

PORTLAND TOWN COUNCIL

COMPLAINTS POLICY AND PROCEDURES

Compliments, Complaints, Suggestions and Opinions

Portland Town Council aims to provide high quality services on behalf of all who live on the Island or visit it, while recognising that we may not always get them right. Should this happen we shall try to investigate complaints promptly and fairly.

Please let us know if:-

- you have received exceptionally good service
- you have a suggestion on how to improve our services
- you have been treated unfairly.

We should like to know because:-

- if we have done well, it will help us to replicate that service
- if the reasons for our actions are unclear we should like a chance to explain what we have done and why
- if we have been at fault, we can give you a full explanation and an apology. Whenever possible we shall try to improve the situation.

What is a Complaint?

Complaints may fall into different categories:-

- the attitude of an employee of the Council
- failure to provide a service to an acceptable standard
- delay in responding to an enquiry or a request for service
- failure to follow the Council's policies, rules or procedures
- not making the best use of Council resources
- a risk concerning health and safety issues.

Complaints against Town Councillors should be sent to the Monitoring Officer, Weymouth and Portland Borough Council, Council Offices, South Walks House, South Walks Road, Dorchester, DT1 1YZ.

What is Not a Complaint?

- The first request for action or a service
- a review request under freedom of information or other area where a formal statutory process already exists
- a claim or a contractual dispute with the Council.

How Can Complaints Be Made?

The Council encourages anybody who has a concern first to speak to a member of staff. If the problem can be solved this way then there is no need for the issue to go through the formal complaints process. However if the complaint cannot be dealt with immediately or you wish to have a formal response you should complain to us in writing or by completing the on-line Complaints Form. Putting your complaint in writing helps us to be clear about the problem. It also allows us to keep a record of all the points you raise. All comments by letter should be made to:-

The Town Clerk
Portland Town Council
Council Offices
52 Easton Street
Portland
DT5 1BT

Alternatively you can contact the Council [here](#).

When Can a Complaint Be Made?

It is far easier to find out what happened and put things right if a complaint is received close to the time the dissatisfaction with the service occurred. As time passes it becomes more difficult to investigate events fully and fairly. Therefore the Council will normally only accept complaints made within twelve months of the incident or circumstances that led to the complaint being made.

If the complainant states there are exceptional reasons (illness, change in personal circumstances etc) for the delay in submitting the complaint, the Town Clerk may make a discretionary decision to consider a late complaint providing the circumstances are confirmed.

If the Council receives a complaint and decides not to accept it, the customer shall be told why.

When a complainant receives a response from the Council to a complaint and wishes to escalate that complaint to the next stage in the process, they should reply within twenty-eight days, outlining why they are not satisfied and what outcome they would like to see.

Response Timescale

We aim to give you a response to this escalation within fifteen working days. However potential complainants are asked to bear in mind that Portland Town Council has only a small number of staff and is only operative on a part-time basis. Therefore we are more vulnerable to sudden upturns in our workload than larger councils.

Further Options

We hope your complaint will have been resolved to everyone's satisfaction long before this stage. However if the Town Clerk's findings still leave you dissatisfied, there are further courses of action open to you:-

- Your local Councillor will be happy to help you at any stage - simply to give advice, provide additional information or to handle the complaint on your behalf.
- The Chairman of the Council is always willing to assist if you are unhappy with the way your complaint has been handled or its outcome.
- The Local Government Ombudsman acts as an independent "referee" in disputes between individuals and their local councils. The ombudsman is an independent national service that investigates complaints against councils. It can only deal with cases of possible misadministration and, in general, will only investigate a complaint after you have been through the Council's complaints procedure. For this reason it is helpful to keep copies of all correspondence regarding your complaint.

Maladministration means that the Council has:-

- done something the wrong way
- done something it should not
- failed to do something it should.

The Ombudsman does stress however that before making a complaint at this level, you should have given the Council a proper chance to deal with it. He will not investigate decisions that individuals simply do not like, but only the way they have been made.

The Local Government Ombudsman, The Oaks, 2 Westwood Way, Westwood Business Park, Coventry, CV4 8JB.

- Councillors' details [here](#)
- Chairman of the Town Council: Cllr Ray Nowak's details [here](#)
- Local Government Ombudsman's website [here](#)

Complaints about Policies

Some complaints are expressions of dissatisfaction with the Council or Government policy for a specific service as opposed to the Council's failure to live up to service standards. The Council will do its best to explain the policy and the reasons for it. However it may not be appropriate to escalate a complaint about policy where it involves matters beyond our control.

Customers wanting to appeal against classification of their complaint as a policy rather than performance issue should follow it up according to the hierarchy listed in the preceding section.

Complaints against Contractors etc

The Council recognises complaints regarding the Council's contractors and any organisation contracted to work for the Council. Complaints about the Council's contractors are handled under the Council's complaints procedure and can be made directly to the Council.

Complaints about funded voluntary and community organisations should be dealt with by the organisations unless the complaint concerns serious fraud, financial or governance malpractice.

Anonymous Complaints

We do not encourage customers to make anonymous complaints. However we accept that in some extenuating circumstances individuals may choose to make them. Whilst we cannot acknowledge or reply to an unnamed individual, we shall investigate each complaint as appropriate and resolve any relevant service improvement issues identified as quickly as time and resources allow.

Complainant Rights

Our complainants have the right:-

- to be treated with courtesy and respect at all times
- to have a friend or other representative help them with their complaint (a letter of authority may be required)
- to confidentiality (if an investigation cannot proceed without the complainant being identified, the complainant will be given the option whether or not to continue)
- to be kept informed of the progress of their complaints
- to receive an apology if a complaint is upheld
- to be informed of any changes to Council policy or procedures arising from a complaint.

Behaviour of Complainants

Occasionally complainants may pursue their case in a way that can impede the investigation of their complaint or have significant resource issues for the Council. We do not expect Council staff to waste time on dealing with unreasonable complainants. Neither do we expect staff to tolerate threatening or abusive behaviour by complainants and we will take action to protect staff from such behaviour.

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