



CHIPPENHAM
TOWN COUNCIL
Improving the quality of town life

Complaints Policy

Author: Chief Executive
Responsibility: S&R Committee
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Statement

Chippenham Town Council are committed to providing a high-quality level of service to our customers. While we aim to ensure that no customer has cause for complaint, this document sets out the process for raising a complaint and how they will be dealt with effectively and efficiently.

Chippenham Town Council believes that complaints can provide useful information and feedback on the quality of our services, procedures, and practices. The effective handling of complaints will help us to improve the services provided on behalf of residents, visitors and those working within the town.

Scope

The policy applies to complaints made by the public against Chippenham Town Council (herein referred to as “the Council”) including all employees, contract, agency and temporary staff, and employees of partner organisations working for the Council.

Separate arrangements as prescribed by law are in place in respect of Councillors. These arrangements are referred to on page 6 of this policy.

Review Statement

This policy has been prepared considering prevailing legislation and recognised good practice. New legislation requirements or changes in current legislation may necessitate the review of this document. The Council will continue to review this policy on a regular basis.

Equality

In putting the procedure into practice, no aspect will discriminate on the grounds of race, sex, sexual orientation, gender reassignment, age, religion, politics, marital status, disability, union membership, or any other grounds likely to place any particular employee at a disadvantage.

Aims

The aims of this policy are to ensure that:

- Complaints are taken seriously and investigated in a transparent and impartial manner
- Complaints are dealt with within the stated timescales
- All comments are properly and fairly considered

- We will treat your complaint confidentially and personal details provided will only be used for the purpose of dealing with your complaint.

Definition of Complaints

A complaint is an expression of dissatisfaction about a service undertaken by Chippenham Town Council or any of its employees or contractors. It can be minor, serious, formal, or informal.

More specifically, a complaint is where:

- The Council has not done something it has a duty to do or normally does
- The Council has done something it has no right to do or does not normally do as a matter of established practice
- The conduct or behaviour of an employee or contractor is unsatisfactory
- The established levels of service delivery are not reached
- A person does not understand or is not informed of why or how a situation arose or exists
- An adopted and known procedure is not followed
- Maladministration or malfeasance is alleged.

This policy does not apply to:

- Matters that have previously been fully investigated through the complaints process
- Anonymous complaints
- Complaints about access to information where procedures are set out in legislation, such as the Freedom of Information Act or General Data Protection Regulations
- Complaints raised by employees of Chippenham Town Council, who should follow the Council's separate Grievance Policy
- Complaints raised by Councillors, who should approach the relevant Director, Deputy Chief Executive or the Chief Executive in the first instance.

What To Do If You Have A Complaint

The first priority is to raise the issue with the Council. Complaints can be made by telephone, email, in person at Customer Services, or in writing. Please give as much information as possible to assist with the investigation, including names, addresses and relevant dates.

The Council's Customer Services department operates Monday to Thursday 9am-4.30pm, Friday 9am-4.00pm and Saturday 9.30am-3.00pm.

The appropriate contact details are:

- By telephone on 01249 446699
- By email enquiries@chippenham.gov.uk
- In person or by letter to Town Hall, High Street Chippenham SN15 3ER.

Any complainant has the right to appoint a professional representative, or any other person, to act on their behalf or accompany them. In this case, all correspondence will be addressed to the representative and not directly to the complainant.

By submitting a complaint, you automatically agree that any data provided will be stored in line with our data protection policies.

How Complaints Will Be Managed

In many cases, it will be possible for an issue to be dealt with straight away and the source of the complaint resolved immediately.

For more complex issues, it is better to put these in writing so that a thorough investigation can be undertaken. Investigations will be dealt with as quickly as possible. You will receive a written acknowledgement of your complaint within 5 working days and a full response to your complaint will be provided within 20 working days. If for any reason there are delays, you will be kept informed.

The investigating officer will be given authority to interview other senior staff if necessary and record any actions taken.

