WEST BEDLINGTON
TOWN COUNCIL

Complaints Procedure

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1. Introduction

1.1. This procedure covers routine complaints and those that could be described as habitual and vexatious. The majority of complaints generally fall under the first category and only occasionally move to the second option covered by paragraph 4 onwards.

1.2. Habitual or vexatious complaints are defined here as unreasonable complaints, enquiries or outcomes that are repeatedly or obsessively pursued.

1.3. Some types of complaint will be handled outside this procedure: Financial irregularity will be handled by the Council's own auditor / Audit Commission; Criminal activity by the Police; Member conduct by the standards committee of the principal authority; Employee conduct by internal disciplinary procedure.

2. Complaints Procedures for West Bedlington Town Council

2.1. The Council will handle complaints in full council or nominate councillors who are authorised to deal with complaints but are not involved with the case.

2.2. If the complaint is handled by the full council, then two nominated councillors should not take part in the proceedings. They will then be available to handle any appeal, if required.

2.3. The clerk will normally represent the council through the proceedings, but a nominated councillor may act instead.

3. The Procedure

3.1. Before the Meeting

- The complainant will complain in writing to the clerk or to the chairman of the council. Assistance will be given to the claimant if necessary and can be made via email.
- The complainant will be advised when the matter will be considered and whether it will be treated confidentially or heard by a committee. A copy of this policy will also be given to the complainant.
- The complainant will be invited to attend a meeting with a representative if wished.
- 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.

3.2. At the Council Meeting or Committee Meeting

- The chairman of the meeting will introduce everyone and explain the procedure.
- The complainant (or representative) will outline the grounds for complaint before any

questions from the clerk and then from members if present.

- The clerk will explain the council's position before any questions from the complainant, and from members if present.
- The complainant and the clerk will then summarise their position; they then leave the room while members decide whether the grounds for the complaint have been made.
- If the decision is unlikely to be finalised on that day an estimated date will be given.

3.3. After the Meeting

- The decision will be confirmed in writing within seven working days together with details of any action to be taken.
- The result of the proceedings will be reported at the next council meeting ensuring that agreed confidential issues are appropriately addressed.

3.4. Appeals

- Should the complainant not agree with the decision they will be entitled to appeal the decision within fourteen days of receipt of the result of the proceedings.
- The councillors nominated to handle the appeal will, within twenty-one days of receiving the appeal, examine the way in which the council dealt with the complaint.
- If procedures were correctly handled by the council, then the appellant will be notified that the appeal has not been successful. If the complaint was not handled correctly, it will be referred back for consideration as at 3.2.
- The appellant will be notified of the result of the appeals process within fourteen days.

4. Habitual and Vexatious Complaints

4.1. The council will endeavour to deal with complaints in an efficient, equitable and effective manner.

4.2. If the complainant behaves in ways which can: impede the investigation of the complaint; have significant resource implications; hinder the complaints service for others; be offensive, abusive or threatening, the council may have to initiate further action.

5. Aims of this Section

5.1. The aim of the council is to manage each case properly, consistently, fairly and respectfully and ensure that the complaint, not the complainant, is the issue during any procedure and decision making.

5.2. It is important to establish guidelines for identifying habitual or vexatious complainants and that any decisions made follow agreed guidelines and procedures.

6. Guidelines

6.1. The council will try to keep open the lines of communication with appropriate support e.g. clarifying the reason for the outcome; offering relevant support for a complainant with special needs; suggesting an independent representative to help present their case.

6.2. Any action taken because of proven persistent and/or vexatious complaint will be proportionate to the degree of annoyance/aggravation caused.

7. Procedure

7.1. The possibility of there being an unreasonably persistent and/or vexatious complaint will be brought to the attention of the chairman or vice chairman to ensure that the complaint has been dealt with according to the council's complaints procedure.

7.2. The chairman or vice chairman will contact the complainant in an effort to resolve the situation.

7.3. In the case of a meeting, if there is a personality issue, the complainant may nominate another councillor who will be made aware of all the facts. A complainant may wish to bring a representative. The council will give appropriate support (e.g. special needs) to the complainant in choosing a representative etc.

7.4. The chairman/vice chairman will:

- Listen to the grievance/complaint
- Assure the complainant of confidentiality with personal details
- Carefully explain what action the council has taken within its remit to resolve the complaint
- Offer any relevant support about the complaints procedure to the complainant
- Suggest complaint structures available if complaint is outside the council's remit
- Explain how the complainant's actions are of concern but are hampering the complaints procedure
- Explain what actions the council may take
- Seek an assurance that the persistent/unreasonable nature of complaint will be addressed

7.5. The outcome and relevant details of the meeting will be noted.

8. Decision

8.1. If the complainant continues to behave in unreasonable and/or vexatious way, the

chairman or vice chairman will seek the approval of the council to follow the policy and agree what action(s) to take, e.g. restrict or refuse any further contact.

8.2. The complainant will be advised by letter from the clerk of this action, including any further actions the complainant may take with other bodies including their right to obtain independent advice.

8.3. The council will record the decision and hold all relevant correspondence except all personal details about the complaint and the complainant, which will be stored appropriately in line with the Data Protection Act.

8.4. The clerk will notify all councillors and members of staff as appropriate.

8.5. Any new complaint from any person who has come under the policy must be treated on its merit.

9. Review

9.1 The decision taken at Section 8 will be reviewed after 6 months. The complainant will be notified of the result if the decision to apply the policy has been reversed.