

## **LAZONBY PARISH COUNCIL**

### **COMPLAINTS PROCEDURE**

Adopted by Full Council on 1<sup>st</sup> March 2017.

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#### **Introduction**

Lazonby Parish Council is committed to providing a quality service to our residents and visitors to the Parish. Our preference is to deal with any complaints amicably and orally, directly with the complainant. A complainant should contact our Clerk or, if the matter concerns our Clerk, our Chair. The Clerk (or Chair) will try to resolve the matter directly with the complainant in a timely manner (wherever reasonably practicable within 20 working days). However, should it not be reasonably practicable to resolve your complaint informally then the complaints procedures shown below should be followed.

#### **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, services or administration in writing to the Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, it should be addressed to the Chair of the Council.
3. The Clerk or Chair will 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, and if so, how and to what extent confidentiality will be protected.
4. The complainant will be invited to attend a meeting with the Council/Committee and to bring with them a representative if they wish to speak on their behalf.
5. Seven clear working days prior to the meeting, the complainant must provide the Council with copies of any documentation or other evidence relevant to the issues and to be relied on in support of the complaint. The Clerk will provide the complainant and the Council/Committee with copies of any documentation upon which he/she intends to rely at the meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.

## **At the Meeting**

6. The Council/Committee 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/Committee meeting in public.
7. The Chair 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 of the Council/Committee.
9. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members of the Council/Committee.
10. The Clerk or other nominated officer and then the complainant or his/her representative will be offered the opportunity to summarise their position.
11. The Clerk or other nominated officer and the complainant and his/her representative and any members of the public present will 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 whilst the members are deliberating, *both* parties will be invited back and given the opportunity to comment in public, if appropriate.
12. The Clerk or other nominated officer 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. After the decision is announced it should be confirmed in writing within seven working days together with details of any action to be taken.
17. The decision of the Council/Committee is intended to be final and no further appeal is available within the Council although it may be possible for certain complaints to be raised elsewhere, such as with the Information Commissioner.

### **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 lodged with the Monitoring Officer at Eden District Council which can advise on the appropriate procedure.

### **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**

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