



# COMPLAINTS PROCEDURE

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This Complaints Procedure was adopted by the council at its meeting held on 20<sup>th</sup> May 2025.

## **1. Introduction**

We try to get our service delivery right every time, but there are occasions when users of our services may be dissatisfied with our performance, for any number of reasons. This policy sets out how to raise a complaint with the Council and how we will deal with it.

The council is committed to treating all complaints fairly and without discrimination on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

## **2. Accessibility and Reasonable Adjustments**

We are committed to ensuring our complaints procedure is accessible to all. In line with the Equality Act 2010, we will:

- Accept complaints in multiple formats including written, email, online form, and alternative formats such as audio or braille
- Offer reasonable adjustments to support complainants with disabilities or specific needs
- Provide face-to-face meetings with appropriate assistance if required
- Make translation and interpretation services available for non-English speakers
- Allow complainants to be accompanied by a friend, advocate or support person throughout the complaints process
- Adapt our communication methods to suit the individual needs of complainants

If you require any assistance to make a complaint, please contact our Council offices.

## **3. Informal Complaint**

It is hoped that most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone, email, or a visit to the Council offices.

The complaint will be handled by the most appropriate member of staff, depending on the nature of the complaint. The Executive Officer will be kept informed of the handling of the complaint and its resolution.

Complaints should always be directed through the Council offices, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not able to resolve complaints.

It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

## **4. Formal Complaint**

The Executive Officer is responsible for managing the formal complaints process. The Executive Officer is the senior officer of the Council, effectively its General Manager. If a formal complaint is being raised against the Executive Officer, then the process as detailed should be followed, but the Chair of the Council should be informed instead of the Executive Officer.

A formal complaint should be submitted in writing (to include e-mail) to the Council offices, addressed to the Executive Officer and marked "Confidential -- Formal Complaint." Complaints can also be submitted in alternative formats such as audio or braille upon request to accommodate disabilities. This will ensure the matter is handled by the Executive Officer's nominated deputy, should the Executive Officer be away.

The Council encourages contact by email and telephone, but as a formal complaint is a serious matter, we will only accept these in writing and not by phone. The complaint should cover as much detail as possible and enclose any relevant supporting documentation.

The Executive Officer will acknowledge receipt of the complaint within three working days. The Executive Officer will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution.

If the complainant is satisfied with the resolution the complaint is closed.

If the Executive Officer is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to a meeting of the Council's Complaints Review Panel.

## **5. Service Standards**

The Council is committed to the following service standards for complaints:

- All complaints will be acknowledged within 3 working days
- Full responses to formal complaints will be provided within 20 working days
- If delays occur due to the complexity of the complaint or other factors, we will explain the reason for the delay and provide a new timeframe
- We will keep complainants informed of progress throughout the process
- All responses will be clear, jargon-free and address all points raised
- We will explain any decisions made and provide information about next steps if the complainant remains dissatisfied

## **6. The Complaints Review Panel**

The Review Panel is a properly formed committee of the Town Council. The panel will be constituted of four members plus the Chair and Vice Chair of the Council. The Review Panel has delegated authority from the Town Council to review and decide on complaints.

Two members of the Panel plus the Chair and Vice Chair will review a complaint; this will ensure the panel is quorate. The panel is subject to all the normal meeting notification, agenda, and minute requirements, as laid down in the Town Council's Standing Orders.

Arrangements for minute taking will be reviewed when a Review Panel meeting is called. It is expected that the Review Panel will be able to meet within seven working days of being notified by the Executive Officer.

## **7. Prior to the Meeting**

Seven clear working days before the Review Panel meeting the complainant will provide the Town Council with copies of all documentation, or other evidence (such as photographs) that they intend to introduce to the Review Panel meeting.

The Town Council will provide the same to the complainant. The Executive Officer, in consultation with the Chair of the Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Town Council conducts its business in public, matters that involve individual identified members of staff, or because of their confidential nature may require the exclusion of the press and public.

## **8. At the Meeting**

I. The Chairman of the Review Panel shall introduce everyone and explain the procedure to be used to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.

a. The complainant (or representative) shall be invited to outline the grounds for complaint and panel members given the opportunity to ask any question of the complainant. The complainant may be accompanied by a friend, advocate or support person at the Review Panel meeting if desired.

b. If relevant, the Executive Officer (or their deputy) will explain the Council's position and panel members shall ask any questions of the Executive Officer.

c. The complainant is to be offered the opportunity of a last word as a means of summing up their position.

d. The Executive Officer is to be offered the opportunity of a last word as a means of summing up their position.

II. The Executive Officer and complainant shall be asked to leave the room while panel members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.

