



## Ashington Parish Council

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### Code of Practice for Handling Complaints

#### Introduction

This **Code of Practice for Handling Complaints** was adopted by **Ashington Parish Council** on 2<sup>nd</sup> November 2006. It is based on a model code promoted by **The National Association of Local Councils**, and also on parts of the **Complaints Guide of Horsham District Council**.

In this document:

**Parish Council**  
or **Council**  
**Parish Clerk**  
or **Clerk**

means **Ashington Parish Council** (except where the context obviously requires otherwise)  
means the **Parish Clerk of Ashington Parish Council**.

In the **Clerk's** absence, a **Councillor** may act in the place of the **Clerk**.

**Parish Councillor**  
or **Councillor**  
**Chairman**

means an elected or co-opted member of **Ashington Parish Council**

means the current **Chairman of Ashington Parish Council**.

In the **Chairman's** absence, the **Vice-chairman** may act in the place of the **Chairman**.

**Complaints Committee**  
or **Committee**

means any committee established by the **Council** for the hearing of complaints against the **Council** or, in the absence of any such committee, the whole **Council**.

**District Councillor**

means the or any **District Councillor** elected to **Horsham District Council** to represent the or any ward that includes all or part of the **Parish of Ashington**.

**County Councillor**

means the or any **County Councillor** elected to **West Sussex County Council** to represent the or any ward that includes all or part of the **Parish of Ashington**.

**Formal Complaint**

means any complaint treated as a **Formal Complaint** in accordance with paragraph 6.3 below.

**Informal Complaint**

means any complaint within the scope of paragraph 2 below, other than one being treated as a **Formal Complaint**.

## I. Complaints against Council employees

The **Parish Clerk** is an employee of the **Council**. The **Parish Clerk** also acts as the **Responsible Financial Officer** for the **Council**.

Any complaint about a **Council** employee should be made orally or in writing (including by e-mail) to the **Chairman of the Council** (or, if the complainant would prefer, to another **Councillor**), or (in the case of a complaint about an employee other than the **Clerk**) to the **Clerk**. All such complaints will be referred to the **Chairman**.

Any such complaint about a **Council** employee will normally be dealt with as an employment matter in accordance with the employee's contract of employment. The complainant can be assured that the matter will be dealt with internally and that any appropriate action will be taken as necessary.

Normally, the complainant will be informed of the outcome of the complaint only in general terms commensurate with the confidentiality owed to the employee.

## II. Complaints against individual Councillors

All **Councillors** are required to adhere to the **Code of Members' Conduct** adopted by the **Council** on 7<sup>th</sup> March 2002. Amongst other things, that code requires **Councillors**:

- to register certain financial and other interests in the **Parish Council's Register of Members' Interests**, and
- to declare gifts or hospitality (over £25) for registration in the **Register of gifts or hospitality**.

Although the **Parish Council** does not have any authority to discipline a **Councillor** for breach of the **Code of Members' Conduct**, any member of the public is invited to discuss any proposed complaint of that nature informally with the **Clerk** or with the **Chairman**, who will be happy to advise the complainant on whether and how to take the matter further if appropriate. Additionally or alternatively, the complainant may contact the **Monitoring Officer** at **Horsham District Council** for advice. The **Monitoring Officer** acts for the **Standards Committee** of **Horsham District Council**, which has responsibility for parish councils and parish councillors within their District, as well as for district councillors. (The **Monitoring Officer** also maintains the **Register of Members' Interests** and the **Register of gifts or hospitality** mentioned above.)

Ultimately, complaints about a **Councillor** are subject to the jurisdiction of the **Standards Board for England**, who may also be contacted if appropriate.

- Copies of the **Code of Members' Conduct** are available from the **Clerk**.
- The **Register of Members' Interests** and the **Register of gifts or hospitality** are available for inspection by any member of the public on request to the **Clerk** or to the local **Monitoring Officer**.
- On request, the **Clerk** will provide contact details for the local **Monitoring Officer** or for the **Standards Board for England**.

