



# **Cranbrook & Sissinghurst Parish Council**

## **Complaints Policy**

Adopted by Cranbrook & Sissinghurst Parish Council on: 9<sup>th</sup> November 2023

Next Review Due: 2026

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## 1. Introduction

Cranbrook & Sissinghurst Parish Council is committed to providing a high standard of service to all. When a complaint is lodged, we want to deal with it fairly and expeditiously. Our policy is to try to learn from our mistakes and our complaints procedure is seen as part of the Council's continuous improvement programme.

In aspiring to provide a high standard of service we always have in mind both our commitment to listen to and act upon residents' views, and our policy of undertaking our business in an open and transparent manner.

## 2. Everyday problems, queries, and comments

The Council receives queries, problems, and comments as part of its day to day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction.

If someone is dissatisfied with the original service or response they received and wishes to take the matter further, then the issue should be recognised as a complaint.

## 3. What the complaints procedure will cover: -

The complaints procedure will deal with matters of administration, which is if the Parish Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- a) neglect or unjustified delay
- b) malice, bias, or unfair discrimination
- c) failure to tell people their rights
- d) failure to provide advice or information when reasonably requested
- e) providing misleading or inaccurate information
- f) inefficiency, ineffectiveness, bad and unprofessional practice, or conduct.

## 4. What the complaints procedure will not cover: -

- a) complaints for which there is a legal remedy or where legal proceedings already exist.
- b) complaints about employment matters - the Parish Council operates alternative procedures to deal with grievances or disciplinary matters against staff.
- c) complaints about Councillor's behaviour. These must be dealt with by the Monitoring Officer at Tunbridge Wells Borough Council: [monitoring.officer@tunbridgewells.gov.uk](mailto:monitoring.officer@tunbridgewells.gov.uk)
- d) alleged criminal activity. With regard to any complaint received of this nature, the complainant should be referred to the Police.

## 5. Informal Complaints

During the course of daily business, minor complaints are made to officers about the services we provide. These will usually be dealt with by the relevant officer as appropriate. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with

these problems immediately, either by providing information, instigating the appropriate action, or explaining a decision.

## **6. Formal Complaint (First Stage)**

A resident may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and wish to take the matter further. This will be recorded as a complaint and passed to the Clerk to investigate. The complainant should provide the Council with copies of any documentation or evidence in support of their complaint. If the complainant remains unsatisfied with the response, they should be informed of their right to take the matter further

## **7. Review of Investigation and Complaint (Second Stage)**

If the complainant is not satisfied with the Clerk's response, they should be advised of their right to have the complaint referred to the Councillors' Panel who will review the complaint.

## **8. Councillors' Panel (Third Stage)**

The panel will consist of a minimum of 3 members of the Policy & Resources Committee who have not had previous involvement with the complaint or are referred to in it. There will also be a note-taker, nominated by the panel, who will also not have had previous involvement in the complaint. The panel will convene within 15 working days, (in exceptional cases this will be extended, in which case the complainant will be informed). A chairman of the panel will be elected. The complainant will be invited to attend the panel meeting. They may be accompanied by one other person if they so wish.

At the panel meeting, the Chairman will introduce each party and outline the procedures. The complainant will be allowed to outline their complaint to the panel and answer any questions from the panel. The Chairman will explain the Council's position and answer any resulting questions from the complainant. The complainant will be asked to leave the room whilst the panel makes its decision. The complainant may return to hear the outcome of panel's deliberations. Initial feedback will be given on whether the complaint has been upheld/partially upheld/dismissed. A written response with any actions the Council intends to take will be sent to the complainant within 15 working days. The outcome of all formal complaints dealt with by the panel will be advised to the Full Council.

## **9. Unreasonable and Vexatious Complaints**

There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken. These matters should be referred to the Parish Council with a summary of the issues and of the attempts made to resolve the complaint. They may, in such circumstances, decide that no further action can usefully be taken in response to the complaint, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

## **10. Anonymous Complaints**

Anonymous complaints should be referred to the Parish Clerk, and may be acted on at their discretion, according to the type and seriousness of the allegation.

## **11. Complaints about services provided by other Local Government bodies**

This complaints procedure is intended to deal solely with services provided by Cranbrook & Sissinghurst Parish Council. However, local government services in the town are also provided by Tunbridge Wells Borough Council and Kent County Council and the division of responsibilities can often be confusing. We will advise those whose complaint, should more properly be addressed by another local government organisation.