HURSTPIERPOINT SAYERS COMMON
PARISH COUNCIL

COMPLAINTS POLICY

1. Introduction

1.1 Hurstpierpoint & Sayers Common Parish Council aims to provide the best possible service to the residents of, and visitors to, the parish. However, we recognise that from time to time, users of our services may feel that the quality or level of service is less than can be reasonably expected.

1.2 It remains the position that the Local Government Ombudsman has no jurisdiction over Parish, Town and Community Councils in England and Wales. The National Association of Local Councils (NALC) in Legal Topic Note 9E has issued guidance (December 2018) for local councils.

1.3 Therefore, this policy has been adopted by the council in order to allow members of the public the opportunity to submit a complaint regarding the administration of the council or its procedures, and have the complaint dealt with in a fair and timely manner.

1.4 This policy is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by a council officer or member of the council.

1.5 It will not be appropriate to deal with all complaints from members of the public under this complaints policy. The table below illustrates the most appropriate way of dealing with different types of complaints:

Type of conduct	**Refer to**
Alleged financial irregularity	Local electors have a statutory right to object to council's audit of accounts (s.16 Audit Commission Act 1998). On other matters, councils may need to consult with their auditor / audit commission
Alleged criminal activity	The police
Members' conduct alleged to breach the code of conduct adopted by the council	The Monitoring Officer of Mid Sussex District Council is responsible for handling complaints that relate to a member's failure to comply with the council's code of conduct
Employee conduct	Dealt with by internal disciplinary procedure

1.6 Wherever possible, complainants are encouraged to contact the Clerk in an attempt to resolve complaints informally. If an informal resolution or explanation is not satisfactory to the complainant, the complaints policy should be followed.

2. Initial formal complaint

2.1 All formal complaints must be communicated in writing (by post or email) and addressed to the Clerk using the following contact details:

Hurstpierpoint & Sayers Common Parish Council Parish Council

Office Trinity Road

Hurstpierpoint

West Sussex

BN6 9UY

office@hurstpierpoint-pc.gov.uk

2.2 If the complainant does not wish to put the complaint to the Clerk (as it may relate directly to the Clerk), they may put it to the Council Chairman in writing, marked private and confidential. Contact details can be obtained from the Parish Council website

www.hurstpierpoint-pc.gov.uk/

2.3 The Clerk/Council Chairman shall acknowledge receipt of a written complaint in writing (by post or email) within five working days.

2.4 The Clerk/Council Chairman shall attempt to resolve the complaint directly. This may involve exchange of further written communication and/or a face to face meeting to discuss the concerns raised in the complaint.

2.5 A full written response shall be provided by the Clerk/Council Chairman to the complainant (by post or email) within 20 working days of the receipt of the complaint.

2.6 If the complainant is not satisfied with the outcome of their complaint, they have 20 working days from receipt of the response to notify the Clerk/Council Chairman of this.

2.7 The Clerk/Council Chairman will then arrange for the complaint to be considered and dealt with as an appeal.

3. Appeal process

3.1 The Clerk/Council Chairman shall arrange an appeal panel to consider the complaint and response from the council. This panel shall consist of three members of the council who have had no prior involvement in the complaint, who shall elect a chairman from amongst themselves.

3.2 The complainant shall be invited to attend an appeal hearing, where they will be given an opportunity to explain the nature of their complaint and their reasons for considering the

council's response to be unsatisfactory. The complainant may be accompanied by a representative if they wish.

3.3 The Clerk (or other nominated officer) shall be invited to attend the appeal meeting to explain the reasons for the council's response.

3.4 The appeal hearing shall be arranged for a mutually convenient venue, date and time, within 20 working days of the complainant's confirmation of appeal.

3.5 Five working days prior to the appeal meeting, the complainant and council shall provide each other with copies of any documentation or other evidence which they wish to rely on at the meeting.

4. Appeal meeting

4.1 At the appeal meeting, the chairman of the appeal panel shall introduce themselves and the other panel members and explain the procedure.

4.2 The complainant (or representative) will be invited to outline the grounds for complaint and reasons for considering the council's response unsatisfactory. Thereafter questions may be asked by (i) the Clerk (or other nominated officer) and then (ii) panel members.

4.3 The Clerk (or other nominated officer) will be invited to provide any additional background to the complaint and an explanation for the council's response. Thereafter questions may be asked by (i) the complainant (or representative) and then (ii) panel members.

4.4 The panel will ask both parties to leave the room while members decide whether or not the appeal is to be upheld. If a point of clarification is needed, both parties shall be invited back into the room.

4.5 Both parties should be given the opportunity to wait for the decision, but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it will be communicated to them.

5. After the appeal meeting

5.1 The appeal panel's decision should be confirmed in writing (by post or email) within five working days of the appeal meeting, along with details of any action to be taken.

5.2 The appeal panel's decision is final and no further correspondence on the matter shall be entered into.

6. Monitoring of complaints

6.1 All valid formal complaints dealt with under this policy will be entered on to the council's complaints log. The Clerk will include a report to Council on a quarterly basis summarising the complaints logged in the period (excluding any personal details of the complainant).