



D O W N H A M
M A R K E T

T O W N C O U N C I L

COMPLAINTS POLICY

DATE OF ADOPTION: Full Council 19th September 2023

REVIEW CYCLE: Every three years or earlier in the event of legislative changes

COMPLAINTS POLICY

1. THE PROCEDURE

Downham Market Town Council (the Council) is committed to providing a quality of service for the benefit of the people who live and 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 will try and resolve this complaint.

2. DEFINITION

A complaint is defined as: An expression of dissatisfaction by one or more members of the public about council administration, service, or procedure (whether provided directly by the Council or contractor or partner) that requires a response. There is no difference between a 'formal' and 'informal' complaint. Both are expressions of dissatisfaction that require a response.

3. INTRODUCTION

Pursuant to Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over Parish and Town Councils in England. Consequently, there are no statutory mechanisms in place should complaints be made in local councils in England.

The Town Council therefore, feels to improve communications and services to its residents, a fair, clear, and concise guide on the handling of complaints, will guarantee a transparent system to ensure that all complaints are treated with the same respect and importance that they deserve.

Whilst the Council will attempt to deal with all complaints itself, there are times when the Council will need to defer to another body to take the complaint forward to a satisfactory resolution. The Council will consider engaging other procedures/bodies in respect of the following type of complaint.

Type of Conduct	Refer to
Financial Irregularity	Local electors have a statutory right to object to a Council's audit of accounts (s16 Audit Commission Act 1998)
Criminal Activity	Any complaints which involve criminal activity will be referred to the Police.
Councillor Conduct	A complaint relating to a Councillor's failure to comply with the Council's Code of Conduct must be referred to the Monitoring Officer for the Standards Committee of Kings Lynn and West Norfolk Borough Council.
Employee Conduct	Any complaint which involves the conduct of a council employee will be handled by the Council's internal disciplinary procedure.

4. COMPLAINTS PROCEDURE

4.1 There is no time limit to making a complaint, but it should be made as soon as possible after the incident and ideally no more than one month should have passed between the incident and when the complaint is made. Complaints may be submitted in writing (*e-mail is acceptable to: info@downhammarkettc.co.uk*) or orally.

. Complaints about a policy decision made by the Council, will be referred back by the Town Clerk to the Full Council.

. All complaints should be referred to the Town Clerk for action. If the complaint involves the Town Clerk personally, the complaint should be addressed to the Chair and Vice Chair of Human Resources (HR).

. Anonymous complaints will not be considered in any way.

4.2 STAGE 1 - INFORMAL

In most cases, it will be possible for an issue to be dealt with straight away, and the source of the complaint resolved immediately by the Town Clerk *. The Council aims to respond to correspondence within 10 working days. If the complainant is still not satisfied, then the Council will suggest the complainant move to the next stage.

4.3 STAGE 2 - FORMAL

. The complainant should complain in writing to the Town Clerk *. A Complaints Panel will be drawn consisting of the The Mayor or Deputy Mayor who will chair the Panel, and two others from available Councillors.

. The Complaints Panel will meet in private.

. The Town Clerk * will advise the complainant, within 21 working days, when and where the Panel will meet to consider the complaint.

. The complainant will be invited to attend the relevant meeting.

. Not later than seven clear working days prior to the meeting, the complainant and the Council will exchange copies of any documentation or other evidence to be relied on.

. The Town Clerk * will normally represent the Council throughout the proceedings, but another employee or a nominated Councillor may act instead. The Councillor must not be involved in the process in any other way.

(* or Chair & Vice Chair of HR)

4.4. THE COMPLAINTS PANEL MEETING

This meeting is not open to the public and all matters discussed will be treated as confidential.

. The Chair will introduce everyone and explain the procedure.

. The complainant should outline the grounds for complaint before any questions from the Town Clerk * and then from the Panel.

. The Town Clerk * should explain the Council's position before any questions from the complainant. The complainant and the Town Clerk * should then summarise their

position; then leave the room while the Panel decides whether or not the grounds for the complaint have been made and evidenced.

. If the decision is unlikely to be finalised on that day, a date will be provided by which time a decision will be made.

5. **AFTER THE MEETING**

A decision will be confirmed in writing within seven working days together with details of any action to be taken. The results of the proceedings will be reported at the next Full Council meeting, ensuring that agreed confidential issues are appropriately respected.

6. **APPEALS**

. There is no appeals process, the decision of the Complaints Panel is final.

7. **RECORDING COMPLAINTS**

A record of all complaints made will be kept by the Town Clerk.

(* or Chair & Vice Chair of HR)

END