



Sudbury Town Council

Complaints Procedure 2022

Introduction

Sudbury Town Council strives to provide a high standard of service to the public. In the interests of openness and the desire to seek continuous improvement, the Council encourages anyone who feels dissatisfied with the services provided to bring this to the attention of the Council in a constructive manner.

Sudbury Town Council will only consider complaints about service delivery with the boundaries of Sudbury. Any complaints about service delivery outside Sudbury must be made to, and investigated by, the local authorities concerned. If these local authorities are not satisfied, they should then contact Sudbury Town Council.

In the first instance a complaint should be submitted as an informal email and it will be appropriate for council officers to conduct a quick investigation and then to give an explanation by email with details of any remedial action to be taken.

In circumstances where the source of the complaint no longer exists, it may not be possible to determine the exact circumstances and it will usually be appropriate to write back explaining what is known and proposing methods of avoiding a reoccurrence.

Formal complaints will only be appropriate in the more serious cases generally relating to loss. Under these circumstances a formal complaint must be submitted in writing and a proportionate investigation will be conducted, with the outcome communicated back to the complainant in writing.

If a complaint appears to be vexatious, it will be referred to an appropriate committee, and the complainant will be invited to attend in person to explain the problem. The committee will have the authority to dismiss the complaint or to order a further investigation. Once a complainant has been classed a 'vexatious complainant' further complaints will not normally be considered for another year.

How to make a complaint about the Town Council

Enquiries or observations about Town Council services can be made by telephone, e-mail to info@sudburytowncouncil.co.uk, or by calling at the Information Centre at Sudbury Town Hall. Formal complaints must be submitted in writing to the Town Clerk at the Council Offices, Town Hall, Sudbury CO10 1TL, or e-mail to ciaran.griffin@sudburytowncouncil.co.uk. If the

matter relates directly to the Town Clerk, the complaint should be addressed to the Town Mayor whose email address is available on the Council website.

All complaints must state the following clearly;

- What has occurred and why this is being complained about.
- Why this is the business of Sudbury Town Council.
- When and where it occurred.
- Who was involved.
- What evidence is available.
- Who can act as witnesses.
- What action or remedy is desired by the complainant.
- Whether the complainant wishes to make a verbal representation.

Confidentiality

All complaints will be treated as confidential, but the Town Council will need to share the details of the complaint with appropriate members of staff and councillors, including those in other local authorities. Even where the complainant specifically waives their right to confidentiality, the Council will comply with its obligations under the Data Protection Act 2018 to safeguard against the unlawful disclosure of personal data.

Any meeting of the Council, or a committee or sub-committee considering a complaint or inviting the complainant to make representations will exclude the public. Agendas and minutes will not disclose personal data or financial, sensitive or confidential information relating to an individual complainant or a third party.

Acknowledgment of a formal complaint

The Town Council will aim to acknowledge receipt of a formal complaint within five working days, specifying:-

- Who is dealing with the complaint.
- Timeframe for receipt of a response (usually within another two weeks)

Investigation

It will usually be appropriate for the circumstances leading to a serious complaint to be investigated by the Town Clerk on behalf of the Council. Complaints that relate directly to the Town Clerk will be dealt with by a sub-committee of the relevant committee.

The complainant may make a verbal representation to the person (or sub-committee) investigating.

In normal circumstances, the complainant will be notified in writing (e-mail if appropriate) of the outcome within three months of lodging the complaint. This will include whether or not the complaint is upheld, reasons for the decision, details of any action taken and information about the right of appeal.

Appeals

If the complainant is not satisfied with how a complaint has been dealt with, they can appeal in writing to the Council, setting out what they are unhappy with and the grounds for

their appeal. These grounds must show credible evidence that the original investigation was flawed or that the decision was clearly unreasonable given the evidence considered.

An appeal will be considered by a sub-committee formed of persons not previously involved in the investigation of the original complaint. This will consist of a review of the original investigation and outcome, together with any action taken as a result. Appeals received more than one month after the date of the decision letter/e-mail will not be considered.

Complaints involving members of staff or councillors

Where a complaint against the Council includes reference to the actions or conduct of staff or councillors, the complaint will be treated as a complaint against the body corporate, as opposed to the individual(s). If after the complaint has been looked into the Council considers there may be a need to take disciplinary action against a member of staff, this will be dealt with in accordance with its disciplinary procedure.

Allegations that a councillor has breached the Code of Conduct should be forwarded to the Monitoring Officer of Babergh District Council in writing (on-line form available www.baberghmidsuffolk.gov.uk).

Councillors must raise matters of concern in respect of council business by the submission of motions on the agenda of the relevant meeting.

Where a member of staff has a complaint about the workplace, these must be raised in accordance with the Council's grievance procedure.

Local Government Ombudsman

The Local Government Ombudsman (LGO) deals with complaints against principal authorities (district, borough and county councils) and certain other public sector bodies. It is not responsible for handling complaints against a town or parish council, except where it is working with a principal authority (through a joint committee), or it is exercising the functions of a principal authority.