

26.5.2022

## Wem Town Council

### COMPLAINTS PROCEDURE 2022

Wem Town Council define a complaint as an expression of dissatisfaction 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.

Complaints can provide valuable learning points which help to improve service delivery. The Town Council's Complaints Procedure Aims:

- To ensure that customers are treated fairly and assist them in making a complaint by being easy and straightforward to use;
- To ensure complaints will be investigated as quickly and thoroughly as possible, and in a positive, problem-solving manner;
- To ensure that the outcome and resolution of complaints will be used to monitor the Council's performance and improve service delivery;

On the receipt of a complaint in the first instance the Town Clerk or Mayor will make every attempt to contact the complainant to attempt to resolve the complaint less formally. If this is not possible then the following procedure will be followed for those who wish to make a formal complaint.

#### Complaints against Councillors

All councillors sign to undertake to observe the Code of Conduct adopted by the Town Council. A full copy of the Code of Conduct is available on the Town Council's website at [www.wem.gov.uk](http://www.wem.gov.uk) If after studying the Code of Conduct a complainant feels a Councillor has broken any of the rules in the Code of Conduct, they should refer the complaint directly to

The Monitoring Officer  
Shropshire Council  
The Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND

#### Complaints against the Clerk:

Complaints should be in writing to the Mayor : -

The Mayor  
Wem Town Council  
Edinburgh House  
New Street  
Wem  
SY4 5DB

**Any other complaints** should be in writing to the Town Clerk

Penny O'Hagan – Town Clerk  
Wem Town Council  
Edinburgh House  
New Street  
Wem, SY4 5DB

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### **Receipt of the Complaint**

All complaints must be submitted in writing - The Council will not consider anonymous complaints therefore a name and contact address must be included with all correspondence. Complaints should enclose as much information as possible.

Receipt of the complaint will be acknowledged by either a member of Council staff or the Mayor in 7 working days and the complainant will be informed who will be investigating the complaint. It is hoped to be able to resolve most non-complex complaints immediately, but for more complex issues an investigation may need to be undertaken.

On receipt of a complaint, the Clerk or the Mayor (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying members of the Complaints Committee and any person complained about, giving them an opportunity to comment.

### **Complaint Investigation**

If it has not been possible to resolve the complaint informally, the Council's Complaints Committee will formally meet to investigate the complaint in more detail.

If deemed necessary at this stage the complainant may be invited to a meeting with the Complaints Committee to discuss the issues raised. If the complainant is submitting documentation or evidence for the meeting they should provide copies to the Complaints Committee at least 7 clear working days before the meeting. Similarly the Clerk will supply the complainant with copies of any Town Council documents that are requested, provided these are documents available under the Freedom of Information Act 2000 and Data Protection Act.

The complaints committee will present the findings of investigations into complaints to the next Town Council meeting along with any recommendations for any future service improvements identified as a result of the complaint.

Under Public Bodies (Admission to meetings) Act 1960 the Council or Committee may consider whether the circumstances warrant the matter being discussed in the absence of the press and public. In the interests of openness and accountability there must be clear relevant reasons or a request from the Complainant for the matter to be held without the presence of the press or public. The decision of the Council or Committee, however, will be made public at the end of the meeting.

Investigations will be dealt with as quickly as possible and under normal circumstances the complainant should receive a written response within 20 working days however in the case of complex complaints if it is not possible to meet this timescale the complainant will be informed.

It should be noted that currently the Local Government Ombudsman has no jurisdiction over Parish and Town Councils.

## **CODE OF PRACTICE FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS**

From time to time the Town Council receives complaints from members of the public. Some complaints are received by telephone or in writing and some by a visit to the Town Clerk's office. In order to deal with complaints efficiently and effectively the Town Council has a Complaints Policy.

In the event that a complainant begins to make frequent contact with the Town Clerk and hinders the normal day to day running of the Town Council, the Council will implement a policy for dealing with frequent or vexatious complainants, since such complaints can be time consuming and could lead to unnecessary additional cost to the Council tax payer.

The Town Council's policy for dealing with unreasonable and persistent complainants will become operative if the complainant is deemed to be unreasonably persistent either by written or oral communication or excessive visits to the Town Clerk's office.

### **PROCEDURE**

A vexatious complainant will be notified that the Council's Policy for dealing with unreasonable and persistent complaints is to be enforced, together with the reason why.

The complainant will then be asked to adopt one or all of the following procedures

- To contact the Town Council in a particular form (for example, letters only);
- That contact with Council Staff may only take place with a Councillor present;
- That telephone calls from the complainant are restricted to specified days and times;.
- That the complainant will be asked to enter into an agreement about future contact with the Town Council

The Council will decide how long it will spend on any one complaint and whether it feels the complaint has been sufficiently dealt with. In all cases where a complainant is deemed to be unreasonable and persistent, the Council will write to the complainant to justify its course of action and explain for how long it will be operative.

The complainant may challenge the Council's decision, although proof that the complaint has not been sufficiently dealt with will be required. However, if deemed to be a fair challenge the Council will conduct a review of the complaint and will reconsider whether the complaint should still be treated as unreasonable and/or vexatious.

This policy was adopted on 31.5.18 and will be reviewed annually. (last reviewed 24.6.21 no changes)