

## BRAMBER PARISH COUNCIL

### COMPLAINTS PROCEDURE

1. This Complaints procedure covers complaints from the public or outside bodies about the administration of the council or its procedures and,
  - a) **does not** cover complaints about an employee of the Council. All complaints about employees are dealt with internally as an employment matter.
  - b) **does not** cover complaints about a Councillor as these come under the jurisdiction of the Code of Conduct and are dealt with directly by the Horsham District Council Standards Board
  - c) **does not** cover local elector's statutory right to object to the Council's audit of accounts (s.16 Audit Commission Act 1998)
  - d) **does not** cover criminal activity which is the responsibility of the Police

This Complaints Procedure is intended to deal with those complaints that cannot be satisfied by less formal measures or explanations provided by the Clerk or Chairman of the Council.

In normal circumstances on receipt of a complaint the Clerk will:

1. Consult with the Chairman/Vice Chairman of the Parish Council and/or the Chairman of the relevant committee.
2. Draft a response to the complainant and agree its content with the responsible Chairman/Vice Chairman.
3. A full written response to the complainant will then be sent by the Clerk.
4. If the complainant is not satisfied with this response and wishes to pursue the matter further, then the following procedure will apply:

Complaints will be dealt with by a review panel of the Council who will be nominated by the Chairman and Vice Chairman as and when required. This review group will be as independent as possible and will not comprise of members of the committee under whose jurisdiction the complaint falls unless the complaint relates to the full council. The name of the complainant will only be made known to the review panel.

#### CODE OF PRACTICE

##### Before the meeting.

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk (if this has already been done, the complainant should be asked to give further new explanation as to why the original response is not acceptable).

2. If the complainant does not wish to put the complaint to the Clerk, they may be advised to put it to the Chairman of the Council.
3. The Clerk or the Chairman of the Council shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the review panel established for the purposes of hearing the complaint.
4. If it is accepted that there is further NEW information to consider that was not addressed in the first response, then:
  - (a) The complainant shall be invited to attend a meeting and bring with them a representative, (normally no more than two other persons), in exceptional circumstances, and with prior agreement of the Chairman, more representatives may accompany the complainant.
  - (b) Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any additional documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

#### **At the Meeting**

1. Chairman to introduce everyone.
2. Chairman to explain procedure.
3. Complainant (or representative) to outline grounds for complaint.
4. Members to ask any question of the complainant.
5. If relevant, Clerk to explain on behalf of the Council, the Council's position.
6. Members to ask any question of the Clerk.
7. Clerk and complainant to be offered opportunity of last word (in this order).
8. Clerk and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made (if a point of clarification is necessary, both parties to be invited back).
9. Clerk and complainant return to hear decision or to be advised when decision will be made.
10. Any decision of the review group will be final and will be reported at the next Full Council meeting.

#### **After the Meeting**

1. The decision of the review panel will be confirmed in writing within seven working days together with details of any action to be taken.

#### **NOTE:**

A log of any written complaints or compliments will be kept.

Approved and adopted by F&GP 03.04.19