

Marlborough Town Council



Complaints Procedure

FC ADOPTION: 24 6 2024

1. **Marlborough 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 town. In providing our services, we aim to:

- deal with you courteously, efficiently, and promptly
- provide appropriate advice and information
- deliver in line with your requirements and expectations
- keep you informed
- if we are not able to provide what you want, explain why. Your complaints or concerns are important to us.

2. Where something has gone wrong, your feedback helps us to put things right and improve our service. 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, this Complaints Procedure sets out how you may complain and how we will try to resolve your complaint.

3. **Definition:**

A complaint is defined as: An expression of dissatisfaction by one or more members of the public about council administration, service, or procedure (whether provided directly by the council or by a contractor or partner) that requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response.

It may include complaints about how council employees have dealt with your concerns.

4. This Complaints Procedure does not apply to:

4.1. 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

4.2. Complaints against councillors.

Under Section 28 of the Localism Act 2011, local authorities other than parish and town councils must have in place 'arrangements' under which allegations that an elected or co-opted councillor of the town council has failed to comply with the council's Code of Conduct – as adopted in May 2023 - can be considered and decisions made on such allegations.

If a complaint is raised regarding a Marlborough Town Councillor, therefore, this must be directed to the Monitoring Officer at Wiltshire Council.

4.3. This Complaints Procedure relates to members of staff employed by Marlborough Town Council or others the Council has contracted to undertake work on its behalf.

5. 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 during Public Question Time at council meetings.

6. If you are unhappy with a decision made, you may raise your concerns with the council but, Standing Orders prevent the council from re-opening issues on which a resolution has been made for six months from the date of the decision, unless there are exceptional grounds to consider this necessary under the special process set out in these Standing Orders. (The Town Council's rules on procedures.)

7. When considering complaints, we aim to:

- be helpful and open-minded
- investigate your complaint thoroughly
- respond in a clear and timely manner
- put matters right if we have made a mistake
- learn lessons for the future.

8. What can you complain to us about?

8.1. You can complain to us when you think we have:

- been rude or offensive
- given inaccurate advice or information to you
- failed to deliver a service which meets reasonable expectations
- not followed up on questions you have raised with us.

8.2. However, you cannot use this procedure to complain about our decisions on requests for access to information made under data protection or freedom of information legislation.

You can find more information about this in the relevant policy documents.

9. If you have a complaint about a service, you should:

9.1. Speak to the individual you have been dealing with.

9.2. If you are dissatisfied with the response, escalate your complaint to the Town Clerk

9.3. If this does not resolve your complaint you have the right to a final appeal to The Chair of the Council / Mayor, who will then direct or report it to the Finance and Policy Committee or to the Full Council as appropriate.

10. What can you do if you do not want to speak to us?

You do not have to speak to anyone if you do not want to. If you prefer, you can write to us by letter or email. Our contact details are listed at the bottom of this page.

11. Is there a time limit for complaining?

You should complain to us within three months. We will not normally act on any complaint made after a period of three months. However, we will consider any exceptional reasons you may give us for not meeting this time limit.

12. How long will it take?

12.1. Wherever possible, the Town Clerk will try to resolve your complaint immediately but otherwise, we will acknowledge all complaints within five working days of receipt and will tell you who will be the person responsible for investigating and responding to your complaint. The responsible person may need to obtain further information from you and/or from staff or councillors.

- 12.2. The relevant individual will aim to email or write to you about your complaint within 20 working days of receiving it to explain the outcome and what action (if any) the council proposes to take as a result.
- 12.3. If you appeal a response will usually be given within eight weeks and you will be notified in writing of the outcome of the review.
- 12.4. If responses are not possible within the timescales indicated, you will be contacted with an explanation why and an estimated timescale.

13. What can you do if you think our decision on your complaint is wrong or unfair?

Once you have followed the three stages set out above, there will be no further internal review of the same matter. Unless you raise new issues or provide new evidence that we consider significant, we will not respond to you further.

14. Do you need help to use our service?

If you have difficulty using our service (for example, if you have a disability or English is not your first language) please let us know, so that we can discuss with you what help we may be able to give.