



# Fremington Parish Council



Council Offices, 12 Higher Road, Fremington, Barnstaple, EX31 3BG

Telephone: 01271 321063

E-mail: [clerk@fremingtonparishcouncil.gov.uk](mailto:clerk@fremingtonparishcouncil.gov.uk)

[www.fremingtonparishcouncil.gov.uk](http://www.fremingtonparishcouncil.gov.uk)

## **Complaints Procedure**

Pursuant to the Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over parish and town councils in England. For the transparency in local government Fremington Parish Council has adopted the following formal complaints procedure.

1. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee for consideration.
2. The Complaints Procedure does not apply to complaints about the conduct of a Member of Fremington Parish Council. Complaints about the conduct of a member are dealt with by the Code of Conduct adopted by Fremington Parish Council on 9<sup>th</sup> July 2013 and should be reported to the District Monitoring Officer (details can be obtained from the Parish Clerk).

### **Definition of a complaint**

3. *'A complaint is an expression of dissatisfaction by one or more member of the public about the council's action or lack of action or about the standard of a service'*. The complaints procedure will not deal with complaints where legal proceedings exist. Complaints about employment matters will be dealt with by the Parish Council's Grievance and Disciplinary Procedures.
4. If a complaint about procedures, administration or the actions of any Council's employees is notified orally to the Clerk or a Councillor, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint. The Council will seek to satisfy the complainant, however if the complainant is not satisfied and wishes to make a formal complaint this should be made in writing to the Parish Clerk.
5. If the complainant prefers not to put the complaint to the Clerk to the Council, he or she, should be advised to write to the Chairman of the Council.
6. Upon receipt of a written formal complaint the Parish Clerk or Chairman as appropriate, will acknowledge receipt in writing within 2 working days.
7. (a) On receipt of a written complaint the Clerk to the Council or Chairman will seek to settle the complaint directly with the complainant within 14 working days. This will not be done without first notifying any person complained about and giving him or her, the opportunity to comment. Efforts should be made to

resolve the complaint at this stage. If investigation of the complaint is likely to take longer than 14 working days, the complainant will be advised in writing.

(b) Where the Clerk to the Council receives a written complaint about his/her own actions, he/she shall immediately refer the complaint to the Chairman of the Council.

8. The formal response to the complaint must advise that, if having received a full response to the complaint, the issue remains unresolved the complainant has the right to request, within 28 calendar days of the date of the letter, that the matter should be referred to the Finance and Personnel Committee. The Complainant will be invited to provide any relevant written correspondence relating to the complaint.

If the complainant does not respond within 28 calendar days of the date of the letter, the complaint will be considered closed.

9. If the complainant requests the complaint to be referred to the Finance and Personnel Committee the Clerk to the Council shall determine whether the circumstances of the complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.

The complainant will be notified, in writing, of any decision made by the Finance and Personnel Committee.

10. The Finance and Personnel Committee may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received. If this is the case the complainant will be notified in writing.

### **Adopted 4<sup>th</sup> November 2013**

| Date of Review              | Change Description | Minute No. |
|-----------------------------|--------------------|------------|
| 7 <sup>th</sup> April 2014  | Review             | 1404/10    |
| 30 <sup>th</sup> April 2015 | Review             | 1504/50    |
| 28 <sup>th</sup> April 2016 | Review             | 1604/63    |
| 25 <sup>th</sup> May 2017   | Review             | 1705/60    |
| 24 <sup>th</sup> May 2018   | Review             | 1805/68    |
|                             |                    |            |
|                             |                    |            |