



# **BIDEFORD TOWN COUNCIL**

## **COMPLAINTS PROCEDURE**

Bideford Town Council  
Town Hall  
BIDEFORD  
Devon  
EX39 2HS

Telephone: 01237 – 428817/428818

Date: 8 October 2020  
(Minute No 166)

## **BIDEFORD TOWN COUNCIL – COMPLAINTS PROCEDURE**

1. This Policy sets out procedures for dealing with complaints that anyone may have about a service undertaken by Bideford Town Council or any of its employees. A complaint is where:
  - The council has not done something it has a duty to do or normally does.
  - The council has done something it has no right to do.
  - The conduct or behaviour of an employee is unsatisfactory.
  - The established levels of service delivery are not reached.
  - An adopted and known procedure is not followed.
  - Maladministration is alleged.
- 1.1. We aim to swiftly investigate all complaints in an impartial manner and to find a solution locally, whenever possible, to the satisfaction of both the complainant and the council.
  - Councillors are covered by the Code of Conduct adopted by the Council on 21 June 2012.
  - Employee Conduct: This will be dealt with as an internal disciplinary matter under council's disciplinary procedure.
- 1.2. Complaints should be put in writing to the Town Clerk and marked "Confidential".
- 1.3. If the complainant prefers not to put the complaint to the Town Clerk or where the complaint concerns the Town Clerk, he/she should be advised to put it to the Mayor and marked "Confidential".
- 1.4. Where the Clerk to the Council receives a written complaint about the Mayor, s/he shall refer the complaint to the Staffing, Finance and General Purposes Committee. The Mayor shall be notified and given an opportunity to comment.
2. On receipt of a written complaint an acknowledgement letter will be sent advising how the complaint will be dealt with. The complaint will be handled by the most appropriate member of staff, Committee, or The Mayor, depending on the nature of the complaint.
  - 2.1. The Town Clerk must be kept informed by that member of staff of the handling of the complaint and its resolution and will be required to report the complaint, and the resulting action to the next scheduled meeting of the most relevant committee.
  - 2.2. The Mayor or Clerk or the staff Member handling the complaint (*unless the complaint is against the Mayor or the Clerk themselves*), shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complained against and giving him/her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.
  - 2.3. If a complaint or comment relates to the remit of a specific committee, then that committee will take the lead on reviewing the complaint or comment and agreeing the most appropriate action to take in consultation with relevant staff.

3. Complaints which fail to be resolved via the informal process detailed above.
  - 3.1. In some circumstances it will be necessary for the SFGP Committee, or the relevant Town Council Committee, to investigate a complaint further and, if required, invite the complainant to attend a meeting of the Committee. The Mayor or Clerk to the Council shall bring any written complaint that has not been settled to the next meeting of the appropriate Committee. The Clerk to the Council shall notify the complainant of the date on which the complaint will be heard at the meeting and the complainant shall be offered an opportunity to explain the complaint orally. The Committee shall consider whether the circumstances surrounding the complaint warrants the matter being discussed in Part II.
  - 3.2. As soon as practical after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
  - 3.3. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.
  - 3.4. A complaint against a member of the Council's staff could result in disciplinary action, or in cases of gross misconduct, dismissal. The Council will not, under any circumstances, enter into any correspondence or discussion with complainants about any action taken, formally or informally, against any member of staff. This is expressly to protect the employment rights of all Council employees.
4. Whilst the Council endeavours to respond to all complainants there are times when there is nothing further that can reasonably be done to assist or to rectify a real or perceived problem. Habitual or unreasonable complaints can be a problem for council staff and members. If a complainant begins to make frequent contact with the Town Council and hinders the normal day to day running of the Town Council, the Town Clerk will refer this to the Staffing and Finance and General Purposes Committee. This Committee will ensure that the complaint has been investigated properly according to the adopted complaints procedure. If this is found to be the case, the Complainant will be informed in writing, that the complaint has been discharged to the satisfaction of the Council.

**BIDEFORD TOWN COUNCIL**

**COMPLAINT FORM**

If you have a complaint about a matter for which the Council is responsible you may write to the Council or use this form if you prefer. Please return the form to:

The Town Clerk, Bideford Town Council, Town Hall, Bideford, Devon EX39 2HS

Name: .....

Address: .....

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Tel No: .....

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What is your complaint?

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