

## **POLICY TITLE**

# **Complaints Policy & Procedure**

## **REVISION DATE**

March 2016

## **REPLACES POLICY**

March 2012

## **POLICY NUMBER**

## **POLICY AIM**

The aim of this policy is to assist Skegness Town Council to deal with complaints. To make a commitment to listen to complaints and to respond fairly and within a reasonable time frame. To learn from the valuable feedback and improve service delivery.

## **EXECUTIVE SUMMARY**

This policy sets out a framework of how Skegness Town Council will deal with and respond to complaints from residents and partners, from the public, private and voluntary sectors.

## **POLICY STATEMENT**

### **Whether a complaint procedure is appropriate.**

It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. The Council will need to refer or use procedures/bodies in respect of the following types of complaint:

<b>Type of conduct</b>	<b>Refer to</b>
Financial irregularity	Local electors' statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, the Councils may need to consult their appointed auditor or the Audit Commission.
Criminal activity	The Police
Member conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to Monitoring Officer of East Lindsey District Council.
Employee conduct	Internal disciplinary procedure

A member of the public may also consider a criticism about a service (e.g. an untidy flower bed) or a fee (e.g. the level of charge for an allotment) to be a complaint, but these do not fall within the formal complaints procedure unless the Council has acted improperly and should be treated as normal service requests.

### **Informal Complaints:**

In instances where it is more appropriate, less formal measures or explanations will be provided to the complainant by the Town Clerk (or other nominated officer), and where possible issues raised by a member of the public will be resolved in this way. If the complainant does not consider the complaint to have been resolved, then the formal complaints procedure may be followed.

### **Formal Complaints:**

Formal complaints will be considered by the Council or by the Committee established for the purpose of hearing complaints.

## **IMPLEMENTATION**

### **Before the meeting where the complaint is to heard**

The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk or other nominated officer. The Town Council shall provide reasonable assistance to the complainant, to accurately record the complaint, where the complainant cannot or has difficulty in setting out a written complaint.

If the complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she should be advised to address it to the Mayor (Chairman of the Council).

The Clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).

The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall 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. The Council shall provide reasonable assistance to the complainant in accessing any written documentation or materials.

### **At the Meeting**

The Council shall 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 council meeting in public.

The Chairman should introduce everyone and explain the procedure.

The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), Members.

The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), Members.

The Clerk or other nominated officer, and then the complainant should be offered the opportunity to summarise their position.

The Clerk or other nominated officer 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 shall be invited back.

The Clerk or other nominated officer 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.

### **After the Meeting**

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

## **MONITORING**

This statement will be reviewed annually or in the following circumstances:

- Changes in legislation
- As a result of any other significant change or event.

## **POLICY REVIEW**

This policy is to be reviewed at least every two years. Next due March 2018.

## **POLICY APPROVAL**

Approved by Council 6<sup>th</sup> April 2016.