**EAST COTTINGWITH PARISH COUNCIL**

**COMPLAINTS PROCEDURE**

**This Complaints Procedure was adopted by East Cottingwith Parish Council, at a meeting held on Thursday 10th January 2019, and recorded in the Minutes of that meeting.**

**Introduction**

Any person(s) who feels aggrieved by the actions of the Council, an individual or its Clerk, is entitled to make a formal complaint.

The parish council takes its responsibilities seriously and these procedures are designed to deal with complaints in an open and structured way.

**Complaints against Parish Councillors**

Members of the parish council are accountable for their actions and are required to comply with the Code of Conduct as prescribed by the Localism Act 2011.

A complaint against an individual member of the parish council should, in the first instance, be directed to The Monitoring Officer, East Riding of Yorkshire Council, County Hall, Cross Street, Beverley HU17 9BA, email: standards@eastriding.gov.uk

**Complaints against the Parish Clerk**

The Parish Clerk and Responsible Financial Officer is an employee of the parish council. A complaint against the Clerk will be dealt with internally as an employment matter and should be addressed to the Chairman (details on the Council’s website).

**Complaints against the Parish Council**

The Local Government Ombudsman has no jurisdiction over parish councils, except where the Council is working jointly with a principal authority (i.e. the County Council) or where the parish council is exercising the functions of a principal authority in its own right. In such instances further information about making a complaint can be found via the following link: http://www.lgo.org.uk/publications/guidance notes

On all other occasions, a complaint about an administrative or procedural matter should be addressed as follows:

1. All complaints will be treated as confidential, unless a complainant decides otherwise.
2. The complaint should be made in writing, setting out the nature of the complaint, and should be addressed to the Parish Clerk. Acknowledgement of receipt of the complaint will be made within five working days.
3. In the event that the complainant feels unable to deal with the Clerk the correspondence should be addressed to the Chairman.
4. The Chairman will appoint a person to investigate the complaint. That person will carry out the investigation in a timely fashion.
5. The complainant will be allowed to make verbal representations to the appointed person and if need be will be allowed to bring a friend/representative with them when doing so.
6. The appointed person will be allowed to explain the Council’s position and questions may be asked of him/her by the complainant.
7. The appointed person will report his/her findings to an Ordinary Meeting of the parish council. The complainant will be invited to attend and bring any representative they so wish.
8. Seven clear days before the hearing, the complainant shall provide the Council with copies of any documentation or evidence which they wish to refer to at the hearing. The Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely upon at the hearing.
9. The Council shall consider whether the circumstances of the hearing warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting, in public.
10. The Chairman will introduce the parties concerned and outline the procedure being adopted to deal with the complaint.
11. After hearing the appointed officers report the complainant will be allowed to present his/her case.
12. Members of the Council will be allowed to ask questions of the appointed officer and the complainant.
13. The appointed officer and the complainant will be asked to leave the room whilst members decide whether or not the grounds for complaint have been made (if a point of clarification is necessary, both parties will be invited back)
14. The appointed officer and the complainant will be asked to return to hear the decision, or to be advised when a decision will be made.
15. The decision of the Council will be confirmed in writing within seven working days, together with details, if any, of the action to be taken.