

SWANSCOMBE AND GREENHITHE TOWN COUNCIL COMPLAINT HANDLING PROCEDURE

(This Policy was reviewed by full Council at its AGM on 17 May 2023, minute 20/23-24.)

1. If a complaint about procedures or administration is notified orally to a councillor or the Town Clerk and it is not possible to satisfy the complainant in full immediately, the complainant shall be asked to put his/her complaint in writing to the Town Clerk and receive an assurance on receipt that the matter will be dealt with promptly.
2. If a complainant indicates that he/she would prefer not to put the complaint to the Town Clerk then he/she should be advised to put it to the Town Mayor.
3. On receipt of a written complaint, the Town Clerk or the Town Mayor, as the case may be, shall (except where the complaint is about their own actions) try to resolve the complaint directly with the complainant. If a complaint is about the behaviour of the Town Clerk or a Councillor then the Town Mayor or Town Clerk shall notify the person complained of and afford them an opportunity to comment on the way it is intended to resolve the complaint. Where the Town Clerk or Town Mayor receives a written complaint about their own actions, he/she shall immediately refer the complaint to the Council.
4. The Town Clerk or Town Mayor shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
5. The Town Clerk or Town Mayor shall bring any written complaint which cannot be settled to the next meeting of the Town Council, and the Town Clerk shall notify the complainant of the date on which the complaint will be considered.
6. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is a complaint of the Town Clerk such that the Council or the Town Clerk believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is of any employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1999 s.10. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.
7. Once a decision has been made the complainant shall be notified in writing. This notification will include details of any action proposed / required to be taken.
8. **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 will be referred to the Town Council by the Clerk with a summary of the issues and of the attempts made to resolve the complaint. The Town Council may, in such circumstances, decide that no further action can usefully be taken in response to the

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complainant and inform the complainant so, making it clear that only new and substantive issues will merit a response.

In the event of serial facetious, vexatious or malicious complaints from a member of the public the Council should consider taking legal advice before writing letters to the complainant.

9. **Anonymous Complaints**

Anonymous complaints will be disregarded.

