

Hornton Parish Council

Complaints Procedure

1. Hornton Parish Council is committed to providing a quality service for the benefit of the people who live and work in its area. This Complaints Procedure sets out how you may complain to the Parish Council and how it will try to resolve your complaint.
2. The following procedure deals with complaints about the Council's administration or its procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
 - (a) 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.
 - b) Complaints against Councillors which are covered by the Code of Conduct for Members adopted by the council. Any complaint that a Councillor may have breached the Council's adopted code of conduct should be referred to the Monitoring Officer at Cherwell District Council.
4. If a complaint is about procedures, administration or the actions of any of the Council's employees and is notified orally to a Councillor a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
5. The Councillor receiving the complaint will attempt to resolve the matter informally. If this is not possible, then the complaint should be forwarded to the Chairman of the Parish Council (or in his/her absence the Vice Chairman).
6. The complainant will be asked to put the complaint in writing (letter/e-mail) to the Chairman at Hornton Parish Council, Mullions, Bell Street, Hornton, OX15 6DB, e-mail: pc.chair@hornton.org.uk. The complaint will be dealt with within 14 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.
7.
 - (a) On receipt of a written complaint, the Chairman of the Council, will seek to settle the complaint directly with the complainant. Any person complained about will be notified and given an opportunity to comment. Efforts will be made to resolve the complaint at this stage.
 - (b) The identity of a complainant should only be made known to those who need to consider a complaint (those attending the Complaints meeting).
 - (c) If the complaint cannot be resolved directly, the complainant will be invited to attend a Complaints Meeting with a representative if wished.
8. The Complaints Meeting will be chaired by the Chairman of the Parish Council (or the Vice Chairman if necessary) and three members of the Parish Council. These members are Councillors (three councillors to be confirmed).

9. At the Complaints Meeting:
 - a. The Chairman will introduce everyone and explain the procedure
 - b. The complainant (or representative) will outline the grounds for complaint and then receive any questions from the members.
 - c. The councillor (as representative of the Council) will explain the Council's position and then receive any questions from the complainant (or representative).
 - d. The councillor (as representative of the Council) and the complainant will summarise their positions and then leave the room whilst the members decide whether the grounds for complaint have been made.
 - e. If the decision is unlikely to be finalised on that day, an estimated date will be given.
11. Matters relating to Grievance proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance procedures.
12. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
13. Once the decision has been made (and in any event not later than seven working days after the meeting) the Complainant will be notified in writing of the decision.
14. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at a subsequent meeting after the advice has been received.
15. The result of the proceedings will be reported at the next council meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately respected.
16. Appeals:
 - a. Should the complainant not agree with the decision they will be entitled to appeal the decision within fourteen days of receipt of the result of the proceedings.
 - b. The councillors nominated to handle the appeal will, within fourteen days of receiving the appeal, examine the way in which the council dealt with the complaint.
 - c. If procedures were correctly handled by the council then the appellant will be notified that the appeal has not been successful. If the complaint was not handled correctly it will be referred for consideration at another meeting.
 - d. The appellant will be notified of the result of the appeals process within fourteen days.