



COMPLAINTS POLICY AND PROCEDURES

Cleobury Mortimer Town Council is customer focussed and committed to providing quality service and value for money for the benefit of the people who live and work in its area, or who are visitors to the locality. However, from time to time, the Council receives complaints from members of the public who are not quite satisfied with a local service or are unhappy about an action or lack of action by this Council. Some complaints are received by telephone or in writing and some by a visit to the Town Clerk's Office. In order to deal efficiently and effectively with any complaint in a fair and impartial manner the Town Council has adopted this Complaints Policy and Procedures which sets out how you may complain to the Council and explain the process of how we shall try and resolve your complaint. It is hoped that by following this transparent process the good reputation of the Council will be maintained.

The following procedures should be followed by anyone wishing to make a complaint against Cleobury Mortimer Town Council which cannot be resolved less formally by the Town Clerk or Chair of the Council.

If you have a complaint against a Town Councillor, you should write to:

The Monitoring Officer
Legal and Democratic Services
Shropshire Council
Shirehall, Abbey Foregate
Shrewsbury
SY2 6ND

If you have a complaint against an employee of the Town Council, you should write to:

Chair - Cleobury Mortimer Town Council
Cleobury Country Centre
Cleobury Mortimer
Kidderminster
Worcestershire
DY14 8PE

If you have any other complaint, you should write to:

The Town Clerk - Cleobury Mortimer Town Council
Cleobury Country Centre
Cleobury Mortimer
Kidderminster
Worcestershire
DY14 8PE
Tel: 01299 271154

General Complaints Procedure

1. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
2. This Complaints Procedure does not apply to:
 - a. Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - b. Complaints against councillors. Complaints against Councillors are covered by the Code of Conduct for Members as detailed in the Council's Standing Orders (see Council Website on Policies) and will be referred to the Standards Committee of Shropshire Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Shropshire Council.
3. The appropriate time for influencing council decision making is by raising concerns before Council debates 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 is also the opportunity to raise your concerns in person at council meetings in the time allotted for public participation that is usually the 15 minutes shortly after the opening of the meeting. If you are unhappy with a council decision, you may raise your concerns with the council, but Standing Orders prevent 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 process set out in the Standing Orders is followed.
4. You may make your complaint about the council's procedures or administration to the Town Clerk. You may do this in person, by phone or by writing to the Town Clerk. The address and phone number are set out above.
5. Wherever possible, the Town Clerk will try to resolve your complaint immediately. If this is not possible, the Town Clerk will normally try to acknowledge and deal with your complaint within five working days.
6. If you do not wish to report your complaint to the Town Clerk, you may make your complaint directly to the Chair of the Council who will report your complaint to the Complaints Working Group of the Council.
7. The Town Clerk or the Complaints Working Group of the Council will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
8. The Town Clerk or the Complaints Working Group will notify you within 20 working days of the outcome of your complaint and what action (if any) the council proposes to take as a result of your complaint. (In exceptional cases the 20-working day timescale may have to be extended. If it is you will be kept informed.)
9. 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 complaint.

Unreasonable and persistent complainants

The Town Council's administration is carried out by a full time Town Clerk with support from a part time Finance Officer, some part time administrators and occasionally volunteers. In the event that a complainant is deemed to be unreasonably persistent either by written or oral communications or excessive visits to the Town Clerk's office and hinders normal day to day running of the Town Council, the Town Clerk will implement a policy for dealing with frequent or vexatious complainants, since such complaints can be time consuming and could lead to additional cost to the council tax payer.

Procedure for dealing with unreasonable and persistent complainants

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:

- Request contact with the Town Council in a particular form (for example letters or e-mails only);
- To request contact to take place with a named officer only;
- Restrict telephone calls to specified days and or times; and/or;
- 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 complaint 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 re-consider whether the complaint should still be treated as unreasonable and/or vexatious.

If a complainant persists in communicating with the Council once their case has been closed, the Council reserves the right to terminate all future communication. The case will only be re-visited if the complainant can provide fresh evidence that may affect the Council's previous decision concerning the original complaint. If the Council feels that re-opening the complaint cannot be justified, the complainant will be notified in writing that the case has been closed and there will be no further communication.

New complaints received from complainants deemed to be unreasonable and or vexatious will be treated on their merits.

Complaints will be kept on file for no longer than 2 years.

Unacceptable Behaviour

It is not uncommon for complainants to become short tempered when making a complaint, particularly if they feel that their complaint has not been dealt with in a timely manner or if the outcome has not met with their satisfaction.

The Council has a duty to ensure that its staff are treated respectfully and that they are not subjected to any unacceptable behaviour that is abusive, offensive or threatening. **The Town Council's staff will not tolerate abuse.**

If a complainant demonstrates unacceptable behaviour, they will be told that their behaviour is unreasonable and they will be asked to change their attitude to one that is acceptable.

If the complainant continues to behave in an unacceptable manner the Council will take action to restrict the complainant's contact with staff. The complainant may also be asked to stay away from Council premises. Any restrictions imposed will be appropriate and proportionate and the following may be applied:

- the complainant may be asked to enter into an agreement about their conduct.
- the complainant may be asked to communicate in a particular form e.g. letters only;
- the complainant contact may be assigned to a named officer;
- telephone calls may be restricted to specified days and times;

In all cases the Council will write to inform the complainant why their behaviour has been deemed to be unreasonable and unacceptable, and they will also be informed how long the action will be enforced and what procedure to follow if they wish to challenge the Council's decision should they disagree with.

Should the complainant continue to behave in an inappropriate manner the Council reserves the right to terminate contact with the complainant and discontinue any further investigation into their complaint. The Town Council's decision is final.

Where the complainant's behaviour is so extreme that it threatens the immediate safety and welfare of the Council's staff, the Council will consider appropriate options, which may include reporting the matter to the police or taking legal action. In such cases the complainant will be given prior warning.

REVIEW

The effectiveness of this Complaints Policy and associated arrangements will be reviewed every four years. Next review October 2024.