



Complaints Policy

This consolidated policy updates the existing complaints procedure while incorporating the data protection complaint requirements that came into effect under the Data (Use and Access) Act 2025, allowing the Council to manage data protection complaints within a single complaints policy.

A new requirement to have a data protection complaints process came into force on 19th June 2026.

Date of Adoption	Adopted Minute 26/07() Full Council
Review dates	
Review period	Every three years or as required due to legislative requirements
Reviewed by	Policy & Resources Committee



Complaints Policy

Newton Abbot Town Council

1. Purpose

Newton Abbot Town Council is committed to providing high-quality services and acting fairly, openly and transparently. This policy explains how complaints will be handled and ensures that all complaints are dealt with consistently, fairly, promptly and in accordance with relevant legislation.

This policy covers:

- Complaints about Council services, administration or procedures
- Complaints about the actions of Council officers
- Complaints concerning the handling of personal data
- Data protection complaints
- Complaints about councillors' conduct (see section 7)
- Complaints about its contractors

This policy does not apply to:

- Freedom of Information requests (please refer to the Freedom of Information Policy)
- Subject Access Requests (handled under GDPR Policy)
- Planning decisions made by Teignbridge District Council
- Employment matters relating to Council employees
- Matters where legal proceedings have commenced
- Anonymous complaints unless exceptional circumstances apply
- Complaints about allotments as these are handled under the [Complaints & Disputes Policy - Newton Abbot and District Co-Operative Allotment Association](#)

It does not replace statutory appeal procedures or legal processes.

2. Principles

The Council will ensure that complaints are:

- treated seriously
- acknowledged promptly, within 5 working days
- investigated fairly and impartially
- handled confidentially where appropriate
- resolved wherever possible
- used to improve Council services

No person will suffer discrimination or disadvantage because they have made a genuine complaint.

3. Making a Complaint

Complaints may be made:

- in writing
- by email
- by telephone
- in person
- through another person acting on the complainant's behalf with appropriate authority

Where a complaint is made verbally, the Council will make a written record and confirm its accuracy with the complainant.

Complaints should normally be made within 12 months of the event giving rise to the complaint or of the complainant becoming aware of the matter. The Council may, at its discretion, consider complaints made outside this period where there is good reason for the delay and it is still possible to investigate the complaint fairly, for example:

- the complainant was unaware of the issue
- illness or other exceptional circumstances prevented an earlier complaint
- the matter only came to light later

Complaints should be sent to:

Chief Executive Office - Town Clerk
 Newton Abbot Town Council
 Newton's Place
 Wolborough Street
 Newton Abbot
 Devon, TQ12 1JQ

info@newtonabbot-tc.gov.uk

If the complaint concerns the Town Clerk, it should be addressed to the Mayor.

4. Complaints Process

Stage 1 – Receipt and Acknowledgement

The Council will:

- acknowledge complaints within five working days
- record the complaint
- advise who will investigate
- explain the next steps and expected timescales

Where additional information is required, the complainant will be contacted promptly.

Stage 2 – Investigation

The investigating officer will:

- consider all relevant evidence
- interview relevant officers, members or contractors where appropriate
- review Council records
- seek clarification where necessary

The complainant will be required to provide supporting evidence during the investigation.

Where appropriate, complaints may be resolved informally at this stage, through explanation, apology or agreed action.

Stage 3 – Decision

The Council aims to provide a written response within 20 working days. If this is not possible due to the complexity of the complaint, the complainant will be informed of:

- the reason for the delay
- the revised timescale

The response will include:

- findings
- any action taken
- any recommendations
- whether the complaint is upheld, partially upheld or not upheld

Stage 4 – Review

If the complainant remains dissatisfied, they may request a review within 20 working days.

The review will be undertaken by a person or panel who has had no previous involvement in the complaint. Where the Town Clerk investigated the complaint, the review will normally be undertaken by a panel of councillors. Where the complaint concerns the Town Clerk, the review will be arranged by the Mayor.

The decision will be final.

5. Complaints Hearing Procedure

Where the Council considers it necessary, a review may be conducted by way of a hearing.

