

## **Complaints Procedure**

### **1. Introduction**

- 1.1 This procedure should be read in conjunction with the council's complaints' policy. The emphasis in this policy is on rectification and resolution, and this is reflected within this procedure.
- 1.2 The procedure isn't a substitute mechanism for resolving relatively minor issues: these should be addressed as part of the day-to-day operation of the council. It is a mechanism for addressing major service failures, persistent service deficiencies, and poor attitude.
- 1.3 The council defines a complaint in its complaints' policy as an expression of dissatisfaction, whether justified or not, about any aspect of the council's activities. Typically, a complaint may arise when:
  - 1.3.1 We have done something wrong
  - 1.3.2. We have not done something we should have done
  - 1.3.3. We have not treated someone in a professional or civil manner
  - 1.3.4. We have not achieved a standard that we have set for ourselves.
- 1.4. The complaints' policy excludes certain types of complaints:
  - 1.4.1 A complaint by an employee against another employee; these matters are dealt with under the council's disciplinary and grievance procedures
  - 1.4.2 Complaints against councillors; these are dealt with by Dorset Council's monitoring officer
  - 1.4.3 If it is a year or more since the complainant became aware of the issue
  - 1.4.4 A previous or similar complaint has been made and considered
  - 1.4.5 It is a persistent or vexatious complaint with no grounds
  - 1.4.6 The complaint is being made to cause disruption or annoyance.
- 1.5 Consequently, if issues can be dealt with outside this policy to the satisfaction of a complainant, then this procedure should not be deployed.

### **2. The Procedure**

- 2.1 Complaints should normally be addressed to the town clerk.
- 2.2 The town clerk will decide who should consider and respond to the complaint: this will normally be the deputy town clerk, the operations manager, finance manager, support services manager or the town clerk.

- 2.3 If the complaint is specifically about the town clerk, the complaint should be addressed to the Mayor. The Mayor will decide how the complaint should be investigated.
- 2.4 Acknowledgement of all complaints will take place within three working days.
- 2.5 The town clerk will also appoint a member of staff, who has no involvement in the complaint, to contact the complainant to clarify the precise nature of the complaint, to establish what the complainant wants the council to do to, and to discuss the process and timescale for resolution. This member of staff will not be involved in investigating or responding to the complaint: their role is to act as the complainant's 'friend'.
- 2.6 If the complaint is about council policy which is being considered, the complainant will be advised that they should raise their concerns during the public forum of the relevant council committee meeting where the issue is under consideration.
- 2.7 If the complaint is about existing council policy or the absence of a policy, the complainant will be advised that they should raise the matter during the public forum of a Full Council meeting where any issues can be raised, regardless of whether or not it is on the agenda.
- 2.8 If a policy decision has already been made by the council, the complainant will be informed that the issue will not be re-opened for six months from the decision date unless there are exceptional grounds.
- 2.9 If the complaint is about any other aspect of council's business or service they will normally receive a response from the investigating officer within 10 working days.

### **3. Appeal**

- 3.1 A complainant has the right to appeal against a decision. The appeal should normally be made within 20 working days of being notified of the decision. The appeal will be heard by a panel of three members which will be constituted from the Mayor and committee chairmen.
- 3.2 The panel will normally consider the appeal within 20 working days of notification and will inform the complainant of their decision within 10 working days.
- 3.3 If it isn't possible to respond within 10 working days, the complainant will be written to explaining why a response can't be provided and will be given a revised timescale.

#### **4. Complaints against council employees**

- 4.1 The process will follow the same as 2.1, 2.2, 2.3, 2.4 and 2.5
- 4.2 The complainant will normally receive an acknowledgement from the investigating officer within 5 working days.
- 4.3 An investigation will take place, which may involve meetings with the complainant, the employee complained against and anyone else with information relevant to the complaint. The investigating officer will inform the complainant and the employee complained against of the outcome of the investigation.
- 4.3 A complainant and the employee complained against has the right to appeal against a decision. The appeal should normally be made within 20 working days of being notified of the decision. The appeal will be heard by a panel of three members.
- 4.4 The panel will normally consider the appeal within 20 working days of notification and will inform the complainant of their decision within 10 working days.
- 4.5 If it isn't possible to consider the appeal within 20 working days or to inform the complainant of the decision within 10 working days, the complainant will be written to explaining why there has been a delay and they will be given a revised timescale.

#### **5. Review**

- 5.1 This procedure will be reviewed in May 2024 or sooner if there are changes in legislation or best practice.

#### **Supporting Policy**

This policy is supported by a complaints' procedure.

**Implementation date:** 17 May 2022

**Review Date:** May 2024

John Wright  
Town clerk  
May 2023