

COMPLAINTS



How To Complain to the States of Jersey Complaints Panel

States of Jersey Complaints Panel

Do you have a complaint about a Ministerial decision or administrative process carried out by a States Department?

We may be able to help.

What do we do?

We consider complaints from any individual regarding decisions made by Ministers or administrative processes undertaken by States Departments. There is no requirement for complainants to have to exhaust Departmental complaints procedures ahead of making a complaint to the Panel.

Who are we?

The States of Jersey Complaints Panel is made up of independent people from a variety of backgrounds who offer their services on a voluntary basis free of charge. We are not employees of the States of Jersey or States Members. If we are unable to resolve your complaint informally with the Department in question, we will convene a hearing to consider the complaint. The complainant (and any other interested parties) and the Minister/Ministerial representative will be invited to attend the hearing and make submissions to the Panel.

How to get in touch

- By telephone: 01534 441016.
- By email: complaintsboard@gov.je
- By post: to the Greffier of the States Greffe, Morier House, Halkett Place, St. Helier, Jersey, JE1 1DD.
- Please include your full name and contact details, any relevant documents or evidence that is relevant to your complaint.
- We are able help summarise your complaint before it is shared with the relevant States Department.

We will the Minister of the Department concerned to provide a response to the complaint within 2 weeks.

What happens next?

Once we receive the response, the Panel Chair and 2 other members will review the evidence from both sides and decide how to proceed. It may be that the Panel will seek to resolve the complaint informally or to convene a hearing to investigate the matter. If a hearing is convened the Minister or Department involved will be requested to respond to the complaint in writing and the complainant may also be asked for additional information.

How does a hearing work?

- If a hearing is required, a Board is chosen from the members of the Panel.
- Hearings are usually open to the public and will normally be held in the States Building. If a hearing is held in private, the final report will be anonymised.
- To ensure impartiality Board members will have no conflict of interest in the matter under consideration.
- No new documents may be introduced at the hearing.
- We will ask you tell us who is attending and speaking at the hearing, as the only people allowed to speak during the hearing are those that you or the Minister and Department have already told us will attend.
- At the hearing, both the complainant and the Minister/Department will be provided with an opportunity to summarise their case for the Board and may also refer to documents that have already been circulated.
- Members of the Board will then ask any questions they may have.
- The Board will discuss its findings and recommendations in private.

Site visits

- If your complaint relates to planning matter, there will usually be a site visit, which both the complainant and the Minister/Department may attend.

At the site, the complainant will be asked to spend a short time explaining the issues, but will not be able to present any new papers.

What happens after the hearing?

- The Complaints Board will produce a report without findings or recommendations and the complainant/Minister will receive a copy for fact checking.
- The Complainant/Minister/Department involved will subsequently receive an advance copy of the full report ahead of publication.
- The Privileges and Procedures Committee will publish the final report of the Complaints Board with the findings and recommendations.
- A press release will be issued by the Chair of the Board in relation to the complaint (this may be anonymised)
- The Minister is required to respond to the findings within 12 weeks by making a Statement in the States Assembly.
- The Board will follow up on the actions taken by the Minister/Department to.
- If the Board is **not** satisfied that the Minister/Department has properly considered or implemented the recommendations, it may decide to hold a further hearing publish a further report which will be presented to the States Assembly by the Privileges and Procedures Committee and be on public record.

What findings can the Board make?

The Board can uphold a complaint if the decision, act or omission was deemed to be: –

- (a) contrary to law;
- (b) unjust, oppressive or improperly discriminatory, or was in accordance with a provision of any enactment or practice which is or might be unjust, oppressive or improperly discriminatory.
- (c) based wholly or partly on a mistake of law or fact;
- (d) could not have been made by a reasonable body of persons after proper consideration of all the facts; or
- (e) contrary to the generally accepted principles of natural justice.

(Article 9 of the Administrative Decisions (Review) (Jersey) Law 1982)

Current Panel members:

A list of current panel members may be found on the [website](#).

Contact us:

By letter: States Complaints Board, c/o:

Mrs. L-M. Hart, Greffier of the States
States Greffe
Morier House
Halkett Place
St. Helier
Jersey
JE1 1DD

By email: ComplaintsBoard@gov.je

Tel: 01534 441016 to speak to a Case Officer.