



Ringwood Town Council

Complaints Procedure

Adopted: 18th May 2022

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How we will deal with complaints

Our aims for this procedure are

- To make it easy for our customers to complain if they are unhappy with the service they have received from us and
- To respond to complaints received in a way that is fair and calculated to achieve a resolution promptly and without cost to the complainant

(As an effective alternative to the Local Government Ombudsman service, which does not apply to town and parish councils.)

The scope of this procedure

We will apply this procedure to all the complaints we receive except those mentioned below. We will treat as a complaint any expression of dissatisfaction with our service - whether the word 'complaint' is used or not and regardless of the method by which it is initially expressed (though at some stages of the procedure we may need the complaint to be expressed in writing).

There are some things we cannot treat under this policy as complaints:

- Allegations or complaints about the behaviour of one or more of our councillors. (We are required to report allegations that a councillor has failed to declare a 'disclosable pecuniary interest' to the Police. If we receive an allegation of any other type of breach of our **Code of Conduct** we will offer the complainant the opportunity of informal resolution through the intervention of the Town Clerk and Town Mayor (or Deputy Mayor) but if this is declined or unsuccessful we are required to report the matter to the Monitoring Officer at New Forest District Council. The Council has no power to consider other complaints about councillors.)
- Requests relating to personal data protection ('subject access requests') will be handled in accordance with our **Data Protection & Information Policy**
- Requests for information/documents held by the council ('freedom of information requests') will be handled in accordance with our **Data Protection & Information Policy** and our **Publication Scheme**
- Grievances raised by members of staff will be handled in accordance with the Grievance Procedure set out in our Employee Handbook
- Matters which concern other councils, organizations or individuals – we will always try to help the complainant raise these with the appropriate authority. Our staff may agree to report the matter themselves but are not obliged to do so.

If a complaint is upheld, the investigation may, if appropriate, result in the council taking steps with regard to relevant members of staff under its performance management or disciplinary procedures. Whilst those steps may be subject to the oversight of our Staffing Committee, they will be strictly private internal matters separate from the original complaint and will not be reported or discussed in public or with complainants.

Our Procedure

Each complaint will be treated as a complaint against the body corporate of the council, not as a complaint against individual employees or member(s) of the council.

Once a complaint has been received it may be processed exclusively through written communications by the Town Clerk or other proper officer. If the complaint cannot be resolved in this way, the Council will establish a panel of three Councillors made up from the Chairman and Vice Chairman of Council and Chairmen of Committees.

The panel will meet to resolve the complaint and the procedure to be followed at its meeting is set out in the Appendix below. The panel will report its conclusions to the next council meeting.

At all times, the rules of natural justice will apply. If the Town Clerk or other proper officer is putting forward the justification for the action or procedure complained of, he or she should not represent the position of the council, all parties will be treated fairly, and the process will be reasonable, accessible and transparent.

The council aims to deal with all complaints within a 12-week period, from receipt to resolution, however depending on the complaint this period may be extended.

Complaints should be made to:

The Town Clerk
Ringwood Town Council
Ringwood Gateway
The Furlong
Ringwood
BH24 1AT

Telephone: 01425 473883

Email: town.council@ringwood.gov.uk

Appendix

Procedure to be followed at meetings of the complaints panel

Before the Meeting:

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated proper officer.
2. The complaint will always be treated in confidence unless the complainant has waived their right to confidentiality. Any meeting held will exclude the public.
3. If the complainant does not wish to put the complaint to the clerk or other proper officer, they may be advised to put it to the chairman of the council.
4. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by either a member of staff or a panel established for the purpose of hearing complaints. The clerk will also advise of the timeframe for investigating the complaint.
5. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
6. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting:

7. Chairman of the Committee to introduce everyone.
8. Chairman to explain procedure.
9. Complainant (or representative) to outline grounds for complaint.
10. Members to ask any question of the complainant.
11. If relevant, clerk or other proper officer to explain the council's position.
12. Members to ask any question of the clerk or other proper officer.
13. Clerk or other proper officer and complainant to be offered opportunity to make closing statements (in this order).
14. Clerk or other proper officer and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
15. Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

After the Meeting:

16. Decision confirmed in writing within seven working days together with details of any action to be taken.
17. A report to be made in public at the next Council meeting.
18. Should the complainant wish to appeal the decision of the panel established to deal with the complaint, an appeal can be made to Full Council in Confidential. Staff or members previously involved in the original decision may not participate in the determination of an appeal.