

OUSBY PARISH COUNCIL

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COMPLAINT PROCEDURE of OUSBY PARISH COUNCIL

Document history

Notes of changes in updated versions	Version No.	Date of approval and adoption
Initial complaint procedure adopted (minute C/7/9/14)	1.0	3 Sept 2014
Complaint procedure version 1.0 reviewed and retained pending further advice (minute C/6/10/15)	1.0	7 October 2015
Revised – Change of Clerk – contact details	2.0	5 July 2017

**THIS COMPLAINT PROCEDURE IS PUBLISHED AS APPROVED AND
ADOPTED BY OUSBY PARISH COUNCIL ON 5 JULY 2017**

Ousby Parish Council – Public complaints procedure

In the first instance, efforts will be made to deal with all complaints informally either by the Clerk or the Chairperson.

When complaints cannot be resolved informally, they will need to be handled differently depending on their nature.

If a member of the public believes that a councillor is in breach of the council's Code of Conduct, a complaint may be lodged with the Monitoring Officer at Eden District Council.

Complaints about the council's financial affairs should be lodged with the Audit Commission.

Complaints about not releasing information under the Freedom of Information Act 2000 can be referred to the Information Commissioner.

Complaints about council procedures, practices and administration should be lodged with the council. The Local Government Ombudsman does not have jurisdiction with respect to local councils.

Complaints about the conduct of a Clerk should be lodged with the Council.

Formal complaints should be in writing.

The following procedure shall apply when efforts to deal with a complaint informally have been unsuccessful.

Receipt of the complaint

The complainant will be asked to put the complaint about the council's procedures or administration in writing to the Clerk. If the complainant wishes, the Clerk or Chairperson will try to help with drafting the complaint.

If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the council.

The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint is likely to be treated as confidential, the Council taking into account any views on the need for confidentiality expressed by the complainant.

A date will be fixed for the Council or Committee of the Council to meet. Attempts will be made to ensure that the date will be convenient to the complainant.

If the complaint is about the Clerk, he or she shall not form part of the decision-making group. If the complaint is against one or more councillors, those councillors shall not form part of the decision-making group unless it would result in less than 3 persons being available (in which event the whole Council shall be the decision-making group).

The complainant will be given at least 14 days written notice of the meeting. The complainant shall be invited to attend the meeting and to 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 relied on. The council shall provide the complainant with copies of any other documentation which they wish to consider at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the meeting

The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at a council meeting in public.

The Chairperson should introduce everyone and explain the procedure.

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

The Clerk will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) members.

The Clerk and then the complainant should be offered the opportunity to summarise their positions.

Ousby Parish Council