



# Totton & Eling Town Council

## Complaints Policy & Procedure

### 1. The Importance of Complaints

- 1.1. Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.
- 1.2. It is essential that complaints are dealt with positively. Totton and Eling Town Council is anxious to hear people's comments and is committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

### 2. Definition of a Complaint

- 2.1. A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Town Council or its staff which affects an individual customer or group of customers.
- 2.2. What the complaints procedure will deal with:-

The complaints procedure will deal with matters of maladministration, which is if the Town Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- Neglect or unjustified delay
- Malice, bias, or unfair discrimination
- Failure to tell people their rights
- Failure to provide advice or information when reasonably requested
- Providing misleading or inaccurate advice
- Inefficiency, ineffectiveness, bad and unprofessional practice or conduct

- 2.3. What the complaints procedure will not deal with:-

- Complaints for which there is a legal remedy or where legal proceedings already exist
- Complaints about employment matters – the Town Council operates alternative procedures to deal with grievances or disciplinary matters against staff.

Should your complaint be against an individual **Member of the Council** carrying out constituency duties, please write to the Town Clerk and the matter will be referred to the Monitoring Officer at the New Forest District Council.

### **3. Equal Opportunities**

- 3.1. The Town Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 3.2. Complaints by members of the public of discrimination and/or harassment against the Town Council will be dealt with through the complaints procedure.

### **4. Complaints Officer**

- 4.1. The Complaints Officer for the Town Council is the Town Clerk and Chief Executive Officer. Their main duties are:
  - 4.1.1. The day to day operation and management of the procedure, including providing a reference point for staff queries on informal complaints
  - 4.1.2. To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
  - 4.1.3. To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
  - 4.1.4. To identify improvement points arising from any complaints.
  - 4.1.5. To identify any staff training issues which are highlighted during the investigation of the complaint.

### **5. Stages of the Procedure**

- 5.1. The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.
- 5.2. Everyday problems, queries and comments

The Council receives queries, problems and comments as part of its day to day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction.

If someone is dissatisfied with the original service or response they received and wishes to take the matter further then the issue should be recognised as a complaint.

### 5.3 Informal Complaint

During the course of daily business, minor complaints are made to officers about the services we provide. These will usually be dealt with by the relevant officer as appropriate. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

### 5.4 Formal Complaint (First Stage)

A customer may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and passed to the Town Clerk to investigate.

If you wish to make a formal complaint please write or email to the address shown at the bottom of this policy, and, if possible, on the special attached complaint form.

If the complainant remains unsatisfied with the response, they should be informed of their right to take the matter further.

#### Timescales

Acknowledgement – by return of post or email within 5 working days of receiving the complaint.

Investigation completed and written response in full – within 20 working days of receiving the complaint. (If any unavoidable delay occurs the complainant will always be notified accordingly.)

Investigating Officer – Town Clerk

### 5.5 Appeal of Decision (Stage 2 – Final)

If the issue still remains unresolved, the complainant should be notified of their right to have the matter referred to an Appeal's panel consisting of 5 Council Members appointed by the Council who have not had previous involvement with the complaint or are referred to in the complaint. There will also be a note-taker, nominated by the panel, who will also not have had previous involvement in the complaint.

The Appeal's panel will review all the available written evidence, seek advice of the Clerk & CEO and either uphold the appeal or dismiss it completely. No further

investigation or appeal will be authorised and it is considered that the Appeal's panel's decision is final. Any rights or protection under statute are not affected by this.

The complainant will receive written notification of the Appeal's Panel's decision within 10 working days of the meeting being held.

The outcome of all formal complaints dealt with by the Appeal's panel will be advised to the Council.

## 5.7 Unreasonable and Vexatious Complaints

There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.

These matters should be referred to the Town Clerk with a summary of the issues and of the attempts made to resolve the complaint. They may, in such circumstances, decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response, as set out in the Council's vexatious policy.

## 5.8 Anonymous Complaints

Anonymous complaints should be referred to the Town Clerk, and may be acted on at their discretion, according to the type and seriousness of the allegation.

## 6. Resolution and Remedies

The aim in dealing with all complaints is to reach a resolution or remedy that satisfies the complainant, whether it is the remedy they were originally seeking or not. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy

### Contact

Town Clerk: Susan Cutler

Address: Totton & Eling Town Council  
Civic Centre  
Totton  
Hampshire  
SO40 3AP

Email: [info@tottoneling-tc.gov.uk](mailto:info@tottoneling-tc.gov.uk)

**NOTIFICATION OF A COMPLAINT**

The Totton and Eling Town Council want local residents to know that they treat all complaints received very seriously. Your formal complaint will be acknowledged within 5 working days and then be investigated by the Town Clerk, who will reply in full to your complaint not later than 20 working days after its receipt.

If you are not satisfied with the reply, you should write, giving your reasons, to the Town Clerk quoting the reference number of the complaint, who will then arrange for your complaint to be heard by the Appeal's Panel.

Town Clerk  
Totton and Eling Town Council  
Civic Centre  
Totton  
Hampshire  
SO40 3AP

**COMPLAINTS FORM – A separate form must be used for each complaint**

**Please print**

Name: .....

Address: .....  
.....  
.....

Daytime Telephone No. ....

Date Complaint Occurred: .....

Description of Complaint: *(Please give as much detail as possible and continue on another sheet if necessary)*

.....  
.....  
.....

Signed: ..... Date: .....

Please attach any explanatory documents and return this form to: Town Clerk  
Totton and Eling Town Council (Complaints)  
Civic Centre, Totton, Hampshire. SO40 3AP.

.....  
FOR OFFICE USE ONLY

Date  
Received

Date  
Acknowledged

Date Reply  
Sent

Contact Officer  
Ref. No.

Informed ..... NFDC / HCC

Council ..... 20.....