

EAKRING PARISH COUNCIL COMPLAINTS PROCEDURE

1. Introduction

Pursuant to the Local Government Act 1972 the Local Government Ombudsman has no jurisdiction over parish and town councils in England. The Council receives queries, problems and comments as part of its day-to-day business and these should not all be regarded as complaints.

2. Informal Complaints

It is not appropriate to deal with all complaints from members of the public under the formal complaint's procedure. It is hoped that less formal measures or explanations provided to the complainant by the Clerk, will resolve most issues raised by a member of the public. Any informal complaint will be reported to the Council for information.

3. Formal Complaints

In certain circumstances procedures/bodies other than Eakring Parish Council may be appropriate in respect of the following types of complaint: -

Type of conduct	Refer to
Financial irregularity	Statutory right to object to Council's audit of accounts pursuant to Local Audit & Accountability Act 2014. On other matters the Council may need to consult its auditor/Audit Commission
Criminal activity	Police
Member conduct	If the complaint relates to a failure to comply with the Localism Act 2011 it must be submitted to the Monitoring Officer of Newark & Sherwood District Council
Employee conduct	Internal disciplinary procedure

4. If a member of the public is not satisfied with the outcome a complaint dealt with under the Informal Complaints Procedure, then the complainant should put the complaint about the Council's procedures or administration in writing to the Clerk at 7 South Park Avenue, Darley Dale, Matlock, Derbyshire DE4 2FY.
5. If the complainant does not wish to put the complaint to the Clerk, he or she should address it to the Chairman of the Council, c/o The Cator Hall, Kirklington Rd, Eakring, NG22 0DA marked Personal.
6. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Complaints Committee of three Councillors established for the purpose of hearing

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complaints. The complainant will be advised that the Clerk will also attend the meeting and whether the complaint will be treated as confidential or whether notice of it will be given in the usual way.

7. The complainant will be invited to attend a meeting and to bring with them a representative if they wish.
8. Seven clear working days prior to the meeting, the complainant must provide the Council with copies of any documentation or other evidence relied on. The Council will provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.
9. At the Meeting
The Committee will 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 the next Council meeting in public.
10. The Chairman of the Committee will introduce everyone and explain the procedure.
11. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii) members of the Committee.
12. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members of the Committee.
13. The Clerk and then the complainant should be offered the opportunity to summarise their position.

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14. The Clerk and the complainant should 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 will be invited back.
15. The Clerk 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 when it is likely to be communicated to them.
16. After the Meeting
The decision should be confirmed in writing within seven working days together with details of any action to be taken. The complainant will be advised that he or she has the right to appeal against the decision to the Council, excluding the members of the Complaints Committee.