If, following the investigation, the Council is found to be at fault, every effort will be made to resolve the complaint to the satisfaction of the complainant. The Chief Executive will authorise any remedial action deemed necessary.

If there is no evidence to uphold the complaint, it will be rejected. In either case the complainant will be informed of the decision in writing.

As is the case with all principal councils, there is currently no external agency or government body which can investigate a complaint if you are not satisfied with the initial outcome. Town and Parish Councils are not included within the Local Government Ombudsman scheme and are not eligible to be investigated by them. However, complaints may be escalated via the process outlined in the section below, up to the final stage.

The Council will maintain a register of complaints raised within the last 12 months, showing dates, details of the complaint, complainant and the action taken to resolve the issue. This shall be available for all members of the Council to inspect. Serious complaints will be reported to Councillors.

Who Will Manage And Investigate Complaints

Stage 1

The complaint will be investigated by the **Head of Service or Director** responsible for the area of Council business to which the complaint relates. Should the complaint be related to the Head of Service, it will automatically be escalated to stage 2.

Stage 2

The complaint will be investigated by the Deputy Chief Executive. Should the complaint be related to the **Deputy Chief Executive**, it will automatically be escalated to stage 3.

Stage 3

The complaint will be investigated by the **Chief Executive**. Should the complaint be related to the Chief Executive, it will automatically be escalated to the final stage.

Final Stage

If you are not satisfied with action taken, you should notify the Chief Executive within 10 working days that you wish for an appeal to be heard by the **Complaints Panel**.

In order to preserve confidentiality, the Complaints Panel (the Panel) will normally deal with your complaint in private session and your details will not therefore be released publicly.

The Panel will review all the available written evidence, with the advice of the Chief Executive and either uphold the appeal, in full, in part or dismiss it completely. No further investigations will be requested or authorised.

In the event of any complaint being made against the Chief Executive, the same procedure will apply, except that Chair of the HR Committee will be substituted for the Chief Executive in the paragraph above. In this case, the Chair of the HR Committee could seek an external consultant's advice at their own discretion.

The decision of the Complaints Panel will be final.

In either case the complainant will be informed of the decision in writing within five working days of the date of the meeting of the Panel.

No appeal will be considered in relation to the operation of this Policy and there is no further appeal about the complaint to any other Panel, Sub Committee or Committee, or to the Town Council. Any rights or protection under statute are not affected by this.

Complaints About Councillors

Councillors are required to observe a Code of Conduct (Appendix 1). If you think that a Councillor has not followed the code, you can raise a complaint to Wiltshire Council, who will review the complaint and consider whether to refer it for formal assessment by the Assessments Sub Committee of the Standards Committee.

Complaints against Councillors will only be considered if:

- They relate to the Councillor acting in their official capacity
- They have breached Chippenham Town Council's Code of Conduct
- The complaint is made within 20 working days of the event giving rise to the complaint.

Further information and a copy of the Members Complaint Form can be found on the Wiltshire Council website here:

<https://www.wiltshire.gov.uk/article/10874/Complaints-about-elected-and-co-opted-members-councillors>

The completed form can be emailed to governance@wiltshire.gov.uk or printed off and posted to The Monitoring Officer, Wiltshire Council, Trowbridge, Wiltshire, BA14 8JN.

Vexatious Complainants

The Council will do everything possible to support you through the complaint, but will not tolerate unreasonable, aggressive, or abusive behaviour, including the use of foul or abusive language.

Persistent complainants are defined as: 'Those who, because of the frequency or nature of their contact with an authority, hinder the authority's consideration of their or other people's, complaints.' In this case, the Council's separate Vexatious Complaints Policy will apply.

Further Information

Please contact the Council if you need any specific help or general guidance about the Council's procedures or about any specific complaint.

Address: Town Hall, High Street, Chippenham Wiltshire, SN15 3ER

Telephone: 01249 446699

Email: enquiries@chippenham.gov.uk

Website: www.chippenham.gov.uk