

YATTON PARISH COUNCIL

Full Council, 8 March 2010

Agenda item 9: Revised complaints procedure

Report of the Clerk

1. A recent complaint by a member of the public has shown that there are weaknesses in the Council's current complaints procedure, adopted in 2008 (copy attached). In particular:

- The current procedure does not contain any time limits for dealing with complaints
- It is not clear whether complaints should be dealt with in the first instance by the Clerk or by a committee of the Council.

2. I attach a revised complaints procedure which (I hope) deals with both issues. It is based, like the current procedure, on the National Association of Local Councils model.

3. I have taken the opportunity to clarify that complaints should relate to the Council's administration or procedures, not to the substance of policy decisions made by the Council (for example, to support or oppose a particular planning application). The current procedure could be read (in paragraph 1) as giving members of the public an unrestricted right to re-open earlier decisions. This is not appropriate (as well as being in conflict, as the current procedure recognises, with the standing order regarding re-opening of decisions within six months). Members of the public can make representations, but it is for the Council to consider what, if any, action to take.

4. I have also taken the opportunity to make it clear that complaints about the behaviour of individual councillors are not a matter for the Parish Council, but must be dealt with under the procedures laid down in the Standards framework.

5. It is important that the Parish Council has an effective and transparent complaints procedure because parish councils are not subject to the jurisdiction of the Local Government Ombudsman, so complaints can only be dealt with internally.

I RECOMMEND that the revised complaints procedure be approved and adopted, with a review after (say) three years.