



# PRINCES RISBOROUGH TOWN COUNCIL COMPLAINTS POLICY & PROCEDURE

## 1. PURPOSE

Princes Risborough Town Council is committed to providing the best quality of service to the residents that it serves, but appreciates that there may be times when things go wrong. The purpose of our complaint's procedure is to put things right in such situations. The Council will take all complaints seriously.

**1.1** The Town Council is eager to hear people's comments and 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.

**1.2** At all times, all parties will be treated fairly and the complaints process will be reasonable, accessible and transparent.

## 2. SCOPE

### 2.1 Definition of a Complaint

For the purpose of this policy, the following definition of a complaint will be used:

"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 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."

### 2.2 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 and unprofessional practice or conduct

### 2.3 When the Complaints Procedure is Not Appropriate

The Town Council's Complaints Procedure will not be used in respect of the following types of complaint:

#### i. Financial Irregularity

The Town Clerk or Responsible Financial Officer (RFO) should endeavour to provide an explanation of the item.



If the complainant is not satisfied, complaints about financial irregularity should be referred to the Council's Auditor, whose name and address can be obtained from the Town Clerk. The Town Clerk or RFO will advise the complainant of their statutory right to object to the Council's audit of accounts pursuant to S16 Audit Commission Act 1998. On other matters, it may be necessary for the Town Clerk or RFO to consult the auditor/Audit Commission.

#### **ii Criminal Activity**

The Town Clerk should refer the complainant to the Police.

#### **iii. Member Conduct**

In the event of a complaint relating to a Member's failure to comply with the Code of Conduct, the complainant will be advised to make their complaint to

The Monitoring Officer  
Buckinghamshire Council  
Walton Street Offices  
Walton Street  
Aylesbury  
HP20 1UA

Email [monitoringofficer@buckinghamshire.gov.uk](mailto:monitoringofficer@buckinghamshire.gov.uk)

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#### **iv. Employee Conduct**

A complaint relating to the conduct of an employee will be dealt with via the Council's Disciplinary Policy and Procedure.

Complaints that an employee may have about a colleague will be dealt with in accordance with the Council's Grievance Procedure and Whistleblowing Policy. Complaints that an employee may have about a Member will be referred to The Monitoring Officer, Buckinghamshire Council.

### **3. 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.

### **4. Data Protection Act 2018**

**4.1** The Data Protection Act 2018 must be complied with when Dealing with a complaint and the complainant's personal details.

**4.2** By making a formal complaint with the Town Council, individuals are deemed to be giving consent for their personal data to be used in accordance with the Data Protection Act 2018 and the Town Council's Information and Data Protection Policy and Call Recording Policy.



**4.3** Personal information provided will only be used for the purpose for which it has been given and may be shared with a third party if the Town Council deems that it will assist in resolving the issue raised.

## **5. COMPLAINTS 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.

### **5.1 Complaints about the Town Council's administration or procedure will be dealt with as follows**

The Council will not deal with anonymous complaints.

Complaints made to the Clerk are complaints made to the Council. The Clerk will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities will be reserved.

The complainant shall be asked to put the complaint about the Council's procedures or administration in writing by using the complaints form attached to this policy document.

Reasonable support will be provided to any person with a disability which affects their ability to put a complaint in writing.

### **5.2 Stage One**

In the first instance, a complaint about a service, procedure or administration of the Council will be dealt with in the following way:

- a. The Town Clerk will acknowledge receipt of the complaint.
- b. Every effort will be made to resolve the complaint straight away. We aim to reply to all correspondence within ten working days.
- c. Should the complaint not be resolved by staff, complainants will be advised that they may instigate stage two of the complaints procedure, which will result in a complaints meeting being held.

### **5.3 Stage Two**

#### **Prior to the Complaints Meeting**

- a. If the complainant does not wish to put the complaint to the Town Clerk, they will be advised to put the complaint to the Town Mayor.