III. The announcement of any decision will be made in public, at the next Council meeting.

## **9. Supporting Vulnerable Complainants**

We recognise that some complainants may require additional support due to vulnerability or specific needs:

- Staff will be trained to identify and appropriately assist vulnerable complainants
- We will offer additional help or guidance to those who need it
- Advocacy services may be suggested where appropriate
- For complaints involving safeguarding concerns, we will follow the Council's Safeguarding Policy and procedures

- We will make appropriate accommodations to ensure all complainants can access our complaints procedure equally

## **10. 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 Executive Officer with a summary of the issues and of the attempts made to resolve the complaint. The Executive Officer may (after consultation with the Chair of the Council) 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.

The Council reserves the right to implement a managed communication approach when dealing with complainants whose behaviour is abusive, offensive, threatening or constitutes harassment. This is to protect staff wellbeing and ensure efficient use of public resources. Such decisions will be reviewed regularly, and complainants will be informed of:

- Why their behaviour has been deemed unreasonable
- What action is being taken
- The duration of any restrictions imposed
- How to appeal the decision

## **11. Remedies**

The main criteria that should be used to determine whether any sort of complaint remedy is appropriate are whether any errors were made by the Council and whether these caused any injustice or inconvenience to residents and/or service users.

If the Council has been at fault the situation might be remedied through an apology, an action to repair or correct something, an agreement with a resident and/or service user to do something differently or a rebate or compensation or through a combination of these as appropriate.

If the Council is making a change to services or procedures as a direct result of a complaint it is also important to inform the residents and/or service users about this.

Section 92 of the Local Government Act 2000 gives Councils a general power to pay compensation or take other remedial action. However, money is not the only or necessarily the best remedy.

## **12. Complaints About Commissioned Services**

Where services are provided on behalf of the Council by a contractor or third-party organisation:

- Initial complaints should be directed to the service provider through their complaints procedure
- If the complainant remains dissatisfied after completing the contractor's procedure, they may escalate the complaint to the Council

- The Council will review how the complaint was handled and whether the service provider met their contractual obligations
- We will liaise with the service provider to resolve the matter where appropriate
- Contract monitoring arrangements will incorporate complaint handling performance

### **13. Timings**

The Town Council will try to adhere to the timings outlined in this policy, but in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, may mean that the timings must vary. Should this occur then the complainant will be informed of the revised timescales.

### **14. Impact on Council Staff**

A formal complaint is a serious matter. A complaint against a member of the Town Council's staff could result in disciplinary action, or in cases of gross misconduct dismissal from the Council's employment. The Town Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

The Council has a duty of care to protect its staff from abuse, harassment or unreasonable behaviour. Staff dealing with complaints will be provided with appropriate training and support.

### **15. Complaints against Councillors**

This policy does not cover complaints against an individual Councillor(s).

Complaints against Councillors are covered by the Code of Conduct and should be addressed to:

Northumberland County Council Monitoring Officer  
 Legal Services  
 Northumberland County Council  
 County Hall  
 Morpeth NE61 2EF

<https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/About-the-Council/contact/01393647.pdf>

### **16. Data Protection and Confidentiality**

In accordance with UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018:

- All complaint information will be handled sensitively and in accordance with the Council's Privacy Notice
- Complaint information will only be shared with those who need to know in order to investigate and resolve the complaint
- Personal information related to complaints will be retained in line with our data retention schedule

- Complainants have the right to access their personal data in accordance with data protection legislation
- The Council will maintain confidentiality of complaints throughout the process

For further information, please refer to the Council's Data Protection Policy.

### **17. Learning from Complaints**

The Council views complaints as an opportunity to learn and improve services. We will:

- Record and monitor all complaints received
- Analyse complaints data regularly to identify trends and systemic issues
- Report complaints data to relevant committees on a quarterly basis
- Implement service improvements based on complaint feedback
- Share learning across departments to prevent similar issues occurring elsewhere
- Review the effectiveness of actions taken in response to complaints

### **18. Anonymity**

The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.

### **19. Legal Matters**

Where a complaint:

- Involves, or may lead to, an insurance claim against the Council
- Relates to a matter where legal proceedings are active or imminent
- Involves alleged criminal activity

The complaint may be handled differently or paused while legal processes are completed. The complainant will be advised if this is the case.

This complaints procedure operates in accordance with relevant legislation including the Local Government Act 1974, the Equality Act 2010, and the Local Government Act 2000.

### **20. Finale**

The decision of the Council's Complaints Review Panel shall be final and binding within the Council's procedure.

### **21. Monitoring and Review of this Policy**

The Executive Officer shall be responsible for reviewing this policy annually to ensure that it meets legal requirements and reflects best practice. A report on complaints received will be presented to the Council.

Any proposed amendments to this policy shall be reported to and approved by the Council.