

HATFIELD TOWN COUNCIL

COMPLAINTS PROCEDURE

Complaints Procedure

1. THE IMPORTANCE OF COMPLAINTS

- 1.1 Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.
- 1.2 It is essential that complaints are dealt with positively. The Town Council is anxious 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.

2. DEFINITION OF A COMPLAINT

- 2.1 A complaint is *any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Town Council or its staff which affects an individual customer or group of customers.*

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 **What the complaints procedure will not deal with:-**

- complaints for which there is a legal remedy or where legal proceedings already exist.
- complaints about employment matters - the Town Council operates alternative procedures to deal with grievances or disciplinary matters against staff.

3. EQUAL OPPORTUNITIES

- 3.1 The Town Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 3.2 Complaints by members of the public of discrimination and/or harassment against the Town Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

4. COMPLAINTS OFFICER

4.1 The Complaints Officer for the Town Council is the Deputy Town Clerk. Their main duties are:

- (i) The day to day operation and management of the procedure, including providing a reference point for staff queries on informal complaints.
- (ii) To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
- (iii) To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
- (iv) To identify improvement points arising from any complaints.
- (v) To identify staff training issues.

4.2 Certain types of complaint should be referred directly to the Town Clerk or the Monitoring Officer (Margaret Martinus, Head of Law and Administration, Welwyn Hatfield Council) as statutory officers. Those to be dealt with by the Town Clerk will include complaints about the Deputy Town Clerk and those to be dealt with by the Monitoring Officer will be complaints about individual Councillors.

5. STAGES OF THE PROCEDURE

5.1 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. However there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

It is vital however, that the Town Clerk remains clear of the process, until required at any second stage to ensure that their contribution is completely independent.

5.2 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.

5.3 Informal Complaint

During the course of daily business, minor complaints are made to officers about the services we provide. These will usually be dealt with by the Deputy

Town Clerk. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

5.4 **Formal Complaint (First Stage)**

A customer may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This will be recorded as a complaint and passed to the appropriate officer to investigate.

If the complainant remains unsatisfied with the response, they should be informed of their right to take the matter further. This will be referral to the Town Clerk for a review of the investigation (i.e. the second stage of the procedure).

Timescales

Acknowledgement - by return of post

Investigation completed - 14 days

or Progress Reports Issued - 14 day intervals

Investigating Officer: Deputy Town Clerk

5.5 **Review of Investigation and Complaint (Second Stage)**

If the complainant is not satisfied with the Investigating Officer's response, they should be advised of their right to have the complaint referred to the Town Clerk who will review the complaint.

Timescales

Response by the Town Clerk - 14 days

Panel (if thought necessary) - Convened within 14 days

Review completed - 14 days thereafter

Investigating Officer: Town Clerk

5.6 **Councillors' Panel**

If the issue still remains unresolved, the complainant should be notified of their to have the matter referred to a Panel consisting of the Mayor, a nominee of the Leader of the Council and a nominee of the Leader of the Opposition. The outcome of all formal complaints dealt with by Council Officers will be advised to the Resources and Policy Committee.

The Equality and Human Rights Commission

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