

Complaint Procedure

Purpose:

This procedure establishes the process by which the Borough of Macungie responds to complaints lodged against Borough Elected Officials, Appointed members of government and employees.

Definitions: Borough Official: Any elected or appointed member of a Macungie Borough Government Agency, the Borough Manager, and the Chief of Police.

Policy:

The Borough policy requires a thorough, unbiased, and timely investigation, disposition and documentation of every complaint in a timely manner.

Process:

Any Borough Official receiving a complaint shall facilitate recording of the complaint on the Quality of Government Complaint Form.

The individual receiving the complaint must understand that, having received the complaint, they are acting in confidence with the individual making the complaint. Ultimately, their identity may become part of a public record; however, they have reasonable right to be protected from any unfair repercussion of having placed a complaint.

1. Attempt to determine what the complainant expects from the investigation.
 - a. Minor Complaint: requests an apology
 - b. Important Complaint: requests resignation or termination
 - c. Litigious Complaint: threatens a lawsuit
 - d. Criminal Complaint: indicates possible criminal behavior

Realize that any or all of the classification are subject to change as a result of investigation or improper handling of the complaint.

2. Classify the complaint by departmental authority.
 - a. Borough Official: Complaint against officials may be directed to one or more of the following support resources:

Mayor and Council Members
Borough Solicitor
District Attorney

- b. Appointed Member

Mayor and Council Members
Borough Solicitor
District Attorney

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c. Borough Police Officer

Chief of Police, Mayor and Council Members
Borough Solicitor
District Attorney

d. Other Borough Employees

Borough Manager, Council Members and Mayor
Borough Solicitor
District Attorney

3. Direct the complaint to the appropriate party.

In general, we want to handle complaints in accordance with PA Borough Code, with as little expense and the least possible intrusion into the function of government as possible.

In addition, we have a responsibility to protect the reputation of the subject of the complaint.

Minor and most important complaints should be directed to paid managers most closely related to the complaint and elected officials. If, in the opinion of the individual receiving the complaint, there is a conflict of interest the Borough Solicitor should be included.

Important and Litigious complaints should be handled in executive session, where all resources up to the District Attorney are available.

When a complaint is of a nature that threatens the proper function of the Government, where the complaint is of a nature that may lead to criminal or civil suits, the individual receiving the complaint should promptly contact the Borough Solicitor, Chief of Police or District Attorney.

4. Investigations into complaints will be handled in accordance with operational procedures approved by Borough Council as established by the Chief of Police or Borough Manager. These will be recorded in The Employee Handbook or Police Collective Bargaining Agreement.
5. Every complaint will conclude with a record of Disposition. Council shall receive confidential copies of the Complaint and Disposition record.