The local **Monitoring Officer** and **Standards Committee**, and also the **Standards Board for England**, have all been set up under the Local Government Act 2000.

### **III. Complaints against the Council**

Parish councils do not come under the jurisdiction of the Local Government Ombudsman, and legislation provides no other body to whom complaints can be referred. **Ashington Parish Council** has therefore adopted the following standard and formal **Complaints Procedure** for dealing with complaints directly.

## **Complaints Procedure**

### **1 Introduction**

- 1.1 **Ashington Parish Council** has adopted this **Complaints Procedure** with a view to ensuring that a complainant should feel satisfied that their grievance has been properly and fully considered, and acted upon as appropriate.
- 1.2 The **Council** will at all times seek to ensure that the rules of natural justice are applied, that all parties are treated fairly, and that the **Complaints Procedure** is reasonable, accessible and transparent.

### **2 Type of complaint**

- 2.1 This **Complaints Procedure** relates to complaints about the **Council's** administration or procedures. This includes any expression of dissatisfaction 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 by a person or body acting on its behalf.
- 2.2 The following (without limitation thereto) are not considered to be complaints subject to this **Complaints Procedure**:
  - (a) matters more properly falling under either of the earlier sections, viz.:
    - ♦ **I. Complaints against Council employees**, and
    - ♦ **II. Complaints against individual Councillors**;
  - (b) comments, favourable or unfavourable, where you do not wish to take the matter further  
[Any such comments may be made directly to the **Clerk** or to any **Councillor**, who will ensure that they are passed on to the **Council**.];
  - (c) reports of a single breach or malfunction relating to a routine service  
[These should be reported directly to the **Clerk** so that the matter can be rectified.];
  - (d) representations in connection with "statutory" matters (e.g. planning applications, licensing applications, local development schemes,

etc.)

[Those concerned about such matters are welcome to express their views to any **Councillor** or, more formally, to put them in writing to the **Clerk** or to express them at the public session during any **Council** meeting. It must be understood that, in many such matters, the **Council** itself has no final authority and can do no more than express its views to a higher authority, but the express views of residents can help to mould and lend weight to the **Council's** representations.];

- (e) concerns regarding matters which are the responsibility of another body (e.g. waste collection (Horsham District Council), highways (West Sussex County Council), waste water and sewage disposal (Southern Water)).

[If you are not sure which body is responsible for a particular area, the **Clerk** will be pleased to advise you and/or to refer the matter on to the respective organization. Indeed, if such a matter is not dealt with promptly or properly by the appropriate body, you are invited to advise the **Clerk** so that the **Council** can apply appropriate pressure to have the matter resolved.];

- (f) criticisms of a policy adopted by, or view expressed by, the **Council**  
[The **Council** must adopt policy and views that it considers to be for the overall benefit of the parish. Inevitably, these will not meet with everyone's approval. You are, of course welcome to express your views to any **Councillor** or at the public session during any **Council** meeting, but this should normally be done prior to the **Council** formulating its policy or view on the matter in question. Disapproval of or disagreement with the decided policy or view does not of itself constitute a complaint. If, however, you consider that the **Council** has acted improperly in the process of formulating its policy or view, then that may be the subject of a complaint.];

- (g) the supply of information concerning breaches of regulatory control (e.g. breaches of planning control or fly tipping)

[In many cases, the **Council** will have no direct responsibility in such matters, but the **Clerk** will be pleased to advise you who to contact or to pass the information on to the relevant contact.];

- (h) requests for services, an explanation of decisions taken or for information under, e.g. the Freedom of Information Act 2000 or the Data Protection Act 1998

[All such requests should be made in the first instance to the **Clerk**, who will take the necessary steps to meet the request promptly, or will pass the request on to the appropriate person or organisation, or advise you who to contact. Failure to satisfy a proper request promptly and properly may then be the subject of a complaint.].

