo will be issued to the committee members briefing on the complaint and outcome.

5. Complaints Procedure

The complainant will be issued with a complaints form which should be returned to the Town Clerk.

Copies of all correspondence and a copy of the investigating person's notes should be filed with the complaint form.

The investigation should be completed within 21 days from receipt of the form or a progress report issued.

The Town Clerk or Mayor/Chairman will acknowledge receipt of the complaint and advise the complainant when the complaint will be considered and by whom. If the complaint involves an elected member then the elected member will be informed that a complaint has been received and when the complaint will be considered.

If the complainant is not satisfied with the response they receive, then they can apply to the Town Clerk for a review within 28 days of the reply. The Council has 14 days to reply.

If the issue remains unresolved, the complainant should be notified of his or her right to have the matter referred to a panel to consist of three councillors with no prejudicial interest. This must be done within four weeks of the Town Clerk's reply.

The outcome of all formal complaints dealt with by the Complaints Panel will be reported to the Town Council.

6. Unreasonable and Vexatious Complaints

This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again.

If their persistence adversely affects our ability to do our work and provide a service to others, we may need to address unacceptable contact and behaviour by altering the way we investigate their complaints. If this course of action is taken, correspondence will still be read in case it contains new information, but may not be acknowledged and responded to as per the above process. The complainant will be informed of this and given a timescale for how long this will remain the case.

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SPILSBY TOWN COUNCIL COMPLAINTS FORM

Complainant's Name				
Address				
Post Code		Telephone No		
Email address				
Nature of Complaint				
Received via:	Telephone	email	in person	in writing
Date Received				
Received by				

	Due Date	Actual Date
Complaint acknowledged in writing (5 WDs)
Letter of explanation to complainant (20 WDs)