

SOUTHWATER PARISH COUNCIL

COMPLAINTS PROCEDURE POLICY



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1. Background Information

1.1. Staffing

- i. Complaints about an employee of the Council will be dealt with as an employment matter under the Council's Disciplinary Procedures as contained in the individual staff's contract of employment in accordance with Employment Law Regulations and Guidance. Further information relating to this may be obtained from the Executive Officer.

1.2. Individual Councillors

- i. Complaints about a Councillor are now subject to the jurisdiction of the District Council's Monitoring Officer. All complaints should be directed to the Executive Officer of Southwater Parish Council or the Monitoring Officer, Horsham District Council.
- ii. *"A member must, if he or she becomes aware of any conduct by another member which he or she reasonably believes involves a failure to comply with the Parish Code of Conduct, make a written allegation to that effect to the District Council's Monitoring Officer, as soon as it is practicable for him or her to do so and must at the same time as making such a written allegation send a copy of the same to the Executive Officer of the Parish Council."*

1.3. Reason

- i. This Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect others that we deal with who have serious concerns about an aspect of the Council's work to come forward and voice those concerns. It is recognized that most cases will have to proceed on a confidential basis.
- ii. This policy document makes it clear that you can do so without fear of victimization, subsequent discrimination or disadvantage. This reporting policy is intended to encourage and enable members of the public to raise serious concerns within the Council rather than overlooking a problem.

2. Complaints Procedure against the Council

- 2.1. Southwater Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
- 2.2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
- 2.3. This Complaints Procedure does not apply to:
 - i. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- 2.4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional ground to consider this necessary and the special process set out in the Standing Orders is followed.
- 2.5. You may make your complaint about the council's procedures or administration to the Executive Officer (or Chairman if the Executive Officer is the subject of complaint). You may do this in person, by phone, or by writing to or emailing the Executive Officer (or Chairman if the Executive Officer is the subject of complaint). The addresses and numbers are set out below.
- 2.6. Wherever possible, the Executive Officer will try to resolve your complaint immediately. If this is not possible, the Executive Officer will normally try to acknowledge your complaint within five working days.
- 2.7. If you do not wish to report your complaint to the Executive Officer, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.
- 2.8. The Executive Officer of the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.

- 2.9. The Executive Officer or the Chairman of the Council will normally notify you within 20 working days of the outcome of your complaint. (In some cases, the twenty working day's timescale may have to be extended. If it is, you will be kept informed).
- 2.10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

3. Complaints Procedure Governing Any Breach of the Code of Conduct against Parish Councillors

- 3.1 Complaints pertaining to Disclosable Pecuniary Interests shall be referred to the Monitoring Officer at Horsham District council and the Police (if applicable).
- 3.2 Any and all complaints regarding the conduct of a Councillor should be made in writing to the Executive Officer at The Parish Office, Beeson House, 26 Fairbank Road, Southwater, Horsham or email: enquiry@southwater-pc.gov.uk
- 3.3 The complainant must specify the code of conduct which has been breached in writing.
- 3.4 Upon receipt of a written complaint the Executive Officer will advise the Chairman of the Council (or Vice-Chair if the Chairman is the subject of complaint) and the Councillor(s) against whom the complaint(s) is made.
- 3.5 The complainant will be advised that the Councillor(s) against whom the complaint(s) is made will, under normal circumstances*, be given 7 working days to offer a written response to the Chairman of the Council (or Vice-Chair if the Chairman is the subject of complaint).
- 3.6 The Chairman of the Council (or Vice-Chair if the Chairman is the subject of complaint) will copy the written response from whom the complaint is made against within three working days of receipt*.
- 3.7 If the complainant is not satisfied with the response, then the Council will form a standards committee with 14 days of date notified, comprising of 3 members of the Council, one of whom should be either the Chairman or Vice Chairman. Judgement will be passed to both parties (normally within 14 working days of the judgement being made).
- 3.8 If either party is not satisfied with the response, they will have the right to refer the matter to the District Council Monitoring Officer.

3.9 *normal circumstances excludes absences through holidays or illness.

4. Contacts

- 4.1 The Executive Officer of Southwater Parish Council
Address: The Parish Office, Beeson House, 26 Fairbank Road, Southwater, Horsham, RH13 9LA
Telephone: 01403 733 202
Email: enquiry@southwater-pc.gov.uk
- 4.2 The Chairman of Southwater Parish Council
Address: The Parish Office, Beeson House, 26 Fairbank Road, Southwater, Horsham, RH13 9LA
Telephone: 01403 733 202
Email: enquiry@southwater-pc.gov.uk
- 4.3 The Monitoring Officer of Horsham District Council
Address: Horsham District Council, Parkside, Horsham, West Sussex RH12 1RL
Telephone: 01403 215482
Email: standards@horsham.gov.uk