

COMPLAINTS POLICY

1. INTRODUCTION

- 1.1 Dartmouth Town Council ('the Council') has chosen to adopt this Policy to ensure that any complaints are properly and fully considered. This sets out how complaints can be made to the Council and how we shall try to resolve your complaint.
- 1.2 The appropriate time and method 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 Town Clerk in advance of the meeting at which the item is to be discussed.
- 1.3 The Council does not consider formal complaints against Councillors (see 3.5-3.7).
- 1.4 All other complaints should be addressed, in the first instance, to the Town Clerk who is the Council's Proper Officer and can be contacted via:
 - Post: Dartmouth Town Council, The Guildhall, Victoria Road, Dartmouth TQ6 9RY
 - Email: clerk@dartmouthtowncouncil.gov.uk
 - Telephone: 01803 832281.
- 1.5 Should the complaint be regarding the Town Clerk, it should be addressed to the Chair of the Personnel Committee.
- 1.6 Should a Councillor be approached by a complainant, they should refer them to the Town Clerk for the complaints process to be implemented.
- 1.7 A fair and courteous response will be given in all cases, and a full and proper investigation may be undertaken to establish all the pertinent facts.

2. INFORMAL COMPLAINTS

- 2.1 An informal complaint should be made to the Town Clerk, who will liaise with the complainant and relevant Councillors and/or Officers to seek resolution.
- 2.2 You may make your complaint in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
- 2.3 Should it not be possible to resolve a complaint informally, the complainant may escalate the complaint to a formal complaint.
- 2.4 If, in the opinion of the Town Clerk or Mayor, the complaint is of a serious and/or complex nature and/or require significant council time to investigate further, it shall be escalated to a formal complaint and the complainant requested to put their complaint in writing.
- 2.5 There is no defined process for an informal complaint, but records may be kept of any communications and attempts at resolution.

3. FORMAL COMPLAINTS

- 3.1 Where possible, the Council wish to solve any complaint informally prior to a formal complaint being lodged.
- 3.2 Formal complaints must be made in writing.
- 3.3 We are happy to make reasonable adjustments to assist if a disability prevents you from making your complaint in writing and can also help if English is not your first language.
- 3.4 Wherever possible, the Town Clerk will try to resolve your formal complaint within five working days. If this is not possible, your complaint will be acknowledged within five working days and resolve the matter and respond within a further 10 working days. If this is not possible, then an anticipated time scale of when the complaint will be responded to will be issued.

FORMAL COMPLAINTS ABOUT COUNCILLORS

- 3.5 The Town Council does not consider formal complaints about its Councillors.
- 3.6 Councillors are required to comply with an adopted Code of Conduct.
- 3.7 A formal complaint about a Councillor should be directed to South Hams District Council as per their own complaints process: The Monitoring Officer, South Hams District Council, Follaton House, Totnes, Devon TQ9 5NE or email Monitoring.Officer@swdevon.gov.uk.

FORMAL COMPLAINTS ABOUT OFFICERS/EMPLOYEES

- 3.8 Formal complaints about a Council employee must be made in writing to the Town Clerk, setting out the reasons for the complaint and providing any supplementary information that will assist an investigation.
- 3.9 Complaints about the Town Clerk must be made in writing to the Chair of the Personnel Committee, setting out the reasons for the complaint and providing any supplementary information that will assist an investigation.
- 3.10 Complaints will be processed in accordance with our internal disciplinary procedure.

FORMAL COMPLAINTS ABOUT THE COUNCIL, COMMITTEES OR DECISIONS

- 3.11 Formal complaints about the Council, its Committees or decisions must be made in writing to the Town Clerk, providing any supplementary information that will assist an investigation.
- 3.12 If you are unhappy with a recent Council decision, you may raise this but note that decisions may only be reconsidered subject to the Council's Standing Orders.
- 3.13 The complaint shall be considered by the Town Clerk, Mayor and, if relevant, the Committee Chair, who shall seek to resolve the issue or explain the background to the decision.

- 3.14 If necessary, the complaint may be referred to the relevant Committee for consideration or, at the discretion of the Mayor, to Full Council. The complainant shall be invited to address the Committee and/or Full Council to outline the background to the complaint.
- 3.15 The Council may defer dealing with any written complaint 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.
- 3.16 Records shall be kept detailing all complaints, actions undertaken and the outcome.
- 3.17 The Council's decision will be communicated to the complainant in writing with information regarding the reasons for the decision and any action that is to be taken.

4. VEXATIOUS COMPLAINTS

- 4.1 A vexatious complainant is one who persists unreasonably with their complaints or makes complaints in order to inconvenience the Council rather than genuinely resolve a specific issue. Examples may include, but are not limited to:
 - making serial complaints about different issues or continuing to raise the same or similar matters repeatedly;
 - complaints which are obsessive, persistent, harassing, prolific, repetitious;
 - insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes;
 - insistence upon pursuing meritorious complaints in an unreasonable manner;
 - complaints which are designed to cause disruption or annoyance.
- 4.2 If such complaints affect the Council's ability to undertake its work and provide its services to others, it may alter the way it deals with complaints by not acknowledging or responding to vexatious complaints. Complaints will still be read in case they contain new information.
- 4.3 If a complainant is to be classified as vexatious, they shall be informed so and given a timescale of how long this will remain the case.
- 4.4 Should a vexatious complainant make a new complaint about new issues, these will be treated on their merits.