### 3 Making an Informal Complaint

- 3.1 In the first instance, you are invited to raise any matter of concern informally, either orally or in writing (including by e-mail), with the **Clerk** or the **Chairman** (or, if you would prefer, with another **Councillor**).

- 3.2 That person will either address the matter directly with you or ask the **Chairman** or another **Councillor** to contact you forthwith to discuss the issue.
- 3.3 All oral complaints will be treated as **Informal Complaints**.
- 3.4 Any *written (including e-mailed)* **Informal Complaint** (see paragraph 6.3 below) will normally be referred to the **Chairman** for response (subject to paragraph 10.5 below).
- 3.5 In order to comply with the legislation and/or in the interests of justice to all parties, in certain instances it is necessary for even an **Informal Complaint** (whether oral or written) to be subject to certain checks. These are set out below at paragraph 10.
- 3.6 It is hoped that this informal approach will enable the **Council** either to provide a satisfactory explanation or otherwise to resolve the matter fully and promptly, without invoking the effort and expense of a **Formal Complaint**.

#### **4 Unsatisfied Informal Complaints**

- 4.1 When an oral response is made to a complainant and the complainant is not or may not be fully satisfied with the response, or if it otherwise seems appropriate, then the complainant:
  - shall be informed orally of this **Code of Practice for Handling Complaints** and shall be offered a copy thereof; and
  - shall be informed that he can, if desired, pursue the matter further by lodging a **Formal Complaint**.
- 4.2 When a written (including e-mailed) response is made to an **Informal Complaint**, then (irrespective of whether it is expected that the complainant will be satisfied), the complainant:
  - shall (as the case may be) be sent, or be reminded that he has already been sent with the acknowledgement of the complaint, a copy of this **Code of Practice for Handling Complaints**; and
  - shall be informed that he has the option of lodging a **Formal Complaint** if the response to the **Informal Complaint** does not satisfy him.

#### **5 Making a Formal Complaint**

- 5.1 You may lodge a **Formal Complaint** with the **Council**, if:
  - the matter of concern has not been resolved fully to your satisfaction through an **Informal Complaint** as above; or
  - for whatever reason, you do not wish or consider it appropriate to use an informal approach.
- 5.2 A **Formal Complaint** should be lodged in writing and be sent to the **Clerk** or the **Chairman**. For the avoidance of doubt, you are asked to make it clear that you are lodging a "**Formal Complaint**".

- 5.3 Additionally, if, after considering an **Informal Complaint**, the **Chairman** considers it appropriate to invoke the **Formal Complaints** process, he may thereafter, with the consent of the complainant, treat the matter as a **Formal Complaint**. In this event, the **Chairman** will request that the complaint (if not already in writing) be put in writing or, with the consent of the complainant, the **Chairman** may himself express the complaint in writing.
- 5.4 The following information (as appropriate) should preferably be provided when lodging a **Formal Complaint**:
- your name, address, contact telephone number(s), and (optionally) e-mail address;
  - what you consider that the **Council** has done wrongly, or has omitted to do;
  - any adverse effect suffered by you as a result of the **Council's** action or inaction;
  - what you consider the **Council** should do to correct the matter;
  - when you first became aware of the matter in question;
  - details of any other persons relevant to the complaint, and their relevance;
  - details of any relevant documents (and copies if the **Council** may not have them readily available).

The complaint should be signed and dated.

