

# Moreton Pinkney Parish Council

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16 January 2019

## **Parish Council Public Relations and Complaints Procedure**

**In accordance with the Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over parish and town councils in England. Consequently, there are no statutory mechanisms in place should complaints be made against local councils in England.**

**However, parish councils might benefit from having some knowledge of the jurisdiction of the LGO so that they can help people to complain to the LGO where it is appropriate.**

**The legislation is found in sections 26 and 27 of the Local Government Act 1974. Parish councils are unable to lodge complaints as a public body (section 27(1) of the Act) about another local authority or public body defined at section 25 of the Act, however an individual Councillor can make a complaint about another local authority or public body in a personal capacity.**

**If a member of the public requests, a Parish Councillor can represent them in making a complaint.**

### **COMPLAINTS PROCEDURE**

*'A complaint is an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the Council.'*

#### **Before the Meeting**

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Parish Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk 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. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The

Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

6. The Council 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 Meeting in public.
7. The Chairman 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 and then (ii), Members.
9. The Clerk will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) Members.
10. The Clerk and then the complainant should be offered the opportunity to summarise their position.
11. The Clerk and the complainant should 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, both parties shall be invited back.
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**

13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

**The above procedure was adopted at the meeting held on 16<sup>th</sup> January 2019 by Moreton Pinkney Parish Council.**

A handwritten signature in black ink that reads "Gary Denby". The signature is written in a cursive style with a prominent flourish at the end.

Gary Denby, Clerk to Moreton Pinkney Parish Council.