



## **MALVERN TOWN COUNCIL**

# **COMPLAINTS PROCEDURE**

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1. Malvern Town Council's elected members and officers are here to serve those who live in, work in, or visit Malvern.
2. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant committee, as appropriate, for consideration.
3. This procedure does not cover the complaints about the conduct of a member of the Town Council.
4. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a councillor, or to the Town Clerk, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
5. The complainant will be asked to put the complaint in writing to the Town Clerk. The Town Clerk will acknowledge receipt within seven days and specify the date by which the complaint will be dealt with. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.
6. If the complainant prefers not to put the complaint to the Town Clerk (because the matter refers to the Town Clerk for example) they should be advised to write to the Mayor. The Town Clerk will be formally advised of the matter and given an opportunity to comment.
7. On receipt of a written complaint, the Town Clerk (except where the complaint is about his or her actions) or Mayor (if the complaint relates to the Town Clerk) will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her opportunity to comment. Efforts should be made to resolve the complaint informally at this stage.
8. If the Town Clerk or Mayor cannot satisfactorily resolve a complaint at 7 above or should they feel that further opinion should be canvassed before making a decision, then a meeting of the Emergency Decision Making Group will be called to discuss the matter. The Emergency Decision Making Group will be elected at Annual Council every May and will include The Mayor, the Deputy Mayor, the Chair and Vice-Chair of Policy and Resources committee and the Chair and Vice-Chair of Operations and Planning Committee. Every effort should be made to achieve a suitable resolution at this stage.

9. If the stages outlined at 7 and 8 do not successfully resolve a complaint, then it shall be forwarded to a meeting of an appropriate Committee or to Full Council. The Town Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Committee or to Full Council in person.
10. The Town Clerk or Mayor will report any complaint disposed of by direct action with the complainant at the next meeting of Council.
11. Matters relating to grievance or disciplinary proceedings that are taking place or are likely to take place, will be dealt with in accordance with the Council's grievance and disciplinary procedures.
12. The appropriate Committee or Full Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public. The Council must bear in mind the necessity to maintain confidentiality if it has been requested and to comply with the requirements of Data Protection Legislation with regard to personal information.
13. As soon as possible after the decision has been made (and in any event no later than ten working days after the meeting) the complainant will be notified in writing of the decision and any action that will be taken.
14. The appropriate Committee or Full Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.
15. In the event of serial facetious, vexatious or malicious complaints from a member of the public, the Council shall consider taking legal advice before writing letters to the complainant.

### **Where to send your complaint**

Personally, at the Town Council Offices: 28 – 30 Belle Vue Terrace, Malvern, WR14 4PZ

Office Hours: 9.00 am to 1.00 pm, and 2.00 pm to 5.00 pm, Monday to Thursday

8.30 am to 1.00pm, and 2.00 pm to 4.00 pm, Friday

By post to the above address

By telephone: 01684 566667

By email: [townclerk@malvern-tc.org.uk](mailto:townclerk@malvern-tc.org.uk)

16. Review and action
  - 16.1. The Council recognises that it is important to review this policy regularly to ensure that it reflects up to date legislation and best practice.
  - 16.2. A review of the Complaints Procedure will be carried out at least once every council term as a minimum and any necessary actions taken.