## 6 Receipt of a written complaint

- 6.1 Any written (including e-mailed) complaint received by a **Councillor** (other than the **Chairman**) shall be referred to the **Chairman**.  
Additionally, the **Clerk** shall be informed of any written (including e-mailed) complaint received by a **Councillor** (including the **Chairman**).
- 6.2 Any written (including e-mailed) complaint received by the **Council** shall be acknowledged immediately by the **Clerk**, and the complainant shall be sent a copy of this **Code of Practice for Handling Complaints**.
- 6.3 Any written (including e-mailed) complaint received by the **Council** shall be treated as a **Formal Complaint** if:
- it clearly appears to the **Clerk** or **Chairman** to be intended as a **Formal Complaint**; or
  - it appears to the **Clerk** or **Chairman** to be of sufficient importance or gravity to warrant treatment as a **Formal Complaint**.
- In all other instances, it shall initially be treated as an **Informal Complaint**.
- 6.4 At the same time as the complaint is acknowledged, or as soon as maybe thereafter, the complainant shall be informed as to whether the

complaint is being treated as an **Informal Complaint** or **Formal Complaint**, and shall be invited to respond within a set time period of not less than 7 calendar days if he wishes the complaint to be treated differently.

- 6.5 In the absence of any response from the complainant within the set time period, the complaint shall proceed as proposed.
- 6.6 For the avoidance of doubt, paragraphs 6.4 and 6.5 above shall not preclude a response being sent to a complaint that is initially being treated as an **Informal Complaint** prior to expiry of the said set time period.
- 6.7 If the complainant responds within the set time period, the complaint shall proceed in accordance with the complainant's wishes (unless the complainant wishes the matter to proceed as an **Informal Complaint** but the **Chairman** continues to be of the opinion that the matter should proceed as a **Formal Complaint** because of its importance or gravity, in which case the complainant shall be informed accordingly that the matter is proceeding as a **Formal Complaint**).

## **7 Preparation for hearing a Formal Complaint**

- 7.1 Where any complaint is proceeding as a **Formal Complaint**, the **Clerk** shall, as soon as possible after expiry of the set time period specified in paragraph 6.4 above, call a meeting of the **Complaints Committee** to consider the complaint.
- 7.2 In the event of a complaint of especial importance or gravity, or if it should otherwise seem appropriate, the **Chairman** or the **Complaints Committee** may decide that the complaint shall be heard by the full **Council**.
- 7.3 The meeting shall normally be held separately from any other **Council** meeting (to avoid pressure of time or other business).
- 7.4 The **Clerk** shall:
  - give the complainant not less than 14 calendar days' notice of the meeting of the **Complaints Committee**;
  - invite the complainant to the meeting to present his complaint;
  - invite the complainant to bring a representative and/or witness(es) to the meeting;
  - ask the complainant to provide to the **Council**, not less than 7 clear calendar days prior to the meeting:
    - ♦ details of any representative and/or witnesses expected to attend the meeting on behalf of the complainant, and
    - ♦ copies of any documentation or other evidence to which the complainant intends to refer at the meeting;

- provide to the complainant, not less than 7 clear calendar days prior to the meeting:
    - ♦ details of any representative and/or witnesses expected to attend the meeting on behalf of the **Council**, and
    - ♦ copies of any documentation or other evidence to which the **Council** intends to refer at the meeting;
  - invite the **District Councillor(s)** and **County Councillor** to the meeting and, if requested by them, provide them with copies of any relevant documents.
- 7.5 If either party shall provide any of the above details, documentation or evidence less than 7 clear calendar days prior to the meeting, the **Chairman** shall decide whether to admit such details, documentation or evidence late and, if so, shall offer the affected party the opportunity of postponing the meeting accordingly.

