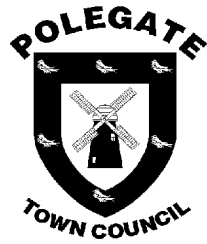


Polegate Town Council



Complaints Procedure

Policy Number 17		
Issue No.	Date completed	Details of amendments
1	25 th November 2013	Adopted at Full Council Meeting
2	23 rd May 2016	Header added, adopted Annual Stat Meeting 2016
3	22.05.17	Adopted at Annual Stat Meeting
4	25.2.19	Adopted at Full Council Meeting

Polegate Town Council aims to provide the best possible service to the residents of Polegate.

However, we recognise that from time to time, users of our services may feel that the quality or level of service is less than they could reasonably expect.

It remains the position that the Local Government and Social Care Ombudsman has no jurisdiction over Town, Parish and Community Councils. Therefore, this Complaints procedure has been adopted by the Council in order to allow members of the public the opportunity to submit a complaint regarding the administration of the Council or its procedures, and have the complaint dealt with in a fair and timely manner.

In the context of this document the definition of complain is as follows (as per NALC Legal Topic Note 9):

A complaint is an expression of dissatisfaction about the council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.

When a complaint is made against a local council, member(s) of the council or staff are likely to be mentioned or complained about. However, a complaint against the council should be treated as a complaint about the body corporate of the council, not as a complaint against individual employees or member(s) of the council.

A complaint against a local council may arise for the reasons given above. It may also be triggered by an allegation of administrative fault such as not following procedures or standing orders, inadequate service, no service, delay or making a mistake.

This procedure is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by a Council officer or member of the Council. This procedure applies to all services provided by the Town Council.

Please note however that complaints about an individual employee of the Council would be dealt with as an employment matter. The complainant can however be assured that the complaint will be investigated and dealt with internally with appropriate actions taken as deemed necessary.

Complaints regarding a Councillor are subject to the jurisdiction of the Code of Conduct. Complaints of this nature will be forwarded to the District Monitoring Officer at Wealden District Council to review.

We greatly value your continued support and good will and, therefore, if you have a complaint, we would like to hear about it.

FORMAL COMPLAINTS

1. All formal complaints must be made in writing (by post or through email) and addressed to the Town Clerk and must clearly state that it is a formal complaint.
2. On receiving the complaint, the Town Clerk shall acknowledge the complaint within 5 working days and try to resolve the complaint directly. If the Town Clerk is absent for this initial 5 working day period, this will be dealt with by another member of staff.
3. The Town Clerk will endeavour to respond to the complaint with a resolution within 21 working days of the date of the letter or email. Dependant on the complexity of the complaint the Town Clerk may send a holding letter to the complainant to allow further time to address the issues.
4. The Town Clerk will provide an update at Full Council meetings of any formal complaints received and outcomes as part of the Clerk's Report. All personal details will be excluded when reporting the complaint to Full Council so as to ensure confidentiality is maintained.
5. If a complainant is unhappy with the outcome of their complaint, they have 21 days from receipt of the outcome letter to notify the Town Clerk of this.
6. The Town Clerk will then arrange for the complaint to be considered and dealt with as an appeal and referred to the Council's Appeals Committee.
7. In both investigations, the complainant may be offered the opportunity to explain the nature of the complaint further in writing, should it be required.
8. In the case of the Appeals Committee hearing an appeal, the Clerk will recommend prior to the meeting if the complaint warrants exclusion of the press and public at the meeting in accordance with the Public Bodies (Admissions to Meetings) Act 1960.
9. The decision on the complaint shall be announced at the Appeals Committee meeting, where relevant, and confirmed in writing to the complainant as soon as practicably possible. The decision of the appeals committee will be final.

All formal complaints must be dealt with in writing (either by post or via email) to ensure a complete paper trail is recorded.

COMPLAINTS AGAINST AN OFFICER/EMPLOYEE OF THE COUNCIL

1. Any formal complaints regarding the actions of an employee should be submitted in writing (by post or through email) to the Town Clerk.
2. Any formal complaints regarding the Town Clerk should be submitted in writing (by post or through email) to the Mayor.
3. The formal complaint will be acknowledged in writing.
4. Where the complaint is regarding the actions of an employee, the Town Clerk will deal with this as an employment matter. The Town Clerk will investigate the complaint and if felt necessary, present it to the Personnel Committee if it is deemed to be a potential disciplinary offence. The Town Clerk will however endeavour to resolve the complaint directly if possible.
5. If deemed necessary, a meeting of the Personnel Committee will be convened to discuss the complaint and whether there is a need to invoke the disciplinary process.
6. The complainant may be contacted as part of an investigation, to explain the nature of the complaint if it is felt that more information/clarification is required.

7. The complainant will receive a written reply to their complaint detailing the outcome of their complaint but ensuring that the employee in question confidentiality is not breached.
8. If the complaint is regarding the Town Clerk, the above stages 2 – 7 will be taken by the Mayor. The Town Clerk must be excluded from having any dealings with the investigation. The Council may employ external expert support/advice to assist in dealing with the complaint.
9. If the complainant is unhappy with the outcome of their complaint, they have 21 days from receipt of the outcome letter to notify the Town Clerk/Mayor of this.
10. The Town Clerk/Mayor will then arrange for the complaint to be considered and dealt with by the Appeals Committee. The complainant may be offered the opportunity to explain the nature of the complaint further.
11. The decision on the complaint shall be notified to the complainant in writing and not announced publicly during the meeting. The decision of the appeals committee will be final.
12. Complaints will be handled as efficiently and swiftly as possible. At all times, every individual will be treated fairly and the process will remain reasonable, accessible and transparent.

COMPLAINTS AGAINST A MEMBER OF THE COUNCIL

Polegate Town Councillors sign up to a Code of Conduct upon taking office. Any member of public wishing to submit a complaint for breach of a specific part of the Code should do so to the District Monitoring Officer at Wealden District Council:

For more information on the process, please visit Wealden District Council's District Council's website at: www.wealden.gov.uk or telephone 01323 443322

MONITORING OF FORMAL COMPLAINTS

The Town Clerk will include in the Clerk's Update Report to each Council meeting a summary of formal complaints dealt with in the period since the last report. Formal complaints about staff will be reported to the Personnel Committee.

Council employees shall be vigilant in responding to relevant queries and concerns as best they can, including those on social media.