



## COMPLAINTS POLICY

### Introduction

Speldhurst Parish Council is committed to providing a good standard of service to all residents of the Parish. Sometimes things go awry, and the Council needs to know so that it can investigate, put things right and prevent a recurrence.

The Council welcomes all feedback. If, however, a member of the public wants to make a complaint about acts or omissions of the Council, this policy sets out the procedure.

This policy does not apply to:

- complaints about the substance of policy decisions made by the Council (although members of the public may make comments or ask questions during the public open session in every Council and committee meeting)
- complaints about the conduct of an individual Councillor (see page 3)
- complaints by an employee of the Council about the Council's actions as an employer

### Informal Complaint

It is hoped that most complaints can be resolved quickly and amicably through the following procedure.

Informal complaints can be made by telephone, email or by calling in person at the Council Office. The complaint will be handled by either the Clerk or the Assistant Clerk.

Complaints should always be directed through the Council Office and not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

It is expected that most complaints can be resolved through this informal route. However, if an informal approach has not resolved the complaint, or if the initial complaint is so serious that an informal approach is insufficient, then the formal complaints process should be followed.

## **Formal Complaint**

The Clerk to the Council is responsible for managing the formal complaints process. If a formal complaint is being raised against the Clerk, then the process as detailed should be followed, but the Chairman of the Council should be informed instead of the Clerk.

A formal complaint can only be submitted in writing to the Council Office. It should be addressed to the Clerk, marked "Confidential – Formal Complaint". The Council encourages contact by email and telephone, but as a formal complaint is a serious matter this will only be accepted in writing.

The complaint should cover as much detail as possible and enclose any relevant supporting documentation. The Clerk (or in the Clerk's absence the Assistant Clerk) will acknowledge receipt of the complaint within three working days.

The Clerk (or Chairman as appropriate) will carry out an initial investigation into the complaint and will within ten working days of receipt provide the complainant with an update on progress, or a suggested solution. If the complainant is satisfied with the resolution the complaint is closed. The Clerk will report to the Council summarising the issues and resolution, excluding the name of the complainant.

If the Clerk is unable to resolve the complaint or the complainant is not satisfied with the proposed resolution, the matter will be referred to a meeting of the Governance Committee. The Committee will meet as soon as is practicable to review the complaint (subject to normal notification, agenda and minute requirements and a quorum). The complainant will be invited to attend the meeting.

### **At the meeting**

1. The Chairman (or his/her deputy) will introduce members and explain any procedures
  - a) The complainant will be invited to outline the grounds for complaint, and Councillors may ask questions
  - b) The Clerk will explain the Council's position and Councillors may ask questions
  - c) The complainant will be offered an opportunity to sum up his/her position
  - d) The Clerk will be offered an opportunity to sum up the Council's position
2. The Clerk and complainant will leave the room while councillors consider the issue. Any decision will be communicated at the earliest opportunity.
3. The announcement of any decision will be made at the next Full Council Meeting

## **Timings**

The Parish Council will try to adhere to the timings outlined in this policy, but for example in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, the timings may vary.

Should this occur, the complainant will be kept advised of the revised timescale.

### **Anonymous complaints**

Generally all complainants should provide their name and full contact details. Unless it is apparent from the nature of the complaint that anonymity is justified, anonymous complaints will not be considered.

### **Impact on Council Staff**

A formal complaint is a serious matter. A complaint against a member of the Council's staff could result in disciplinary action, or, in cases of gross misconduct, dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence or discussion with any complainant about any action taken, formally or informally, against any member of its staff. This is to protect the employment and privacy rights of all employees of the Council.

### **Complaints against Councillors**

This policy does not cover complaints against an individual Councillor. Any such complaint should be addressed to:

The Monitoring Officer  
Tunbridge Wells Borough Council  
Town Hall  
Royal Tunbridge Wells  
Kent  
TN1 1RS

### **Vexatious Complainant Behaviour**

The Parish Council may treat as vexatious a disproportionate, unreasonably repetitive, abusive, or otherwise unreasonable complaint, or a complainant who, because of the nature of his/her contacts with the Council, adversely affects the Council's operation. Examples of such contacts would be pursuing complaints in inappropriate ways, pursuing complaints which appear to have no substance, or pursuing complaints which have already been investigated and determined.

If a complaint or complainant is considered to be vexatious, the Council will decide what action to take and will notify the complainant of its decision promptly in writing, with reasons.