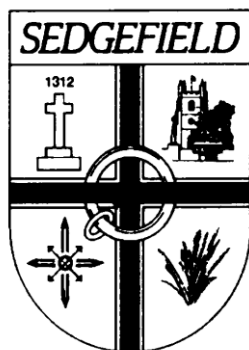


Sedgefield Town Council



COUNCIL COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY

Passionate about Sedgefield

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SEDGEFIELD TOWN COUNCIL COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY

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1.0 Introduction:

Sedgefield Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. The Town Council values all comments and feedback, both positive and negative, as a way to help us develop and improve. The purpose of this Compliments, Comments and Complaints Policy is to let you know how to make the Council aware of your experiences and what the Council will do when they become aware of such.

2.0. Purpose of Policy:

The purpose of this policy procedure is to ensure that anyone with a comment, compliment or complaint in relation to Sedgefield Town Council knows how to make the Council aware of their issue and have confidence that there will be prompt action to consider the comment, pass on the compliment or seek a resolution as quickly as possible with complaints being dealt with effectively, fairly and with discretion. Comment and complaints will be used by the Council in a positive way to undertake future action to maintain and improve service quality and responsiveness.

Where the comment, compliment or complaint relates to a service delivered by another authority this will be passed onto the relevant authority with the full contact details of the person also being shared in order that follow-up discussion/correspondence can take place.

3.0. Definitions:

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3.1. “Comment”:

We recognise that sometimes members of the public simply want to register a comment about a Council service, and do not wish to pursue a complaint. In this case we will ensure a record of the comment is maintained and appropriate action is taken on the comment. Where comments are received by the Council an acknowledgement will be communicated within 5 working days. They will be forwarded to the appropriate Officer or Councillor.

3.2. “Compliment”:

Thanking the Town Council for something done or done particularly well enables the Council to understand how effective services are delivered and what is important to residents and visitors. Compliments will be forwarded to the appropriate Officer, Councillor or Committee as it is important positive comments are fed back to people.

3.3. “Complaint”:

Sedgefield Town Council have adopted the Local Government Ombudsman’s (LGO) definition of a complaint as being *“an expression of dissatisfaction (either written or verbal) by one or more members of the public 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”*.

Note: Comments, compliments and complaints relating to Council Officers will be fed into the Council’s annual staff appraisal system.

4.0. Issues Covered and Not Covered Under This Policy:

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This Policy applies to comments, compliments and complaints about Council administration, procedures, service delivery and may include complaints about how Town Council employees have dealt with your concerns.

This Policy does NOT apply to:

- Financial irregularity (instead refer to the local elector's statutory right to object to a Council's audit of accounts or consult with the Council's internal or external auditor);
- Criminal activity (instead refer to the Police);
- Councillor conduct (instead refer a complaint regarding a Member's failure to comply with the Code of Conduct to the Monitoring Officer, Durham County Council, County Hall, Durham. The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. It will not deal with complaints about matters that are not covered by the Council's Code of Conduct);
- Employee conduct (this will be dealt with in accordance with Sedgfield Town Council's disciplinary procedure. A complaint against a member of the Council 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 staff).
- A request for a new service.
- An insurance claim against the Town Council.
- A matter which is, or may be, the subject of court or tribunal proceedings.

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Note: Pursuant to the Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over Town and Parish Councils in England.

The Town Council will not acknowledge or consider, under any circumstances complaints that submitted anonymously.

5.0. Stages in Complaints Procedure:

Sedgefield Town Council have a 3 stage complaints procedure whereby issues are resolved by:

- 5.1. Informal Stage - The Town Clerk; then
- 5.2. Initial Formal Stage - The Town Clerk and appropriate Committee Chair; then
- 5.3. Final Formal Stage - The Full Council.

5.1. Informal Stage - Complaints Handled by the Town Clerk:

- 5.1.1. It is hoped that most complaints can be resolved quickly and amicably at this stage.
- 5.1.2. A complaint can be made by telephone, email or letter to the Town Clerk, Sedgefield Town Council, Council Offices, Sedgefield TS21 3SAT / 01740 621273 / town.clerk@sedgefieldtowncouncil.gov.uk
- 5.1.3. The complaint will be handled by the Town Clerk who will acknowledge the complaint within 5 working days of receipt. The Town Clerk will then investigate your complaint and reply to you within a further 10 working days.

