

Westerham Town Council



Complaints Procedure for complaints from members of the public

Reviewed 16th March 2020

Reviewed: 4th December 2023

REVIEWED 4 YEARLY

To be reviewed December 2027

Complaints Procedure

Westerham Town Council has a complaints procedure which demonstrates that the Council will endeavour to:

- Provide a good service
- Undertake its business in an open and honest manner
- Deal with complaints fairly
- WTC values feedback on how it carries out its work

What is a complaint?

For the purpose of this procedure - 'A complaint is an expression of dissatisfaction 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.'

There are other procedures to deal with financial irregularities, criminal activity, Councillor conduct and employee conduct.

Informal Stage

Many complaints can be dealt with quickly and satisfactorily by the Clerk, Deputy Clerk or Assistant Clerk. Complainants should be told what they may do if they remain dissatisfied.

What happens if a complaint is received?

Stage 1 - The Council shall appoint three Councillors, to form a Complaints Committee, with the Clerk/Deputy/Assistant Clerk to act as secretary to the Committee.

Stage 2 – The Chairman of the Council to review the decision of the Complaints Committee and if necessary the decision to be referred to a full Council meeting.

Before the Meeting of the Complaints Committee

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.

2. If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk shall acknowledge receipt of the complaint within 5 working days and advise the complainant when the matter will be considered by the Complaints Committee. The complainant will also be advised whether the complaint will be treated as confidential or whether, notice of it will be given in the usual way.
4. Responding to your complaint: the person responsible for responding to your complaint will contact you to agree the best way to deal with your particular complaint. Our aim is to give you a full response within **14** working days. If for any reason we cannot do this we will let you know when you can expect to receive a response. In any event we would endeavour to respond within **21** working days.
5. The complainant will be invited to attend a meeting and to bring with them a representative if they wish. If the complainant has not responded within **21** working days then the complaint will be dismissed.
6. Seven days prior to the meeting, the complainant shall provide the Committee with copies of any documentation or other evidence relied on. The Committee shall provide the complainant with copies of any documentation which they consider relevant for the purposes of the meeting and shall do within 7 days, allowing the complainant the opportunity to read the material in good time for the meeting.
7. Time Limit for making a Complaint – the Council's aim is to put things right if they go wrong as quickly as possible, so it is important to recognise there is a one year time limit (from the date of the incident giving cause for the complaint) for making a complaint. However, the time limit may be extended if it is still possible to consider the complaint effectively and efficiently or if there are other circumstances which may enable resolution of the complaint.

At the Meeting

6. The Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at a full Council meeting.
7. The Chairman of the Committee should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint

and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.

9. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
10. The Clerk and then the complainant should be offered the opportunity to summarise their position.
11. The complainant should be asked to leave the room while members of the Committee decide whether or not the grounds for the complaint have been made and what action should be taken. If a point of clarification is necessary, the complainant will be invited back to the meeting.
12. The complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting

The decision should be confirmed in writing within seven days together with details of any action to be taken.

If the complainant is still dissatisfied then the Chairman of the Council will review the complaint and if the Chairman is unable to resolve the matter to the satisfaction of the complainant, the Chairman will refer the matter to a full Council meeting.