

DUNSTABLE TOWN COUNCIL

Complaints Procedure

1. ROLE OF THE POLICY

This Complaints Procedure relates all complaints to the Town Council, whether these are minor, serious, informal or formal and apply to all services provided by the Council.

Separate arrangements as prescribed by law are in place in respect of Councillors. These arrangements set out further in this policy.

The Town Council believes that complaints can provide useful information and feedback on the quality of our services, procedures and practices. The effective handling of complaints will help us to improve the services provided on behalf of residents, visitors and those working within the Town.

This policy does not apply to complaints from members of staff. These will be considered under the Grievance Procedure.

The aim of this Complaints procedure is to swiftly investigate all complaints in an impartial manner and to find a solution locally, whenever possible, to the satisfaction of both the complainant and the Town Council.

The Local Government Ombudsman has no jurisdiction over Parish and Town Councils in England. Consequently, there are no statutory mechanisms in place should complaints be made against local councils in England.

2. COMPLAINTS ABOUT COUNCILLORS

All Councillors are required to observe the 'Code of Conduct' which is available on the Town Council's website.

If you believe that a Town Councillor has not followed the Code, you can complain to the Monitoring Officer at Central Bedfordshire Council and they will look into the matter. They are contactable via the website at https://forms.centralbedfordshire.gov.uk/officeforms/Complaint_form_for_councillors_conduct.ofml or by writing to the Monitoring Officer at Central Bedfordshire Council Offices, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

3. COMPLAINTS ABOUT COUNCIL SERVICES AND STAFF

a complaint is where:

- The Town Council has not done something it has a duty to do or normally does
- The Town Council has done something it has no right to do or does not normally do as a matter of established practice

- The conduct or behaviour of an employee or contractor working for the Town Council is unsatisfactory
- The established levels of service delivery are not reached
- A person does not understand or is not informed of why or how a situation arose or exists
- An adopted and known procedure is not followed
- There may have been maladministration

This Complaints Procedure will not apply to complaints made anonymously.

3.1. WHAT TO DO IF YOU HAVE A COMPLAINT

Your complaint can be made by telephone, email, in person or in writing, giving names and addresses and relevant dates with as much information as possible.

The appropriate details for contacting the Town Council are:

By **telephone** on 01582 513000

By **email** at info@dunstable.gov.uk

Via our **website** at <https://www.dunstable.gov.uk/contact-us/>

In many cases, it will be possible for an issue to be dealt with straight away and the source of the complaint resolved immediately.

For more complex issues, it is much better to put these in writing so that a thorough investigation can be undertaken. Investigations will be dealt with as quickly as possible. You will receive a written acknowledgement of your complaint within five working days and a full response to your complaint will be provided according to the timetable below.

The Town Council maintains a register of complaints showing dates, details of the complaint, complainant and the action taken to resolve the issue. This is available for all members of the Town Council to inspect. Serious complaints will be reported to appropriate Councillors.

3.2. PROCEDURE FOR DEALING WITH COMPLAINTS

If it has not been possible to deal with your complaint informally, the following section lays out the procedure and timelines under which your complaint will be dealt with.

Stage 1 – Formal Complaint

| Task | Timescale | Actions |
|-----------------------|---|---|
| Complaint is received | Day 1 | |
| Acknowledgement | By Day 4 - Within three working days of receipt of the complaint | The administration team will acknowledge receipt of the complaint to the complainant and will notify them of the name of the officer handling their complaint and the target date for a response. |

| | | |
|-----------------------|---|---|
| Response due | By Day 28 | The responding officer will provide a full response to the complainant outlining the right to appeal if they are not satisfied with the outcome. |
| Request for extension | By Day 28 | The responding officer will inform the complainant that the complaint cannot be resolved within the 28 day timeframe and give the reasons why along with an estimate of how long the complaint will take to respond to. |
| Appeal | Within 14 days of the receipt of the Stage 1 response | If the complainant is dissatisfied with the response at Stage 1 of the Complaints Procedure they have a right to appeal this at Stage 2. This is their only and final stage of appeal. |

Stage 2 – Appeal

If the complainant is dissatisfied with the response at Stage 1 of the Complaints Procedure they have a right to appeal this at Stage 2. This is their only and final stage of appeal.

| Task | Timescale | Actions |
|---------------------------|--|--|
| Appeal is made in writing | Day 1 | All appeals should be sent for the attention of the Town Clerk & Chief Executive. If the Town Clerk & Chief Executive dealt with the complaint at Stage 1 they will refer the issue to another senior officer or the Town Council's Appeals and Appointments Committee as appropriate. |
| Acknowledgement | By Day 4 - Within three working days of receipt of the complaint | The Town Clerk & Chief Executive (or nominated senior officer) will acknowledge receipt of the appeal to the complainant and will notify them of the target date for a response. |
| Response due | As soon as possible but no later than eight weeks | The Town Clerk & Chief Executive (or nominated senior officer) will provide a full response to the complainant. |
| Request for extension | As soon as possible but no later than eight weeks | The Town Clerk & Chief Executive (or nominated senior officer) will inform the complainant that the complaint cannot be resolved within the 28 day timeframe and give the reasons why along with an estimate of how long the complaint will take to respond to. |

The purpose of a Stage 2 Appeal is to consider if:

- The customer's complaint has been fully understood and addressed at Stage 1.
- All the relevant evidence has been taken into account.
- The Town Council's policies and procedures have been properly followed.
- The Complaints Procedure was carried out properly and fairly.
- The conclusions reached on the basis of evidence are reasonable and fair.
- Any other actions or remedies are appropriate.

It is not to:

- Review Town Council policy.
- Deal with any new matters not part of the original complaint.
- Cover any points dealt with by a court or where an appeal against a decision lies with a court or other legal process.

Complaints about issues that occurred more than three months ago will not normally be considered unless there are exceptional circumstances. Similarly there will be no review of a complaint that was dealt with more than three months ago.

4. FINANCIAL IRREGULARITY

Complaints about financial irregularity should be referred to the Council's auditor, whose name and address can be obtained from the Responsible Financial Officer (RFO).

5. CRIMINAL ACTIVITY

Any complaints which involve criminal activity will be referred to the Police.

6. COMPLAINTS ABOUT THE TOWN CLERK & CHIEF EXECUTIVE

If the complaint is about the Town Clerk & Chief Executive the complaint will be reviewed by the Town Council's Appeals and Appointments Committee. This committee is made up of a group of Councillors who would not have been involved with the issue previously.

The Committee will be convened as soon as possible but no later than eight weeks from the receipt of the complaint. Once the meeting has taken place they will respond to the complainant within 10 working days.

The Committee's decision is final.