

BUXTED PARISH COUNCIL

COMPLAINTS PROCEDURE

Buxted Parish Council believe a complaints procedure demonstrates that the Council:

- Wishes to provide a good service
- Values feedback
- Undertakes its business in an open and honest manner
- Wishes to deal with complaints fairly

The Council believes that complains 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:

- Dissatisfaction with the administration of policy and decisions
- Delays in responding to service requests
- Failure to achieve standards of service
- Failure to fulfil statutory responsibilities
- Employees' behaviour or attitude

How we deal with complaints

Most complaints will be reviewed by the Clerk whose responsibility it is to investigate, as necessary, and respond as quickly as possible. In informal 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.

What if a complaint cannot be satisfied by less formal measures or explanations provided to the complainant by the clerk or other proper officer or chairman?

The Clerk or other proper officer at the meeting at which the matter is to be considered will represent the position of the council. If the Clerk or other proper officer is putting forward the justification for the action or procedure complained of, he or she should not then advise the council or committee.

At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

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 or other nominated proper officer.
2. If the complainant does not wish to put the complaint to the Clerk or other proper officer, they may be advised to put it to the Chairman of the Council.
3. The Clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the committee established for the purposes of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. 7 clear working days prior to the meeting, the complainant shall provide the Council with copies of any 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

6. The Council 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.
7. Chairman to introduce everyone.
8. Chairman to explain procedure.
9. Complainant (or representative) to outline grounds for complaint.
10. Members to ask any question of the complainant.
11. If relevant, Clerk or other proper officer to explain the council's position.
12. Members to ask any question of the clerk or other proper officer.
13. Clerk or other proper officer and complainant to be offered opportunity of last word (in this order).
14. Clerk or other proper officer 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).
15. Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

After the Meeting

16. Decision confirmed in writing within seven working days together with details of any action to be taken.

Complaints regarding the Parish Council as a body can only be discussed by the Parish Council. There is no senior authority or other mechanism by which to make a complaint about a parish council.

Complaints about Members of Buxted 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 must be reported in writing to the Standards Board for England. If a member of the public has a complaint against a specific councillor, this matter should be referred to the Monitoring Officer at Wealden District Council.

Complaint about services provided by other public organisations

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