

**Dursley Town Council - Complaints Policy**  
**Reviewed 3<sup>rd</sup> June 2015**

**Complaints procedures**

1. Dursley Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
  - 3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
  - 3.2. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of Stroud District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Stroud District Council. This policy will only apply to councillors after they have been referred to and considered by the Monitoring Officer.
4. The appropriate time 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 Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Mayor who will report your complaint to the Complaints Committee of the Council or to the Council (as appropriate).
8. The Council's Complaints Committee will include the appropriate Committee Chairman and either the Clerk or, if the complaint relates to the Clerk, the Mayor.

9. The Clerk or the Complaints Committee of the Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
10. The Clerk or the Mayor will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
11. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of the Town Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

### **Policy on the management of unreasonable complaint behaviour**

12. Dursley Town Council is committed to dealing with all complaints fairly and impartially. However, we recognise that sometime complaints can become unreasonable because of their nature or frequency. This policy deals with how unreasonable complaints will be managed.

### **Unacceptable behaviour:**

13. Dursley Town Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants. When it occurs, we will take proportionate action to protect the wellbeing of our staff and the integrity of our processes.

Examples of unacceptable behaviour include:

- Refusing to specify the grounds of a complaint, despite offers of assistance.
- Refusing to co-operate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising numerous, detailed but unimportant questions; insisting they are all answered.
- Covertly recording meetings and conversations.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with a variety of organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations that the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

### **Actions we may take:**

14. **Warnings:** In most instances when we consider someone's behaviour is unreasonable we will explain why and ask them to change it. We will also warn them that, if the behaviour continues, we will take action to restrict their contact with our office.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of our staff we may report the matter to the police or consider taking legal action. In such cases, we may not give the complainant prior warning.

15. **Restricting access:** The Town Clerk in consultation with the Mayor or the relevant Committee Chairman will decide whether the circumstances justify any restriction of access.

They will record the reason for their decision and explain it to the person concerned. They will state how long any restriction will apply for before it is reconsidered, and say how the decision can be challenged.

The sort of restrictions imposed could include:

- restricting telephone calls to specified days and limited times
- limiting contacts to one form only (for example, a maximum of one letter a week)
- requiring contact to take place with one named officer
- requiring the complainant to enter into an agreement about their future behaviour before their complaint proceeds, and/or
- managing contact with the help of an independent advocate.

Other suitable options will be considered in the light of the complainant's circumstances. Our objective, wherever possible, is to complete consideration of the complaint on its merits in a managed way.

If the complaint is still under consideration six months later, we will review whether the restrictions imposed are still necessary and should remain.

#### **Policy considerations:**

16. In considering applying restrictions under this policy we will take into consideration our:

- Equality Policy,
- Health and Safety Policy,
- Code of Conduct,
- staff policies,
- Complaints Policy,
- Freedom of Information Publication Scheme.

#### **Contacts:**

<b>Town Clerk:</b> John Kay <b>Address:</b> Jacob's House Castle Street Dursley Glos. GL11 4BS <b>Telephone:</b> 01453 547758 <b>Email:</b> <a href="mailto:clerk@dursleytowncouncil.gov.uk">clerk@dursleytowncouncil.gov.uk</a>	<b>Mayor:</b> Cllr Neil Grecian <b>Address:</b> 9 Ferney Dursley Glos. GL11 5AB <b>Telephone:</b> 01453 547758 <b>Email:</b> <a href="mailto:neil.grecian@dursleytowncouncil.gov.uk">neil.grecian@dursleytowncouncil.gov.uk</a>
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