

CITIZEN COMPLAINT/INVESTIGATION POLICY:**SECTION I: PURPOSE:**

This policy is to ensure that all citizens/customers of the Town of Windham are afforded an opportunity to have alleged employee misconduct or improper service reviewed in accordance with existing policies, rules, and regulations. All complaints against town employees will be addressed through an impartial investigation, in a prompt, courteous, and positive manner. In doing so, it identifies deficiencies, ensures that proper corrective action is taken when necessary, and protects employees from unwarranted criticism in performing their respective job duties in an approved manner.

SECTION II: GENERAL INFORMATION:

Citizen complaints and/or concerns range from individual performance or non-performance to the overall level of service delivery provided by the employee. Management, as well as supervisory personnel, will attempt to service and resolve complaints at the appropriate level in each department. When necessary, however, the Town Administrator or his/her designee shall be consulted. Complaints shall only be received by a supervisor or individual of at least the next highest rank or position to the one being complained about. Complaints against Department Heads shall be handled by the Town Administrator.

Complaints shall be accepted from any source, whether made in person, by telephone, or electronic or standard mail.

If the individual receiving the complaint determines that the complaint is actually based on a lack of information or understanding on the complainants part, or the complainant is agreeable that the matter may be resolved "informally" by meeting with the parties involved, then the Complaint Record Form will not need to be used.

If the complainant wishes to file a "formal" complaint or the appropriate supervisor determines an investigation is warranted then all such complaints will be documented on a Complaint Record Form. The form will be filled out as completely as possible. The completed form will be forwarded to the Department Head, or Town Administrator, as applicable, for investigative purposes.

SECTION III: COMPLAINTS

It shall be the policy of all town Departments to investigate complaints thoroughly and expeditiously as possible. Regardless of severity, each complaint should be regarded as an opportunity to examine our customer service at the point of contact. Unless the complainant requests "no contact", the individual assigned to investigate the allegations should contact the complainant within forty eight (48) hours to inform the complainant that their concern is being looked into.

SECTION IV: INVESTIGATION:

All investigations shall adhere to the following, minimum guidelines:

- A. Upon initial contact with complainant, inform them of your name, title and how you relate to the area of concern.
- B. Explain to the complainant that the Town takes all complaints seriously and will review same completely. Further, explain that the process will be handled administratively in accordance with town policies concerning personnel matters and, as such, the disposition of the complaint and any actions taken in regards to an employee are considered confidential personnel records.
- C. Upon hearing the complaint, restate the complaint as you understand it to confirm that you are understanding the complaint appropriately.
- D. Attempt to reconcile any discrepancies.
- E. Request the Complainant to complete and return a Citizens Complaint Form.
- F. Provide the individual(s) being complained about with the substance of the complaint and ask them to provide a response to same in writing.
- G. After receipt of the written response, interview the individual(s) involved in which the complaint was lodged against, and document what was said.
- H. Ask if anything unusual occurred.
- I. Discuss/clarify any potential discrepancies.
- J. Interview any witnesses.
- K. When handling complaints lodged against personnel covered by collective bargaining agreements, advise the employee of their rights to union representation.

SECTION V: DISPOSITION:

After consideration of all information provided, the investigator shall recommend one of the following determinations:

- Unfounded -The alleged complaint did not occur.
- Exonerated - The act occurred but was justified, lawful and proper.
- Not Sustained - The investigation produced information which was insufficient to prove or disapprove the allegations.
- Sustained - All or part of the allegations occurred. (A finding of "Sustained" must be based on the existence of substantial fact in support of reasonable proof.)

SECTION VI: DISPOSITION

The investigator shall provide written documentation of his/her actions, stating the facts and including the statements of the employees involved, which shall be attached to the Complaint Record Form.

SECTION VIII : WAIVERS:

The Board of Selectmen may vote to waive any portion of this policy if the Board deems it to be in the best interest of the Town of Windham.

SECTION IX : AMENDMENTS:

These policies may from time to time be amended by the vote of the Board at a regularly scheduled Board Meeting. Notice of proposed changes shall be posted in at least two (2) public places, one of which must be the Town Hall, at least 14 days from the date of the meeting.

SECTION X : EFFECTIVE DATE:

This policy shall be effective upon a vote of the Board.

Adopted By Board of Selectmen – Date: November 4, 2013

Phil LoChiatto, Chairman

Kathleen DiFruscia

Roger Hohenberger

Ross McLeod

Al Letizio
Board of Selectmen



TOWN OF WINDHAM, NEW HAMPSHIRE

CITIZEN COMPLAINT FORM

Citizen's Name:	Email Address:
Address (Include street address, city, state & zip):	
Home Telephone Number:	
Daytime Telephone Number(If different):	

Citizen's Information (Person reporting complaint)

Incident Date:	Incident Time:	Incident Location:
Employee's Name:	2 nd Employee(If applicable):	3 rd Employee(If applicable)
Witness's Name, Address, Phone Number:		
Witness's Name, Address, Phone Number:		
Describe Basis for Complaint (Attach additional Information if necessary):		
Citizen's Signature:		Date:
<i>*Making a false statement on this complaint may result in criminal prosecution</i>		

Receipt & Disposition Information (Office Use Only)

Employee Receiving Complaint:	Date and Time Received:	Report Forwarded To:
Final Disposition:	Disposition Date:	