



Oxted Parish Council

Complaints Procedure for complaints from members of the public

Adopted by the Council on 9th December 2008

Complaints Procedure

Oxted Parish Council believes 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

What is a complaint?

For the purpose of this procedure - *‘A complaint is an expression of dissatisfaction by one or more members of the public about the council’s action or lack of action, or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.’*

There are other procedures/bodies to deal with:

- (i) Financial Irregularities – Audit Commission
- (ii) Criminal Activity – The Police
- (iii) Councillor Conduct – A complaint relating to a member’s failure to comply with the Code of Conduct must be submitted to the Standards Board. The Monitoring Officer at Tandridge District Council may be contacted in the first instance
- (iv) Employee Conduct – Internal Disciplinary Procedure

Many complaints can be dealt with quickly and satisfactorily by the Clerk. Complainants should be told what they may do if they remain dissatisfied:

Stage 1 – On receipt of a formal complaint, the Council shall appoint three councillors, to form a Complaints Committee, with the Clerk to act as secretary to the Committee.

Stage 2 – The Chairman of the Council to review the decision of the Complaints Committee and if necessary the decision to be referred to a full Council meeting.

Before the Meeting of the Complaints Committee

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Complaints Committee. The complainant will also be advised whether the complaint will be treated as confidential or whether, notice of it will be given in the usual way.
4. The complainant will be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven days prior to the meeting, the complainant shall provide the Committee with copies of any documentation or other evidence relied on. The Committee shall provide the complainant with copies of any documentation which they consider relevant for the purposes of 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

6. 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 a full Council meeting.
7. The Chairman of the Committee should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.
9. The Clerk will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.

10. The Clerk and then the complainant should be offered the opportunity to summarise their position.
11. The complainant should be asked to leave the room while members of the Committee decide whether or not the grounds for the complaint have been made and what action should be taken. If a point of clarification is necessary, *both* parties shall be invited back.
12. The complainant 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 is likely to be communicated to them.

After the Meeting

The decision should be confirmed in writing within seven days together with details of any action to be taken.

If the complainant is still dissatisfied then the Chairman of the Council will review the complaint and if he is unable to resolve the matter to the satisfaction of the complainant, he will refer the matter to a full Council meeting.

If the complainant is still dissatisfied then the complainant will be advised to refer the matter to the Local Government Ombudsman.