

Evenwood & Barony Parish Council

Complaints Procedure – Adopted 13 July 2010

1. The following procedure has been adopted for dealing with complaints about Evenwood & Barony Parish Council's (the *Council*) administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.

2. This procedure does not cover complaints about the conduct of a member of the Parish Council. Any complaint that a Councillor may have breached the Council's adopted code of conduct should be referred to the Standards Committee at Durham County Council, c/o Monitoring Officer Democratic Services, County Hall, Durham, County Durham DH1 5UL. <http://www.durham.gov.uk/ethicalstandards>

3. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.

4. The complainant will be asked to put the complaint in writing (letter/email) to the Clerk to the Council at Randolph Community Centre, Stones End, Evenwood, Co Durham DL14 9RE (email: evenwoodparish@aol.com). The complaint will be dealt with within 21 working days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.

5. If the complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example), he or she should be advised to write to the Chair of the Council.

6. (a) On receipt of a written complaint, the Clerk (except where the complaint is about his or her own actions) or Chair (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. 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.

(b) Where the Clerk or Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chair. The Clerk will be formally advised of the matter and given the opportunity to comment.

7. The Clerk (or Chair) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.

8. The Clerk (or Chair) will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be given the opportunity to explain the complaint to the Council orally.

9. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures.

10. The Council may consider whether the circumstances of any 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.

11. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration*. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of any payment.

12. As soon as possible after the decision has been made (not later than 10 working days after the meeting) the complainant will be notified in writing of the decision and any action taken.

13. The Council 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.

* Local Government Act 2000 S92 (payments in cases of maladministration)