



# **COMPLAINTS PROCEDURE**

## **INTRODUCTION**

This complaints procedure covers all complaints received at the Council. Swanley Town Council takes all complaints seriously, about Officers or services provided.

Swanley Town Council believes that complaints form part of the valuable feedback and useful information from its residents about the quality of our procedures, services and practices. We firmly believe that the effective handling of any complaint received will assist us in improving the quality of life for the residents of the parish.

## **OBJECTIVES**

Upon receipt of each complaint, Swanley Town Council will aim to fully investigate as quickly as possible. However, our main objective is to undertake a thorough investigation and this may mean that some complaints will take a little longer to resolve to the satisfaction of both the complainant and the Council

## **DEFINITION OF COMPLAINTS**

A complaint can usually be defined as follows:

- Financial Irregularity
- Criminal Activity
- Member Conduct
- Officer Conduct
- All Other Complaints

## **WHAT YOU SHOULD DO IF YOU HAVE A COMPLAINT**

In the first instance, if your complaint is about Council Services, please put your complaint in writing to the Town Clerk.

Town Clerk  
Swanley Town Council  
The Civic Centre  
ST Mary's Road  
Swanley, Kent  
BR8 7BU

**Telephone:** 01322 665855

**Email:** [towncouncil@swanley.org.uk](mailto:towncouncil@swanley.org.uk)

State at the outset that this is a complaint and provide as much evidence as you can, including any documentation but remember to keep copies for your own records. Be clear and provide concise details such as dates, times, names and addresses. Remember to provide full contact details to enable Officers to telephone to arrange a meeting or a site visit if necessary.

In many instances an issue can be dealt with immediately and the source of the complaint resolved but for more complex issues you are advised to put the complaint in writing.

For all written complaints, whether by letter or e-mail, the Council will send a written acknowledgement within 2 working days. Under normal circumstances, for more straightforward complaints, the council will respond in full within 15 working days. More complex issues will take longer to resolve and each case will be assessed on its own merit, with a timescale to be agreed by both the complainant and the Council.

### **WHAT IF YOUR COMPLAINT RELATES TO A COUNCIL OFFICER**

If the complaint relates directly to a Council officer, you should address your complaint to the Chief Executive's Office:

Mr Stephen Nash  
Chief Executive Officer  
Swanley Town Council  
The Civic Centre  
St Mary's road  
Swanley  
Kent  
BR8 7BU

Telephone: 01322 611663

Email: [snash@swanleytowncouncil.gov.uk](mailto:snash@swanleytowncouncil.gov.uk)

If your complaint involves the Chief Executive/Town Clerk you should address your complaint in writing to the Mayor of the Council at The Civic Centre. Your correspondence should be marked Private and Confidential.

### **WHAT SWANLEY TOWN COUNCIL NEEDS TO DO TO PUT THINGS RIGHT**

Once an investigation has been completed and the council has been found to be at fault, every effort will be made to resolve the complaint to the complete satisfaction of the complainant.

Where subsequent actions or simply the passage of time prevents restitution then other actions may be appropriate, which may include a local settlement, the remedy will need to be appropriate to the injustice and may be reduced where a complainant has contributed, directly or indirectly, to the injustice suffered.

## **WHAT DO YOU DO NEXT IF YOU ARE NOT SATISFIED**

Unlike larger District or County Councils, there is currently no external agency or government body, which can investigate a complaint if you are not satisfied with the initial consideration of your complaint.

If you are not happy with the decision or action taken by the town Clerk then you should write to the Mayor of the council at The Civic Centre, St Mary's Road, Swanley, Kent, BR8 7BU. The Mayor will then independently review the complaint, together with all relating documentation and if he/she believes it appropriate will submit the complaint to the relevant Committee of the Council for consideration.

## **BEFORE THE MEETING**

The complainant should be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way on the Council agenda. The complainant will be invited to attend the meeting and to bring with them a representative should they wish.

Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documents or other evidenced relied upon. The Council shall provide the complainant with copies of any documentation upon which they wish to reply upon at the meeting and will do so promptly, allowing the complainant the opportunity to read the material in time for the meeting.

## **AT THE MEETING**

The Council shall consider whether pursuant to Section 1 of the Public Bodies (Admissions to Meetings) Act 1960 and together with the Council's own Standing Orders, the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the meeting in public. The meeting will proceed as follows:

- The Mayor should introduce everyone and explain the procedure.
- The complainant (or representative) should outline the grounds for the complaint and, thereafter, answer questions which may be asked by the CEO/Clerk and Members
- The complainant should be offered the opportunity to summarize their position
- The Clerk and the complainant should be asked to leave the room whilst members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
- The Clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day, they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

## **AFTER THE MEETING**

The decision should be confirmed in writing within seven working days, together with details of any action to be taken.

## **WHAT SHOULD I DO IF I HAVE A COMPLAINT ABOUT A COUNCILLOR or COUNCILLORS**

Councillors are required to observe high ethical standards to a Code of Conduct and are required to have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

They must declare to:

- Not discriminate unlawfully
- Treat others with respect at all times
- Not to do anything which will compromise the integrity of Council Officers
- Not to disclose any confidential information
- Not to stop anyone gaining proper access to information to which they are entitled to see
- Not to conduct themselves in such a way as to bring their office or the Council into disrepute
- Not to use their position to improperly secure an advantage, or disadvantage, for anyone
- Not to use the Council's resources for unauthorised political or personal benefit
- Must declare any personal or prejudicial interest, pecuniary or non-pecuniary, in any matter which comes before the Council and, if appropriate, not to take part in any decision relating to such a matter. Where the interest declared is deemed by the Council to be prejudicial, Councillors are not permitted to take part in the decision relating to that matter.
- To register certain financial and other interest

A copy of Swanley Town Council's Councillor Code of Conduct can be viewed on the website at [www.swanleytowncouncil.gov.uk](http://www.swanleytowncouncil.gov.uk) or can be made available for viewing at The Civic Centre, St Mary's Road, Swanley, Kent, BR8 7BU.

If you feel a Councillor has broken any of the rules mentioned above, you can complain directly to Sevenoaks District Council as follows:

Monitoring Officer  
Sevenoaks District Council  
Council Offices  
Argyle Road  
Sevenoaks  
Kent  
TN13 1HG