

Clerk: John Fleming - Fell View – Blencarn – Penrith – Cumbria - CA10 1TX

Tel: 07768 468 634

Email: [melmerbypc@gmail.com](mailto:melmerbypc@gmail.com)

# MELMERBY

# PARISH COUNCIL

# COMPLAINTS PROCEDURE

## Document History

Notes of changes in updated versions	Version No	Date of approval / adoption
Complaints Procedure as initially approved and adopted	1	July 2019

## **Introduction**

Melmerby Parish Council is committed to providing a quality service to our residents. Our preference is to deal with any complaints amicably and orally, directly with you. If you have a complaint please contact our Clerk or, if the matter concerns our Clerk, our Chairman. The Clerk (or Chairman) will try to resolve the matter directly with you in a timely manner (wherever possible within 20 working days). However, should it not be possible to resolve your complaint informally then we will follow the complaints procedures shown below.

## **Complaints about individual councillors**

If a member of the public believes that a councillor is in breach of the council's Code of Conduct a complaint may be made to the Monitoring Officer at Eden District Council. The Parish Council does not have power to consider such complaints.

## **Complaints about the council's financial affairs**

If a member of the public wishes to raise a complaint regarding the Council's finances it should be lodged with the Audit Commission.

## **Complaints under the Freedom of Information Act and Data Protection Regulations**

Complaints about not releasing information under the Freedom of Information Act 2000 and Data Protection Regulation, storage and use of personal information can be made to the Information Commissioner.

## **Complaints about Procedures, Services, Administration or the conduct of the Clerk**

### **Receipt of Complaint**

1. The complainant will be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
2. 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.
3. The Clerk (or Chairman) shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council or by a committee established for the purposes of hearing the complaint. The complainant should also be advised whether the complaint will be treated as confidential.
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence (such as statements) they wish to be relied on. The Council shall provide the complainant with copies of any documentation which they wish also 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**

6. 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 the Council meeting in public.
7. The Chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.

9. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
10. The Clerk and then the complainant should be offered the opportunity to summarise their position.
11. 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 shall be invited back.
12. 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.

### **After the Meeting**

16. The decision should be confirmed in writing within seven working days together with details of any action to be taken.