

# Horley Town Council

## Complaints Procedures

1. This Policy sets out procedures for dealing with any complaints that anyone may have about the Town Council's **administration and procedures**. This includes complaints against Town Council employees. All Town Councillors are required to observe the Reigate & Banstead Borough Council Member Code of Conduct (adopted by Horley Town Council from 1 July 2012) and complaints against members shall be considered in the first instance by the Monitoring Officer at Reigate & Banstead Borough Council. Complaints against **policy decisions** made by the Council shall be referred back to the Council.
2. If a complaint about procedures or administration is notified orally to a Member or to the Clerk, every attempt shall be made to satisfy the complainant speedily and informally. If those attempts fail, the complainant shall be asked to put the complaint in writing to the Clerk, and shall be assured that the matter will be dealt with promptly after receipt.
3. If the complainant does not wish to put the complaint to the Clerk or other proper officer, he or she can be advised to put it to the Chairman.
4. The Clerk should acknowledge receipt of the complaint and advise the complainant of the date when the matter will be considered.
5. The Staff Sub-Committee shall use delegated powers to adjudicate the matter on behalf of the Council.
6. Complaints Hearing:

### **6.1 Before the Meeting:**

The complainant shall be invited to attend the meeting and bring with them a representative if they wish. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, to which they may wish to refer at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

## **6.2 At the Meeting:**

The Committee shall consider whether the circumstances warrant the matter being discussed in the absence of the press and public under the Public Bodies (Admissions to Meetings) act 1960.

The Chairman shall introduce everyone and explain briefly the procedures that will be used. The meeting shall be as informal and friendly as possible, so that relevant facts are clarified and only the substantive matter discussed in detail.

The complainant, or their representative, shall be invited to outline the grounds for complaint, and members shall then be given the opportunity to ask any question of the complainant. If relevant, the Clerk or proper officer shall explain the Council's position, and Committee members may ask any question of the Clerk or other proper officer. The Clerk, or other proper officer, and complainant shall be offered the opportunity of last word as a means of summing up their position.

The Clerk, or other proper officer, and complainant shall be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back. The parties shall return to hear the decision, or will be advised when the decision will be made. This announcement shall be made in public. Following the meeting, the decision shall be confirmed in writing within a reasonable time, together with details of any action to be taken.

7. After the decision has been made, it, and the nature of any action to be taken shall be communicated in writing to the complainant.
8. A Council shall defer dealing with any written complaint only if it is of the opinion that legal advice is necessary. The complaint shall then be dealt with as soon as is practicable after the date when the advice has been received.

***Approved by Full Council: April 2013***

***Next Review date: April 2019***

