



# **RUDGWICK PARISH COUNCIL**

## **COMPLAINTS PROCEDURE**

<b>Date Adopted</b>	<b>Minute Number</b>	<b>Review Date</b>
14 May 2018	46/18	May 2020

## **RUDGWICK PARISH COUNCIL**

### **COMPLAINTS PROCEDURE**

Rudgwick Parish Council believes a complaints procedure demonstrates that the Council: ☐ wishes to provide a good service ☐ is committed to listen to and act upon residents' views ☐ undertakes its business in an open and honest manner ☐ wishes to deal with complaints fairly and expeditiously

The Council believes that complaints and suggestions provide a valuable opportunity for improving its services and performance.

**What is a Complaint?** For the purposes of this procedure, a complaint is defined as: An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council or its staff affecting an individual, group or organisation.

This definition covers most complaints – such as:

1. dissatisfaction with the administration of policy and decisions;
2. delays in responding to service requests;
3. failure to achieve standards of service;
4. failure to fulfil statutory responsibilities;
5. employees' behaviour or attitude.

#### **Complaints about Members of Rudgwick Parish Council**

All Councillors have signed an undertaking that they will observe the Council's Code of Conduct. The Code - which is the Model Code of Conduct for Members approved by Parliament – specifies a Councillor's obligations. Alleged breaches of the Code should be made in writing to the Monitoring Officer, Horsham District Council, Parkside, Chart Way, Horsham, West Sussex, RH12 1RL. E-mail [standards@horsham.gov.uk](mailto:standards@horsham.gov.uk). Further information is available from the District Council website.

#### **Complaints against a Member of Staff**

This type of complaint would normally be dealt with as an employment matter and pursued, as necessary, in the light of the Council's disciplinary procedure. The complainant should be advised accordingly that the matter is being dealt with internally and that appropriate action will be taken as appropriate. Details of that action will be communicated to the complainant.

#### **Complaints about the Council's Procedures or Administration**

The complainant will be asked to put the complaint in writing by letter or e-mail to the Clerk to the Council at the Parish Office, Rudgwick Hall, Bucks Green, Rudgwick, West Sussex RH12 3JJ. E-mail [clerk@rudgwickpc.co.uk](mailto:clerk@rudgwickpc.co.uk). Refusal to put a complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.

Most complaints, whether oral or in writing, will be reviewed by the Clerk whose responsibility it is to investigate, as necessary, and respond as quickly as possible. In normal circumstances a response should be sent within 10 working days. Where this is not possible an interim response should be sent giving an indication of when a full reply can be expected.

If a complainant is dissatisfied with the full response, this fact should be drawn to the attention of the Chairman of the Council. In consultation with other Members, as necessary, and after obtaining any further relevant information, the Chairman will issue a further response.

## **Complaints about Services Provided by Other Public Organisations**

Given that some public services in Rudgwick are provided by either Horsham District Council or West Sussex County Council - and that the division of responsibilities between public bodies can often be confusing – Rudgwick Parish Council will advise, and, if appropriate, assist those wishing to pursue complaints against other public organisations providing services in the village.

Adopted by Rudgwick Parish Council 9<sup>th</sup> May 2016; Revised by Rudgwick Parish Council 14<sup>th</sup> May 2018.

If the complaint cannot be resolved through Complaints Procedure the Clerk should be informed and will instigate the Formal Complaints Procedure.

### **FORMAL COMPLAINTS PROCEDURE**

1. All formal complaints shall be dealt with by the Complaints Committee of the Parish Council.
2. The Complaints Committee shall be appointed annually at the Annual Meeting of the Parish Council in May and shall consist of at least 4 members.
3. Decisions of the Complaints Committee to be announced at the next full Parish Council.
4. All formal complaints shall be heard in public unless the Complaints Committee expressly resolves to exclude the press and public due to the confidential nature of the complaint.

### **Before the Meeting**

5. The complainant shall be asked to put the complaint about the council's procedures or administration in writing to the Clerk. The letter must state that a formal complaint is being lodged and include the following information:
  - i) the name, address and telephone number of the complainant
  - ii) the nature of the complaint
  - iii) copies of any relevant documents or other evidence to be relied on at the hearing
6. If the complainant does not wish to put the complaint to the Clerk he or she should address it to the Chairman of the Council.
7. The Clerk or Councillor shall acknowledge receipt of the complaint and advise the complainant that the matter will be considered by the Complaints Committee within 28 days. The complainant shall also be advised as to whether the complaint will be treated as confidential or whether it is to be heard in public by the Complaints Committee.
8. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
9. The complainant will need to provide the Council with any documentation or other evidence, not already supplied, seven clear working days prior to the meeting. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

10. The Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
11. The Chairman shall introduce everyone and explain the procedure.
12. The complainant (or representative) shall outline the grounds for the complaint and, thereafter questions may be asked by (i) the Clerk and then (ii) members.
13. The Clerk shall have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) members.
14. The Clerk and then the complainant shall be offered the opportunity to summarise their position.
15. The Clerk and the complainant shall be asked to leave the room while members decide whether or not grounds for the complaint have been made. If a point of clarification is necessary both parties shall be invited back.
16. The clerk and complainant shall be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they shall be advised when the decision is likely to be made and when it is likely to be communicated to them.

### **After the Meeting**

17. Any decision shall be announced at the next full Parish Council meeting.
18. The Clerk shall confirm the decision in writing to the complainant within seven working days together with details of any action to be taken.