

## COMPLIMENTS, COMMENTS AND COMPLAINTS PROCEDURE

APPROVED AT GOVERNANCE AND PROCEDURES COMMITTEE 23<sup>RD</sup> JULY 2019

### 1. Background

- 1.1 Many councils have formal complaints procedures and it is generally considered good practice to do so. These often include sections on responding to comments or suggestions about the way councils deliver their services or respond to compliments.

### 2. Definitions

- 2.1 A compliment is for this purpose defined as “an unsolicited expression of appreciation to either a member of staff, a Councillor or the Council as an organisation” which goes beyond the normal courtesy of a “thank you” and in which the person making the statement positively asserts that in their view the outcome was above and beyond their expectation, and that they would like this to be noted by more than the person to whom it refers. Thus “Thank you for your help with sorting this out, it is much appreciated” is not a compliment to be recorded. “I am writing to tell you say how impressed I was with xxx who dealt with the issue I raised with great enthusiasm and is a credit to your organisation” is a compliment.
- 2.2 A comment is any suggestion for a variation in the way the Council delivers a service or regarding a new service that we might consider delivering which is beyond a simple “Why don’t you...?” but indicates a considered representation of a view that change would be beneficial. It follows that the suggestion must be something that would be within the Council’s powers to respond to for it to be considered within this procedure. Nonetheless all comments should be responded to, if only to say “That is within the remit of xxx and you might wish to raise the issue with them. Here are their contact details”. Thus, the suggestions about the library frontage would count as comments because they were specific proposals for action, albeit largely overtaken by Herefordshire’s plans to outsource library provision. The comments were brought up with the Chief Executive of Herefordshire by the Clerk and the outcome reported back to members in Town Clerk’s correspondence.
- 2.3 A complaint is an assertion that the Council has failed to supply a service or has done so in a manner which is inappropriate and unacceptable. It is not a service request. This could also refer to concerns about the quality of answers to questions, responses to messages or other forms of communication.
- 2.4 Complaints about the conduct or behaviour of members of Council can only be considered within the processes and procedures laid down under the Code of Conduct. Complaints against individual members of staff may be reports of alleged misconduct and will be dealt with as matters for investigation under the disciplinary procedure of the Council if there is sufficient prima facie evidence. Complaints by staff could either be disciplinary matters if they allege harm from another employee’s behaviour, or a grievance if it is a complaint about a decision or action of management.

2.5 In this context most complaints will be from members of the public about wider issues of Council service provision. As with comments, a complaint about something the Council cannot do will be met with an explanation but not referred to under this procedure. The same response will be given to a “complaint” which is actually to challenge a policy decision, for example a demand that we should provide a service we have resolved not to provide is not a complaint, but a query as to the rationale for that decision and will be responded to accordingly. A request for a service e.g. “the hedge on the Holmer allotment is overgrowing the footpath can you get it cut” is not a complaint, it is a service request. “You told me the Holmer hedge would be cut a month ago why is it still overgrowing the footpath?” would be a complaint.

### **3. Compliments Procedure**

3.1 When a compliment within the definition above is received the officer who receives it will forward it to the Town Clerk. Compliments of this nature will be responded to with a message of thanks to the author and will be recorded. Where the compliment refers to the actions or achievements of a particular member of staff, the Clerk will write to them to report that a compliment has been received, and to thank them for their efforts. A summary report will be made to the Chair of the Governance and Procedures Committee.

3.2 Compliments to the Council as a whole will be reported to Council under Town Clerk’s correspondence at the next available Council meeting, and thus will be recorded in the minutes of that meeting.

### **4. Comments Procedure**

4.1 Comments or suggestions that are within the Council’s powers to respond to in terms of actions or policy changes will be reported to the Chair of the relevant Committee. This will enable a decision to be made as to whether to respond by inviting the member of the public to a meeting to discuss the matter further, possibly to a meeting of the whole Committee, to review a specific proposal after it has been researched by officers.

