

Ennerdale & Kinniside Parish Council

Complaints Procedure

Adopted by the Council on 16th July 2024. Minute 1074/07/24.

Ennerdale and Kinniside Parish Council is committed to providing a high level of service to its residents and anyone who deals with the Parish Council. We are committed to conducting our business fairly and equitably. The aim of this policy is to enable investigation of complaints in a timely and impartial manner and seek a solution that satisfies the complainant and the Council. Anonymous complaints will not be accepted, but the complaint will be treated confidentially unless you advise us that you are happy for your identity to be released.

Parish councils as corporate bodies are not subject to the jurisdiction of the local government ombudsmen, so there are no provisions for another body to which a complaint can be referred.

A complaint can be made to Ennerdale and Kinniside Parish Council by residents or people with whom the Parish Council does business, where they think actions or lack of action or the standard of one of the services provided by the Council or an acting body for the Parish Council is dissatisfactory.

The following are excluded from this procedure:

- **Financial irregularity.**

Complaints about financial irregularity should be referred to the council's auditors. Their name and address can be obtained from the clerk.

- **Criminal activity.**

Allegations of criminal activity should be referred to the police.

- **Members' Conduct.**

Complaints about member conduct should be referred to the Monitoring officer. monitoring.officer@cumberland.gov.uk

- **Employee Conduct.**

The Council's only employee is the Clerk so the complaint should be made in writing to the Chair of the Council.

Informal Complaint

All complaints will be deemed as informal unless it is stated that it should be treated as a formal complaint.

An informal complaint can be made by telephone, email, in person, or in writing to the Clerk. If the complaint regards the Clerk, then it must be made to the Chair of the council. The Clerk or Chair will respond personally in the first instance to try to resolve the matter. If they are able to resolve the matter, they will summarise the complaint and remedy to the full Council for awareness.

If the Clerk or Chair are unable to resolve the matter informally, they will share the complaint with the rest of the Council, seeking alternative suggestions, or the complainant may ask for the matter to be escalated to a formal complaint.

Formal Complaint

All formal complaints must be made in writing to the Clerk. If the complainant does not wish to put it to the Clerk, they must send it to the Chair of the Council by mail or email. Complaints circulated to other members, multiple recipients, will be considered vexatious.

The complaint must contain the following:

- Name, address, email address (if applicable) and telephone number of the complainant.
- Details of the complaint.
- How the issue has affected the complainant.
- Copies of any evidence relating to the complaint or photographic evidence.
- Details of any third-party involvement.
- What action the Complainant thinks would resolve the matter.

The Clerk or Chair should respond that they have received the complaint within five working days.

The Clerk or Chair will inform the Complainant when the matter will be considered. This will usually be at the next Council meeting in a closed session, but where the complaint arrives too close to the meeting date, this may not always be possible. If the handling of the complaint is going to be delayed, then the Clerk will keep the complainant informed.

Any documents not already supplied by the Complainant must be received by us at least seven clear working days before the meeting. The Council should have access to all documents. Documents supplied after that time will not be admissible as part of the evidence. The Clerk will investigate and supply the Council with all evidence at the same time.

If a complaint fails to include the information required, or the complaint is considered to be vexatious by the recipient, the Clerk, Chair and Vice-Chair will consider this together. If they agree, then the complainant will be informed that investigation of their complaint has been paused until the Council, at the next available meeting, make a decision on whether to proceed to investigate the complaint, or reject it. The complainant will be informed of the outcome within five working days of that meeting.

Consideration

The Council will consider complaints at the first suitable scheduled meeting. The discussion will usually take place after the exclusion of the press and public in order to maintain confidentiality and to protect individuals.

Council Decision

The Complainant should be informed of the decision in writing within seven days, with details of any action that will be taken.

The summary of the decision should be announced at the next full council meeting.

The decision of the Parish Council is final with no appeal process.