

28.5 BURGESS HILL TOWN COUNCIL'S FORMAL COMPLAINTS PROCEDURE

- a This complaints procedure will not be used to address serious complaints relating to the conduct of an individual and identified in section 8.2.
- b It will be used for those complaints which cannot be satisfied by less formal measures as identified in Section 28.3.
- c **Receiving the complaint**

The complainant will be asked to put the complaint about the Council's procedures or administration in writing to the CEO. The complainant may put the complaint to the Town Mayor if preferred. If required, assistance to make the complaint in writing will be made available on request.

The CEO or other nominated officer shall acknowledge receipt of the complaint and advise the complainant whether it will be considered by either a member of the management team, the CEO, the Town Mayor, the Council's Complaints Panel or full Council. The complainant shall also be advised whether the complaint will be treated as confidential.

The complainant shall be given at least 10 working days notice to attend a meeting and to bring a representative if so wished.

Seven clear working days prior to the meeting the complainant shall provide the Council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

- d **At the meeting**

Unless the CEO is the subject of the complaint, they will represent the Council at the meeting. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.

The Chairman of the meeting shall introduce everyone and explain the procedure.

The complainant (or representative) shall outline the grounds for complaint and, thereafter, questions may be asked by (i) the CEO or other nominated officer and then (ii), Councillors.

The CEO or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), Councillors.

The CEO or other nominated officer and then the complainant shall be offered the opportunity to summarise their position.

The CEO or other nominated officer and the complainant should be asked to leave the room while Councillors 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 CEO or other nominated officer and 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 communicated.

It should be noted that where the CEO at the meeting represents the position of the Council and puts forward justification for the action or procedure complained of, the CEO should not advise the Complaints Panel or the Council as they need to determine the matter themselves.

Any decision on a complaint shall be announced at a Council meeting in public.

e After the meeting

The decision shall be confirmed in writing within 7 working days together with details of any action to be taken.

28.6 REMEDIES

- a Where a complaint is upheld, the types of action to be considered could include:
- i) Providing the desired service;
 - ii) Changing procedures to prevent a further occurrence of the problem;
 - iii) Providing training so that similar errors can be avoided in future;
 - iv) An apology by letter and/or a visit. (If the complainant has suffered, but not financially, a gesture of goodwill maybe appropriate, such as, a bunch of flowers);
 - v) Replacement of damaged items; and,
 - vi) Reimbursement of expenses if the complainant has suffered specific financial losses.
- b At this time the Council has no specific policy for financial compensation in recognition of time, trouble expended by the complainant, exceptional worry, distress or inconvenience caused.
- c Burgess Hill Town Council aims to give the best service possible and where a mistake has been made the Council aims to see what lessons can be learned for the future.

- d The Town Council will report complaints statistics to Council as appropriate.