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5.1.4. If this approach does not resolve the complaint, or that the initial complaint is so serious, then Stage 2 the Initial Formal Stage process should be followed.

5.2. Initial Formal Stage – The Town Clerk and Appropriate Committee Chair:

5.2.1. The Town Clerk is responsible for managing the complaints process. The Town Clerk is the Proper Officer of the Council. However, if a formal complaint is being raised against the Town Clerk, then the process should still be followed, but the Chair of the Council would take the place of the Town Clerk in managing the process.

5.2.2. A formal complaint must be submitted in writing to the Council's correspondence address (stated in 5.1.2. above), addressed to the Town Clerk or Chair as appropriate. The complaint should cover as much detail as possible and enclose any relevant supporting documentation.

5.2.3. The Town Clerk or Chair will acknowledge receipt of the complaint within 10 working days.

5.2.4. The Town Clerk or Chair will carry out an initial investigation into the complaint and will within 20 working days provide the complainant with an summarise details of the complaint and a brief summary of its resolution. This update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint is closed.

5.2.5. The Town Clerk or Chair will report to the appropriate Council Committee, in the form of a summary report which will exclude the names of the complainant(s) and any Council staff involved.

5.2.6. If the Town Clerk or Chair is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to the next Full Council meeting.

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Appeal:

If you think a finding was unfair or additional new evidence comes to light (note: hearsay or unsubstantiated evidence will not be accepted) or you believe this complaints procedure was not used correctly you can request this matter be considered under the Final Formal Stage. A Final Formal Stage will only be used when Full Council believes there is a valid reason for an appeal.

5.3. Final Formal Stage – The Full Council:

- 5.3.1. The complainant will be invited to attend a meeting of the Full Council and be given the opportunity to bring with them a representative if they wish. The complainant will be given 14 days notice of the meeting.
- 5.3.2. 7 clear working days prior to the meeting, the complainant shall provide the Council, via the Town Clerk or the Chair, with copies of any documentation or other evidence relied on. The Council shall provide the complainant copies 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.
- 5.3.3. At the next Full Council meeting, the Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.
- 5.3.4. The Chair shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting will be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.

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- a. The complainant (or representative) shall be invited to outline the grounds for complaint and members given the opportunity to ask any question of the complainant.
 - b. If relevant, the Town Clerk will explain the Council's position and the Council shall ask any questions of the Town Clerk.
 - c. The complainant is to be offered the opportunity of a last word as a means of summing up their position.
 - d. The Town Clerk is to be offered the opportunity of a last word as a means of summing up their position.
- 5.3.5. The Town Clerk and complainant shall be asked to leave the room while Councillors 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.
- 5.3.6. In any case both parties return to hear the decision, or to be advised when the decision will be made.
- 5.3.7. The decision will be confirmed in writing within 10 working days together with details of any actions to be taken.
- 5.3.8. The announcement of any decision will be made in public, at the next Full Council meeting.

6.0. Equality:

We want to make sure that we treat everyone fairly when making a comment, compliment or complaint to the Council.

7.0. Vexatious/Repetitive Complaints:

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The Town Council may choose to give a decision on a complaint, without a formal investigation, where it considers the complaint to be deliberately vexatious or repetitive.

8.0. Monitoring:

8.1. Officers dealing with complaints will endeavour to keep within the above time limits. If this is not possible then the Town Clerk or Chair of the Council will write to the individual concerned and explain why it is not possible to work to the time limits detailed in this Policy and to stipulate the date by which decisions will be known.

8.2. The Town Clerk will set up a system to record complaints centrally on behalf of the Council.

8.3. Periodic reports will be produced highlighting the following areas:

- Time taken to settle complaints
- Types of complaints/source of complaints
- Number of complaints received/numbers outstanding
- Action taken to settle/solve complaints

These will provide important management information on the service we provide.

8.4. The Council's policy for dealing with comments, compliments and complaints and the effectiveness of the policy will be monitored by the Town Clerk who will also collate statistics on complaints for the Annual Reporting process.

8.5. A report on progress in dealing with complaints will be submitted bi-annually to the Policy & Resources Committee.

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