

Complaints Policy and Habitual and Vexatious Complaints

Background

1. Council has previously, by way of implementing a complaints policy, adopted as its own a practice note from the National Association of Local Councils, and by copying wholesale the Habitual and Vexatious Complaints Policy of Northumberland County Council.
2. Neither document is fit for the purpose for which it has been adopted, and, in the case of the Habitual and Vexatious Complaints policy, it is, in and of itself, potentially controversial. Use of a vexatious complaints procedure all too often, in and of itself, becomes more controversial than the original dispute.
3. Since appointment as your Interim Town Clerk, the Town Council has operated on the following principles.
4. All correspondence, including complaints, is recorded in the Correspondence Log, which makes it unnecessary to have a complaints log. The Correspondence Log is reported to each council meeting.
5. Complaints about the performance of the council are responded to by the Town Clerk; in the event that a member of the public is dissatisfied with the response, the matter is reported by the Town Clerk to Council for their decision, which is final.
6. Complaints about the performance of staff are handled in first instance by the Town Clerk, with a right of appeal on the part of the Staff involved to the Budget and Administration Committee, and then, ultimately, to Council.
7. Complaints about the performance of the Town Clerk by individuals other than councillors are handled by the Town Clerk Line Management (Town Clerk / RFO) Sub-Committee of the Budget and Administration Committee, with appeals going to Council where necessary.
8. This policy has not previously been documented; this is not best practice.

Recommendations

1. Members are invited to indicate whether they either:
 - a. Wish to adopt the de facto complaints policy as the new complaints policy, or
 - b. Wish to instruct the Town Clerk to prepare a new complaints policy, and to give direction as to its content and purpose.