## 8 Hearing a Formal Complaint

- 8.1 The meeting of the **Complaints Committee** to hear a **Formal Complaint** shall normally be chaired by the **Chairman**, with the **Council's** position being represented by the **Clerk**. If, however, the circumstances and/or persons involved in the complaint warrant it, in the interests of justice, the meeting may be chaired by another **Councillor** and/or a **Councillor** may represent the **Council's** position.
- 8.2 At the commencement of the meeting of the **Complaints Committee**, the chairman of the meeting shall introduce everyone involved and shall explain the procedure to be adopted at the meeting.
- 8.3 Immediately thereafter, the **Committee** shall, after hearing any submissions from the complainant and any affected parties, consider whether the circumstances attending the complaint and the matters to be discussed warrant the exclusion of the press and the public, and, if so, shall order accordingly. In this respect, the **Committee's** decision shall be final.
- 8.4 The complainant or his representative shall be asked to outline his grounds for complaint, and then members of the **Committee** shall be free to ask him any relevant questions.
- 8.5 If relevant, any other affected parties shall be asked to explain their position(s), and be questioned by the **Committee**.
- 8.6 The **Clerk** or other person representing the **Council's** position shall then explain the **Council's** position (if necessary), and be questioned by the **Committee**.
- 8.7 The **Clerk** (or other person representing the **Council's** position), any other parties, and the complainant (or his representative) shall then, in that order, be offered the opportunity to make any final comments.
- 8.8 The **Clerk** (or other person representing the **Council's** position), any other parties, and the complainant (or his representative) shall then be asked to leave the room while the **Committee** discuss the matter.

- 8.9 If necessary, the parties may be asked to return for further questioning or clarification. In such event, all parties shall return during such questioning or clarification.
- 8.10 The chairman of the meeting may make such other rules for the conduct of the hearing as may seem necessary and appropriate in the circumstances in the interests of justice and fairness to all parties, including (in exceptional circumstances) departing from the procedure outlined above.

Exceptionally, the chairman may adjourn the meeting if it is necessary for the **Committee** to seek specialised advice (for example, on any issue of law or practice that may have arisen).

- 8.11 If the **District Councillor(s)** or **County Councillor** is present at the meeting (and provided he is not appearing on behalf of any party to the hearing):
- he shall (with the consent of the complainant) be allowed to remain as an independent observer even when the public are excluded;
  - he shall (with the consent of the chairman) be allowed to participate in the questioning of the parties; and
  - he shall (with the consent of the chairman) be allowed to remain as an independent observer while the **Committee** discusses the matter, including offering his views to the **Committee**; but
  - he shall not be allowed to participate in any vote held on the **Committee's** final decision, nor in any other vote held by the **Committee**.
- 8.12 After deliberating on the matter, the **Committee** shall call the parties back into the room and inform them of their decision (or, exceptionally, when they will make a postponed decision (for example if they need to seek advice to ensure than any proposed decision is not *ultra vires*)), and of any action to be taken.

## 9 After hearing a Formal Complaint

- 9.1 Following the hearing of a **Formal Complaint**, the **Committee's** decision and details of any action to be taken shall be confirmed to the complainant in writing within 7 calendar days after the hearing.
- 9.2 The **Committee's** decision shall be final and there shall be no appeal therefrom.
- 9.3 Exceptionally, if new facts come to light subsequently that could not have reasonably been presented at the time of the hearing, the **Committee** may choose to re-open the matter.

## 10 Checks for all complaints

In order to comply with the relevant legislation and/or in the interests of justice to all parties, all complaints will be subject to the following checks as appropriate.

## 10.1 Oral complaints to the Clerk

10.1.1 If an **Informal Complaint** relates to or specifically involves (wholly or partially) the actions of the **Clerk** and the complaint has been raised *orally* directly with the **Clerk**, then the **Clerk** will attempt to address the matter directly, but if:

- the **Clerk**
  - (a) is unable to address the matter directly, or
  - (b) considers the matter more properly to fall within the ambit of section **I. – Complaints against Council employees**, or
  - (c) otherwise considers referral appropriate, or
- the complainant
  - (a) is not satisfied with the **Clerk's** explanation, or
  - (b) expressly requests referral,

then the **Clerk** shall refer the matter to the **Chairman** as an **Informal Complaint**, shall inform the complainant accordingly, and the **Chairman** shall respond directly to the complainant.