The complainant:

- may attend the meeting
- may be accompanied by a representative
- should submit any supporting documentation at least seven clear working days before the hearing
- The Council will provide copies of documents on which it intends to rely at least seven clear working days before the hearing

The hearing will normally proceed as follows:

1. Introductions

2. Explanation of the procedure
3. Complainant presents the complaint
4. Questions from panel
5. Officer response
6. Questions from panel
7. Closing comments from the panel
8. Private deliberation
9. Decision announced or issued in writing

Written confirmation of the decision will normally be issued within seven working days.

Data Protection Complaints

The Council complies with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Data (Use and Access) Act 2025. Individuals have the right to complain about how the Council has processed their own personal data.

What is a Data Protection Complaint? A data protection complaint concerns:

- collection of personal data
- use of personal data
- disclosure or sharing
- storage
- retention
- accuracy
- Subject Access Requests
- requests for rectification
- requests for erasure
- objections to processing
- any other UK GDPR right

A complaint about another person's data is not normally a data protection complaint. Likewise, a complaint about a Council service is not a data protection complaint simply because personal data is mentioned. Such matters will be considered under the appropriate complaint's procedure.

How to Make a Data Protection Complaint:

- in writing
- by email
- verbally
- by telephone

The Council will ensure complaints are recognised regardless of how they are received.

Acknowledgement - the Council will acknowledge receipt of a data protection complaint within 30 calendar days.

The acknowledgement will:

- confirm receipt
- explain the investigation process
- identify the investigating officer
- explain the complainant's right to complain to the Information Commissioner's Office (ICO)

Investigation, the Council will:

- investigate promptly
- make appropriate enquiries
- keep the complainant informed
- consider whether improvements to procedures are required

Outcome

The Council aims to provide a written outcome within 30 calendar days. The outcome will explain:

- findings
- corrective action taken (if any)
- improvements identified
- the complainant's right to complain to the Information Commissioner's Office.

Where additional time is required, the complainant will be informed of the reasons. The Council will maintain a register of data protection complaints and monitor lessons learned to improve future practice.

6. Freedom of Information Complaints

Complaints concerning the handling of Freedom of Information requests will be dealt with through the Council's Freedom of Information policy and internal review process in accordance with the Freedom of Information Act 2000.

If the applicant remains dissatisfied following the internal review, they may complain to the Information Commissioner's Office.

7. Complaints About Councillors

Complaints concerning the conduct of a Councillor must relate to an alleged breach of the Members' Code of Conduct. Complaints should be made for the attention of the Town Clerk in writing and include:

- the name of the Councillor
- details of the alleged conduct
- dates and locations where possible
- supporting evidence

The Town Clerk will acknowledge receipt and determine whether the complaint falls within the scope of the Code of Conduct. Where appropriate, the complaint will be referred to the Monitoring Officer at Teignbridge District Council for consideration under the statutory standards regime. Anonymous complaints will not normally be investigated.

8. Unreasonable or Persistent Complaints

The Council recognises that a small number of complainants may behave unreasonably.

Examples include:

- repeated complaints about the same issue after completion of the process
- abusive or threatening behaviour
- excessive correspondence
- unreasonable demands

The Council may:

- limit communication
- require correspondence to be in writing
- nominate a single point of contact
- decline to consider repeated complaints where no new evidence exists

Any such decision will be proportionate, reasonable and recorded and in line with the Council's Vexatious Complainants Policy.

9. Equality and Accessibility

The Council is committed to ensuring that everyone can access its complaints process. Reasonable adjustments will be made where required under the Equality Act 2010. Alternative formats and assistance will be provided where reasonably practicable.

10. Confidentiality

Complaints will be handled in accordance with:

- Council policies and procedures
- UK GDPR
- Data Protection Act 2018
- Freedom of Information Act 2000

Information will only be shared where necessary for investigating and resolving the complaint.

11. Monitoring and Learning

The Town Clerk will maintain a register of complaints, including:

- date received
- category
- outcome
- response times
- actions taken
- lessons learned

An anonymised summary of complaints and any service improvements arising from them may be reported annually to the Council.