4.2 The suggestions in the previous paragraph would not be appropriate where there is little or no chance of the comment leading to a positive change. If it is something the Council would probably reject, which might be the case if it is something that has been recently considered, a carefully worded reply explaining why the comment, whilst appreciated, is not going to be taken up would be courteous. It should be borne in mind that such a reply might be quoted in public media and therefore the wording must be carefully considered and give a balanced response. Draft responses prepared by officers will be cleared with the Chair of the relevant Committee before they are sent if the matter is particularly complex or sensitive, and in all cases by the Town Clerk. Where the comment refers, as many do, to the services of another agency, notably Herefordshire Council, an immediate response and explanation can be given without reference to the Clerk or Committee Chair.

4.3 The Committee may wish to place an announcement on the website indicating that comments and suggestions are welcome, although the widespread confusion between our role and that of the Herefordshire Council (which is also prevalent among employees of that Council and their contractor BBLP) may lead to a large number of comments which are simply re-directed, which would not be a particularly useful exercise.

## **5. Complaints Procedure**

- 5.1 The Council is committed to providing good quality services and to this end will use complaints as a positive opportunity to evaluate and where possible improve that delivery. The following statement will be published on the Council's website.
- 5.1.1 "If you are dissatisfied with the standard of service you have received from this council, or you are unhappy about an action or lack of action by this council you may make your complaint to the Town Clerk by phone, by letter or by email. The Clerk will contact you to explain if another procedure would be appropriate, for example the Code of Conduct for members of Council or if he will be dealing with the matter as an investigation under the Council's staffing procedures.
- 5.1.2 If you prefer, you may address your complaint to the Mayor of Hereford who will respond and advise you how the matter will be dealt with. The Mayor may refer the matter to the Clerk or another member of Council to investigate if they feel that would be appropriate.
- 5.1.3 Each complaint will be investigated, and the Clerk or Mayor will advise you within twenty working days from receipt of your complaint as to the outcome of the investigation. If the matter is particularly complex, or there is a delay for any other reason, they will advise you as to when they expect to be able to complete the investigation. A brief acknowledgement that your complaint has been received and is being looked into will be sent by return of post or email.
- 5.1.4 Once the investigation is complete, the Clerk or Mayor will confirm the outcome. If you remain dissatisfied with the outcome of the investigation you may contact the Mayor or Clerk to ask that the matter be reported to the appropriate Committee of the Council, the Clerk will advise which Committee that is, and the matter will be placed on the agenda for consideration by members.
- 5.1.5 You will be advised of the date, time and location of that meeting, and you will be able to attend and will be invited to speak by the Chair of the Committee to present your reasons for not being satisfied with the outcome. The decision of the Committee in respect of your complaint will be final within the Council's procedures. Please note that the Local Government Ombudsman does not cover parish councils. You will be advised if it might be appropriate for you to raise your concern with any other statutory or advisory body."
- 5.2 The paragraphs above will also be available in hard copy to be attached to a letter in response to a complaint or to be sent via email or post to a telephone complainant. This document will be placed on the server in the Policies and Procedures file.

## **6. Annual Report**

- 6.1 If required, the Governance and Procedures Committee may receive an annual report at the first meeting after the new committee has been elected each year summarising the number of officially record compliments, comments and complaints. The report will record whether the comment led to a change in policy and reference the minute of the Committee or Council meeting that made that decision. The Committee will also have a summary of complaints that will show if the complaint was resolved or was referred to Committee for further consideration and whether at that stage it was to any extent upheld. A brief statement will be

included of any follow up action, but to enable the report to be in the public domain details which would identify either the complainant or any staff involved will not be shown. Thus where a complaint led to a member of staff being spoken to about their manner of dealing with a difficult telephone call for example the report would simply say “The complaint was upheld in that an officer did not deal appropriately with their matter and the officer concerned has been advised and supported to achieve a better standard in future.”

Steve Kerry

Town Clerk