

## **Ashdon Parish Council Complaints Procedure**

The following procedure should be followed by anyone wishing to make a complaint against the Parish Council's procedures or administration.

*The complaints procedure is not a means of redress for members or staff.*

**If you have a complaint against a Parish Councillor you should write to:**

The Monitoring Officer:  
Nurainatta Katevu  
Monitoring Officer  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex CB11 4ER

If you have a complaint against an employee of the Parish Council, you should write to the Chairman:

John Moran  
Meadowside  
Radwinter Road  
Ashdon  
Saffron Walden  
Essex CB10 2ET

If you have any other complaint you should write to the locum Clerk to the Council:

Angela Balcombe  
6 Shires Close  
Great Notley  
Braintree  
Essex CM77 7FT

To allow your complaint about the Parish Council's procedures or administration to be dealt with, the Parish Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the prevailing Chairman.

***The Parish Council will not deal with anonymous complaints.***

Complaints made to the clerk are complaints made to the Council. The clerk will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities is reserved.

### **Before the Meeting:**

1. The complainant shall be asked to put the complaint about the council's procedures or administration in writing to the council's Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, they will be advised to put it to the Chair of the council.

3. The Clerk or Chair of the Council will acknowledge the receipt of the complaint within seven working days, and advise when the Council will consider their complaint. All formal complaints will be heard at the full council meeting, which, if practicable, will be the next meeting to held after receiving the complaint.
4. If the Council feels that the matter does not warrant consideration, the Clerk to the Council shall explain in writing why the matter will not be considered by the Council. This may include how the matter has been resolved or why the matter is not appropriate or does not warrant further referral, including where the matter is vexatious or repetitious.
5. An appeal for the non-referral of a complaint must be made within 5 days and will be referred back to the Council, unless they have previously considered this, related matters or the complainant (or an associated person) vexatious or repetitious.
6. It may be resolved by the Council that responsibility for the consideration and determination of a complaint will not be subject to the statutory right of attendance by the public and press.
7. The complainant will be invited to attend the relevant meeting to make verbal representations where it is considered appropriate and productive for determining the finding of the meeting and may be accompanied. The complainant may ask for the meeting to be heard in private session.
8. Seven clear working days prior to the meeting, the complainant will provide the Clerk with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Clerk on behalf of the Council will similarly provide the complainant with copies of documentation upon which it wishes to rely at the meeting.

### **At the Meeting**

9. The Chair will introduce everyone.
  10. The Chair will explain the procedure.
  11. The Complainant or their representative will outline the grounds for complaint.
  12. The Council will then ask any question of the complainant.
  13. If relevant or necessary the Clerk will explain the Council's position.
  14. The Councillors will ask any question of the Clerk.
  15. The complainant and the Clerk will be offered the opportunity to sum up the respective positions.
  16. The complainant and the Clerk will be asked to leave the room while the Councillors decide whether or not the grounds for the complaint have been upheld, and where appropriate, provide recommendations.
- Note: If a point of clarification is necessary then both parties will be invited back.*
17. The complainant and the Clerk will return to hear the decision or will be advised as to when the decision will be made.
  18. Any decision on a complaint will be announced at a Parish Council meeting in public.

## **After the Meeting**

19. The decision will be confirmed in writing, by the Clerk within seven working days together with details of any action to be taken.

## **Appeals against Decisions Taken**

20. If the complainant feels that it wishes to appeal against the process in which the decision was reached, they should appeal in writing, stating the full grounds of appeal, to the Clerk to the Council within one week of the date on which they were informed in writing of the decision.

21. If the Council agrees to hear the complaint on this basis, the Clerk will give written notice of the date, time and place of the appeal hearing. The appeal hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.

22. Following the appeal hearing the Council's Clerk will confirm, in writing and within seven days, the outcome of the appeal.

**Adopted 16th September 2024. Review date: September 2026.**