## 10.2 All oral complaints

10.2.1 If (other than as in paragraph 10.1.1 above) the complaint relates to or specifically involves (wholly or partially) the actions of the **Clerk** or another **Council** employee, then the person receiving the complaint shall first consider whether the matter more properly falls within the ambit of section **I. – Complaints against Council employees**, and, if so (or if in doubt), shall refer the matter to the **Chairman** for response to the complainant.

10.2.2 If the complaint relates to or specifically involves (wholly or partially) the actions of an individual **Councillor** (other than the **Chairman**), then the person receiving the complaint (even if it is the same **Councillor**) shall first consider whether the matter more properly falls within the ambit of section **II. – Complaints against individual Councillors**, and, if so (or if in doubt), shall refer the matter to the **Chairman** for response to the complainant.

## 10.3 All Informal Complaints (written or oral)

10.3.1 In all instances (including those listed under paragraph 10.2 above, but excepting paragraph 10.5 below), where the **Informal Complaint** (whether oral or written) involves (wholly or partially) the actions of another person, the person receiving the complaint or the **Chairman** (as the case may be) will discuss the matter with that other person prior to responding to the complainant. If the person receiving the complaint (other than the **Chairman**) and that other person cannot agree how to respond to the complaint, the matter will be referred to the **Chairman**. The **Chairman's** decision (after hearing both sides) as to how to respond to the **Informal Complaint** will be final.

## 10.4 All complaints

10.4.1 This sub-paragraph 10.4 applies to all *written* complaints received by the **Council** and to all complaints referred to the **Chairman** under paragraph 10.1.1, 10.2.1 or 10.2.2 above.

10.4.2 If the complaint relates to or specifically involves (wholly or partially) the actions of the **Clerk** or another **Council** employee, then the **Chairman** shall determine whether the matter more properly falls within the ambit of section **I. – Complaints against Council employees**, and, if so, the **Chairman** or the **Clerk**:

- shall inform the complainant accordingly that the complaints process is being terminated, in writing (if the complaint was written or if it otherwise seems appropriate);
- shall send the complainant a copy of this **Code of Practice for Handling Complaints** (if one has not previously been sent in connection with the current complaint); and
- shall thereafter, at his discretion, inform the complainant of any action taken and its outcome, but in general terms only and as may seem appropriate in the circumstances commensurate with the confidentiality owed to the employee.

10.4.3 If the complaint relates to or specifically involves (wholly or partially) the actions of an individual **Councillor** (other than the **Chairman**), then the **Chairman** shall determine whether the matter more properly falls within the ambit of section **II. – Complaints against individual Councillors**, and, if so, the **Chairman** or the **Clerk**:

- shall inform the complainant accordingly that the complaints process is being terminated, in writing (if the complaint was written or if it otherwise seems appropriate);
- shall send the complainant a copy of this **Code of Practice for Handling Complaints** (if one has not previously been sent in connection with the current complaint);
- shall offer to discuss the matter informally with the complainant (if that has not already been done); and
- shall provide the complainant with contact details for the **Monitoring Officer at Horsham District Council**, and for the **Standards Board for England**; and

the **Chairman** shall consider whether it is incumbent upon him (under paragraph 6 of **Code of Members' Conduct**) to report the matter to the **Standards Board for England** himself.

10.4.4 If it seems to the **Chairman** that any complaint falls in part under paragraph 10.4.2 and/or 10.4.3 above, but also in part constitutes an admissible complaint under paragraph 2.1 above, then:

- he shall process the appropriate part of the complaint under paragraph 10.4.2 and/or 10.4.3 above as the case may be, and

- he shall proceed with handling the remainder of the complaint under this **Complaints Procedure**.

10.4.5 If it shall become apparent during the subsequent handling of a complaint (including during any hearing), that the complaint falls wholly or partially under paragraph 10.4.2 and/or 10.4.3 above, then the **Chairman** shall forthwith invoke the appropriate procedure(s) under paragraphs 10.4.2 to 10.4.4 above, *mutadis mutandis*.

