



Complaints Policy and Procedure

This document sets out the Council's policy for dealing with complaints.

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Town Clerk

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Complaints handling and Model Complaints	3
Contacts	4
Complaints Procedure	5
What the complaints procedure will deal with	5
What the complaints procedure will not deal with	5
Complaints Officer	5
Stages of the Procedure	6
Informal Complaint	6
Stage 1 – Informal	6
Stage 2 – Formal	7
Complaint Hearing Procedure	7

Complaints Handling and Model Complaints

Keswick Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.

We want to provide high quality service at all times. If you feel any aspect of our service has been at fault we want to know about it and investigate. We believe that complaints and compliments provide useful information and feedback on the quality of our services, procedures and practice. They help us improve our service to residents, visitors, and those working within the town. This policy and procedure note is for members of the public considering making any complaint to the Council, whether minor, serious, informal or formal and applies to all services provided by the Council.

This Complaints Procedure applies to complainants about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- Complaints by one council employee against another council employee;
- Complaints by one Council employee and the Council as an employer. These matters are dealt with under the Council's disciplinary and grievance procedures; and
- Complaints against Councillors. Complaints against councillors are covered by the Code of Conduct for Members, and if a complaint against a councillor is received by the Council, it will be referred to the Standards Committee of Allerdale Borough Council. For complaints against Councillors, please contact the Monitoring Officer at Allerdale Borough Council.

The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.

Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Mayor who will report your complaint to the Council if he/she is unable to deal with your complaint directly.

The Clerk or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.

The Clerk or the Mayor will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases, the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Contacts:

The Clerk of Keswick Town Council
50 Main Street
Keswick
CA12 5JS
Tel: 017687 73607

The Mayor of Keswick Town Council – Steve Harwood
3 Browfoot
Penrith Road
Keswick
CA12 4LQ

Monitoring Officer
Cumberland Council
Allerdale House
Workington
Cumbria
CA14 3YJ
Tel: 0300 373 3730

Complaints Procedure

The Importance of Complaints

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.

It is essential that complaints are dealt with positively. The 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.

Definition of a Complaint

A complaint is any expression or 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.

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 or unprofessional practice or conduct

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.

Complaints Officer

The Complaints Officer for the Town Council is the Town Clerk. Their main duties are:

- The day to day operation and management of the procedure, including providing a reference point for staff queries on informal complaints;
- To oversee, and undertake, where necessary, the investigation of formal complaints at the first stage, within the relevant timescales;
- To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve;

- To identify improvement points arising from any complaints;
- To identify staff training issues.

Stages of the Procedure

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.

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.

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.

Stage 1- Informal

1. If you feel that the staff response has not dealt properly or fully with your complaint, you should contact the Town Clerk.
2. If your complaint involves the Town Clerk, please go straight to Stage 2.
3. Contacting the Town Clerk can be done by telephone, email, in person or in writing. You should give your name, address, relevant dates and as much information as possible to help us deal with the complaint.
4. Once we receive your complaint, we will acknowledge receipt. We will make a written record, noting your name and contact details, and the nature of the complaint. We will then investigate, obtaining further information from you, staff or Councillors as necessary.
5. Within 20 working days we will send you a full written reply, or let you know if our reply will take longer, and explain the reason for the delay.
6. If we do not hear from you within ten working days of our reply, we will close the complaint.
7. A record of the complaint and investigation will be kept for six years.

Stage 2 – Formal

1. By now, we hope that we have resolved your complaint. If we haven't, and if you have been through Stage 1 you will be asked to give a reason why you remain dissatisfied.
2. If your initial complaint involves the Town Clerk, you should write to the Chairman of the Council who will report it to full Council.
3. Your complaint will be investigated following the procedure outlined below.
4. If your complaint is against a procedure administered by the Town Clerk a member of the Council will investigate the complaint and report to the Council and make representation in a hearing.

Complaint hearing procedure

1. The complainant shall be invited to attend the relevant meeting and with them such representation as they wish.
2. 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 on at the meeting.
3. At the meeting, the Council shall consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on a complaint shall be announced at the Council meeting in public.
4. At the meeting, the following procedure shall be followed:
 - a. Chairman to introduce everyone;
 - b. Chairman to explain procedure;
 - c. Complainant (or representative) to outline grounds for the complaint;
 - d. Councillors to ask any question of the complainant;
 - e. If relevant, Clerk or other proper officer to explain the Council's position;
 - f. Councillors to ask any question of the Clerk or other Proper Officer;
 - g. Clerk or other Proper Officer and complainant to be offered opportunity of last word (in this order);
 - h. Clerk or other Proper Officer and complainants to be asked to leave room while Councillors decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, all parties will be invited back.;
 - i. Clerk or other Proper Officer and the complainant return to hear decision, or advised when decision is to be made.
5. The decision will be confirmed in writing within seven working days, together with details of any action to be taken.