- b. Following receipt of the complaint, the Town Clerk or Town Mayor will immediately refer the written complaint to the Princes Risborough Town Council Administration & Human Resources Committee.
- c. The Town Clerk or Town Mayor will provide a written acknowledgement of the complaint within seven working days. The letter will advise the complainant when the matter will be considered by the Town Council Administration & Human Resources Committee.  
The complainant will be invited to attend the meeting and will be informed that they may bring a representative with them.
- d. The complainant will be notified that they must provide the Council with copies of any documentation or evidence relied on, seven clear working days prior to the meeting.
- e. The Council will provide the complainant with copies of any documentation upon which it wishes to rely at the meeting, and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.

#### **5.4 At the Complaints Meeting**

- a. The Chairman will introduce everyone and explain the procedure.
- b. The complainant, or their representative, will outline the grounds for complaint and then questions may be asked (i) by the Town Clerk or other nominated officer, and then (ii) by Members.
- c. The Town Clerk or other nominated officer may then explain the Council's position and questions may be asked (i) by the complainant and then (ii) by Members.
- d. The Town Clerk or other nominated officer should be offered the opportunity to summarise their position.
- e. The complainant is then given the opportunity to summarise their position.
- f. The Town Clerk, or other nominated officer, and the complainant will be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, **both** parties will be invited back.
- g. The Town Clerk, or other nominated officer, and the complainant will be given the opportunity to wait for the decision, but if the decision is unlikely to be finalised on that day they will be advised when the decision is likely to be made and when it is likely to be communicated to them.
- h. The decision will be confirmed in writing within seven working days of it having been made, together with details of any action to be taken.
- i. The decision will be reported to the next full Council meeting, which will be open to the public and the press.



## **6. Appeals against Decisions**

If the complainant feels that they wish to appeal against the process in which the decision was reached, they should appeal in writing, stating the full grounds of appeal, to the Clerk within ten working days of the decision being made.

a. The Clerk will have delegated responsibility for making arrangements for an appeal, where it is appropriate to do so and will give written notice of the date, time and place of the appeal hearing. The appeal hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.

b. Where possible the appeal hearing will be conducted by Councillors who were not previously involved in the procedure. Those Councillors not on the Administration & Human Resources Committee may be called upon should the complaint go to appeal.

c. Following the appeal hearing the Clerk will confirm, in writing and within ten working days, the outcome of the appeal

d. After the appeals procedure has been followed, the complainant has no right to further appeal and it remains the position that the Local Government Ombudsman has no jurisdiction over the Town Council.

## **7. Analysis**

Stage Two complaints will be analysed annually by the Town Clerk to spot patterns of serious complaints and lessons for service improvement, as well as assessing how well the complaints procedure is being followed.

## **8. Unreasonable and Vexatious Complaints**

There will be circumstances when a complainant persists in wishing to proceed when the complaint clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other procedure should or has been taken.

These matters will be referred to the Town Clerk with a summary of the issues and of the attempts made to resolve the complaint. The Town Clerk may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and will inform the complainant to this effect, making it clear that only new and substantive issues will merit a response.

## **9. POLICY REVIEW**

This policy will be reviewed on a two-year cycle. However, the policy will also be examined when a formal complaint is made to identify any areas requiring improvement.

Policy Due for Review: October 2024.



## Contact Details for Princes Risborough Town Council

### Mrs Susanne Barter – Clerk to the Town Council

#### **Princes Risborough Town Council**

Princes Centre

Clifford Road

Princes Risborough

Bucks HP27 0DP

Tel: 01844 275912

E: [towncouncil@princesrisboroughtowncouncil.gov.uk](mailto:towncouncil@princesrisboroughtowncouncil.gov.uk)

#### **The Monitoring Officer**

The Monitoring Officer

Buckinghamshire Council

Walton Street Offices

Walton Street

Aylesbury

HP20 1UA

Email [monitoringofficer@buckinghamshire.gov.uk](mailto:monitoringofficer@buckinghamshire.gov.uk)

**PRINCES RISBOROUGH TOWN COUNCIL  
COMPLAINTS & COMMENTS FORM**

Please use this form for comments and complaints. Thank-you.

Name:	
Address:	
Daytime phone no:	
Email:	

Name of person/department in the Council that you have been dealing with: (if relevant)	
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Details of your comment/complaint: (please continue on a separate sheet if necessary)

If you are making a complaint, what would you like the Council to do to put things right?