## 10.5 All complaints involving the Chairman

10.5.1 This sub-paragraph 10.5 applies to any complaint received by the **Council** (whether written or oral, and formal or informal) that relates to or specifically involves (wholly or partially) the actions of the **Chairman**.

10.5.2 Any person receiving a complaint to which this sub-paragraph 10.5 applies (even if that person is the **Chairman**) shall first consider whether the matter more properly falls within the ambit of section II. – **Complaints against individual Councillors**, and, if so (or if in doubt), shall discuss the matter with the **Clerk** and the **Vice-chairman**. The **Vice-chairman** shall decide how to proceed with the matter and shall, if appropriate, invoke the procedure under paragraph 10.4.3 and 10.4.4 above, *mutadis mutandis*.

## 11 Complaints during public session

11.1 If a complaint is raised during the public session during a **Council** meeting or at any other public meeting arranged by the **Council**, it will be treated as an **Informal Complaint** and may, at the **Chairman's** sole discretion and subject to the requirements of this **Complaints Procedure** (in particular paragraph 10) be answered immediately. Alternatively, the **Chairman** may offer a response at a later date.

11.2 In any event, paragraph 4.1 above shall be complied with.

## 12 Inadmissible complaints

12.1 If, at any time, it appears to the **Chairman** or to the **Complaints Committee**, in relation to a written complaint, that:

- the subject of a complaint falls under paragraph 2.2 above (except item (a)) or is otherwise inadmissible under paragraph 2.1 above; or
- a complaint is frivolous; or
- a complaint is substantially identical to an earlier complaint from the same (or a related) person, with no substantial new and relevant issues;

then the **Clerk**:

- shall inform the complainant accordingly;
- shall invite the complainant to respond within a set time period of not less than 14 calendar days;

and, thereafter,

- if, after considering the response from the complainant, the **Chairman** or the **Complaints Committee** (as the case may be) remains of the same view; or
- in the absence of a response from the complainant within the set time period;

the **Clerk** shall inform the complainant that the complaint is inadmissible for the reason given and that the **Complaints Procedure** is terminated forthwith.

### 13 Prejudicial complaints

13.1 If, at any time, it appears to the **Chairman** or to the **Complaints Committee**, in relation to any complaint (written or oral, and formal or informal), that consideration or determination of the complaint could be prejudicial to:

- a current or prospective disciplinary action against a **Council** employee; or
- a current or prospective complaint against a **Councillor** under the **Code of Members' Conduct**;

then the **Chairman** or the **Complaints Committee** (as the case may be) shall take whatever action they deem appropriate in the circumstances to avoid prejudicing the other matter while being fair to the complainant, for example (but without limitation thereto):

- postponing consideration of the complaint pending determination of the other matter; or
- considering the complaint in private and postponing publication of its outcome.

### 14 Reporting of complaints to the Council

14.1 When an informal *written (including e-mailed)* complaint has been disposed of under the above process it will be reported by the **Clerk** or the **Chairman** to the next meeting of the **Council**.

Where an informal *oral* complaint has been disposed of under the above process, it may be reported to the next meeting of the **Council** if it is considered by the person receiving the complaint or the **Chairman** (as the case may be) to be of sufficient importance.

In either case, the name of the complainant will be reported only if it is material to the nature of the complaint, or with the complainant's consent. (Any matter reported at a **Council** meeting will be included in the published minutes of that meeting.)

14.2 When a **Formal Complaint** has been decided it will be reported to the next meeting of the **Council** (including, for the avoidance of doubt, any decision on any complaint where the press and public were excluded from the hearing).

The **Committee** shall report (subject to the confidentiality of any details heard in private) such details of the complaint as may usefully be published for information to the public and for future reference by the **Council** and/or the public, in particular where the decision may set a precedent for future actions or policy. This shall include any reasoning that may assist the public in understanding the decision.

Ashington Parish Council  
09 October 2006