

# Asby Parish Council Complaints Procedure

This document was approved by the Parish Council at its meeting on 7th May 2020.

Asby Parish Council's complaints procedure aims to:

- Be easily available and simple to use
- Show clearly how a complaint will be dealt with
- Respect confidentiality so far as is possible
- Be impartial
- Make recommendations to avoid future complaints

This procedure covers complaints about the Parish Council's actions, administration, services or its procedures.

*This procedure does not cover complaints about decisions of the Council, or about the conduct of an individual councillor. If you wish to complain about a decision of the Council, please speak to the Clerk or the Chairman. Eden District Council is responsible for handling complaints that relate to a councillor's failure to comply with the Parish Council's Code of Conduct. If you wish to complain about an individual councillor write to the Monitoring Officer or email [dcls@eden.gov.uk](mailto:dcls@eden.gov.uk) or via [www.eden.gov.uk](http://www.eden.gov.uk).*

An informal complaint can be made to the Clerk or any of the councillors by telephone, email or in writing. Contact details are provided in *Asby Matters*. It is generally in your best interests and those of the Council to try to resolve the matter informally before resorting to the Council's formal complaints procedure. You and councillors can also raise concerns for inclusion on the agenda of a parish council meeting where the issue can be considered and resolved.

The following procedure will be adopted for dealing with formal complaints:-

1. A formal complaint **must** be put in writing. You must provide your contact details and confirm details of your complaint, including events, actions etc where relevant. You may provide information in support of your complaint if you wish. The complaint may also state what you want the Parish Council to do to resolve the matter.

Write to the Clerk to Asby Parish Council, c/o High Paradise, Garsdale, Sedbergh, Cumbria LA10 5PH: or email: [clerk@asbyparish.org.uk](mailto:clerk@asbyparish.org.uk)

If the complaint relates to the conduct of the Clerk, an employee of the Parish Council, the complaint should be made in writing to the Chairman of the Parish Council. In this case the Chairman will undertake the actions of the Clerk detailed in this procedure and if necessary the matter will then be dealt with in accordance with the Clerk's contract of employment.

2. Your complaint will be treated in confidence unless you confirm that you waive your right to confidentiality. Your identity will only be made known to those who need to consider the complaint, or are necessarily involved in its consideration (e.g. witnesses). In the unlikely event that the Council decides that the matter should be dealt with in public you will be notified.
3. A complaint that is abusive, vexacious or amounts to harassment will not be accepted. The Council's decision as to whether a complaint is of this nature is final.
4. Receipt of your complaint will normally be acknowledged by the Clerk within 7 days.

5. The Council will investigate the facts of the complaint and collate relevant evidence: this work will be undertaken on behalf of the Council by its Vice-Chairman together with one other Councillor, assisted by the Clerk.
6. Those carrying out the investigation will almost certainly wish to speak to you, and may wish to speak to any others involved, to confirm the details and help to resolve the complaint.
7. Following the investigation, the Clerk will provide a written response to your complaint. The response will set out the Council's findings, what the Council proposes to do, and whether – in its view - the complaint has been resolved. If it is thought appropriate, an apology will be offered. The Council will seek to provide you with the written response within 5 weeks, and if this period is – or seems likely to be – exceeded, you will be informed why this is the case.
8. If you are dissatisfied by the response you may ask for the complaint to be reconsidered anew (*i.e.* you may appeal, or ask the Council for a fresh consideration of the complaint). You **must** put any such request or appeal in writing, and give your reasons. Any such request or appeal will be considered by the Chairman of the Council together with one or two other Councillors (at his discretion) who did not undertake the initial investigation of the matter. They will be assisted by the Clerk. The procedure will, so far as is possible, mirror that for the initial consideration of a complaint.
9. The decision of the Council on an appeal, or the reconsideration of a complaint, is final.