

TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

POLICY MEMORANDUM #31 - REVISED

Date: Adopted March 3, 2004, revised 9/29/2004, revised 6/9/09, revised 11/14/2017, revised 9/13/2022

*This policy was revised at the September 13, 2022 Select Board meeting solely to reflect the titles used in the Town Charter for the Town Manager and Select Board and to modify language to be gender neutral. No changes were made to the content of the Policy at that meeting.

Subject: **WRITTEN COMPLAINTS AND COMMUNICATIONS**

1. Introduction

All written communication received or generated by the Town of Truro and, in their official capacity, its elected or appointed officials and employees, is governed by the Massachusetts Public Record Law. E-mail and other electronic communications are construed to be subject to the public record law.

Mindful of Public Records requirements, the Select Board has established the following Complaints and Communications policy in order to establish for itself and Town staff, either wholly or individually, uniform standards for the handling and disposition of such material, and to establish guidelines for the appropriate response to such material by the Select Board and Town Staff, either wholly or individually.

Nothing in this policy shall be construed as to conflict with state law.

2. Policy

A. Complaints or Communications Addressed to the Select Board:

The Town Manager will receive all written complaints or communications addressed to the Select Board. The Town Manager will keep a record of the receipt of each written complaint or communication. The original and/or copies of the written complaint or communication will be kept in Town Hall as part of the public record. The Town Manager's record will contain the date of receipt and a copy of the response to the complainant. The Town Manager will insure that the Select Board receives copies of complaints addressed to the Board. The Board may request that further information be provided, or action be taken.

The Town Manager shall exercise their discretion in crafting the appropriate response to the written complaint or communication. The Select Board recognizes that, although it may be the addressee of many or most of the written complaints or communications received by the Town, several matters contained therein are of a routine nature and can be handled effectively and expeditiously at staff level.

The Town Manager will, without delay, bring matters not appropriately handled at staff level to the attention of the Select Board. The Select Board may choose to add the item to any lawful meeting of the

Select Board or may direct the Town Manager on how to respond to the complaint. The Town Manager will provide the Board a copy of the written complaint or communication, all appropriate background information and supporting documentation, and recommendations for potential responses. The Select Board will determine the appropriate response and cause its implementation.

It shall be the customary policy of the Select Board to not respond to anonymous complaints or communications. The Board or the Town Manager may use discretion in choosing to withhold the complainant's name from public record, such as in matters of public safety, public health, or any other matter of overriding public concern.

B. Written Complaints or Communications Addressed to an Individual Select Person or Town Staff:

The Town Manager will cause the original of any written complaint or communication addressed to an individual Select Person to be placed in the individual's mailbox in Town Hall. Complaints forwarded to a staff person will be handled by the Town Manager.

The original of the written complaint or communication, whether addressed to an individual Selectman or Town employee at his or her mailing address (including e-mail address), shall be kept in Town Hall as part of the public record.

The individual Select Person or Town Manager shall exercise their discretion in crafting the appropriate response to written complaints or communications addressed specifically to them, whether at Town Hall or at their mailing address (including e-mail address). If the complaint or communication deals with an issue specifically related to an action or statement by the individual Select Person, they may wish to deal with it unilaterally. A unilateral response shall not be of a nature to imply, or give the impression of, any level of individual authority. If a complaint or communication to individual Select Person deals with an issue specifically related to an action or statement by a staff person, the Town Manager will investigate the complaint and provide the information to the individual Select Person.

The individual Select Person or Town Manager will, without delay, bring matters not appropriately handled unilaterally to the attention of the entire Select Board. The presentation of the written complaint or communication shall be made at any lawful meeting of the Select Board, which may include regularly scheduled meetings, emergency meetings, or executive sessions. The presentation to the Select Board will include a copy of the written complaint or communication, all appropriate background information and supporting documentation, and recommendations for potential responses. The Select Board will determine the appropriate response and cause its implementation.

C. Print/Electronic Media Complaints/Communications Concerning the Select Board:

Responses from the Select Board to complaints or communications concerning the discharge of its public duties that are presented through the print/electronic media shall be in accordance with Section A above. However, the Select Board stipulates that it is not within the Town Manager's discretion to respond to such print/electronic media complaints or communications without the prior approval of the Select Board.

Official responses to the print/electronic media by the Select Board will be printed on Town of Truro stationery or Town-sponsored electronic media.

D. Complaints/Communications Concerning a Member of a Board/Committee/Commission:

In all instances, if a complaint is filed about any members of any Board/Committee/Commission, that

person will be afforded an opportunity to address the Select Board regarding the complaint in a public or executive session, as preferred by that individual.

That person will be provided a copy of the complaint and will be informed in writing of what action is being contemplated, if any. Further, if such a complaint is to be presented at a meeting of the Select Board, that person shall be invited to attend and to participate in any discussion of the complaint.

E. Complaints/Communications Concerning a Town Employee:


In all instances, if a complaint is filed about a Town employee, the Town Manager will investigate the claim and take appropriate action, including responding to the complainant. The Town Manager will use the appropriate format to inform the Select Board of the complaint and resolution.

That person will be provided a copy of the complaint and will be informed of what action is being contemplated, if any. Further, if such a complaint is to be presented at a meeting of the Select Board, that person shall be invited to attend and to participate in any discussion of the complaint.

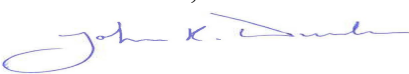
F. Print Media Complaints/Communications Concerning an Individual Select Person or Administrative Appointee:

Responses from an individual Select Person or the Town Manager shall be in accordance with Section B above. However, whenever such action includes a written response that may be published in print/electronic media, the writer must make it clear that the opinions and/or positions expressed therein are those of the writer, and do not reflect the opinion or position of the entire Select Board, except in cases where the opinion or position of the Select Board is a matter of public record.


Responses to the print/electronic media by an individual Select Person or Town employee shall not be printed on Town of Truro stationery or Town-sponsored electronic media.




Kristen Reed, Chair




John Dundas, Clerk



Robert Weinstein, Vice Chair



Susan Areson



Stephanie Rein
Select Board
Town of Truro