

## COMPLAINTS PROCEDURE

Adopted	Adopted 11 July 2007 87/07-08
Reviewed	9 December 2015 102/15-16(b) v)
Date of Next Review	11 May 2016

### Background Information

The Local Government Ombudsman has no jurisdiction over parish councils. The question therefore arises as to what should happen if complaints are received about administration or procedures?

Complaints about the Clerk or other employee should be dealt with as an employment matter according to the relevant wording of the contract.

Complaints about a councillor are covered by the Code of Conduct for Members adopted by the Council on 11 July 2012 and will be dealt with by the Standards Committee at North East Derbyshire District Council. Complainants are advised to contact the Monitoring Officer of North East Derbyshire District Council for further information.

The code of practice within this guidance is therefore aimed at those situations where a complaint has been made about the administration of the council or about its procedures. It is not really an appropriate forum for a complaint against individuals, as the provisions available above should cover these situations.

### Before the Meeting

- 1 The complainant should 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, it may be put to the Chairman.
- 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 the committee established for the purposes of hearing complaints.
- 4 The complainant shall be invited to attend the relevant meeting and may bring one representative or adviser as they wish.
- 5 At least 7 days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence which they wish to refer to at the meeting and the council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

### At the Meeting

- 6 The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the council meeting in public.
- 7 Chairman to introduce everyone.
- 8 Chairman to explain procedure.
- 9 Complainant (or representative) to outline grounds for complaint.
- 10 Members to ask any question of the complainant.
- 11 If relevant, Clerk to explain the council's position.
- 12 Members to ask any question of the Clerk.
- 13 Clerk and complainant to be offered opportunity of last word (in that order).
- 14 Clerk and complainant to be asked to leave room while members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back.)
- 15 Clerk and complainant return to hear decision, or to be advised when decision will be made.

### After the Meeting

- 16 Decision confirmed in writing within 7 days together with details of any action to be taken.