

# Newington Parish Council – Councillor Complaints Procedure

## Scope:

This document relates to complaints made about Newington Parish Council (NPC) Councillor(s).

NPC attempts to always work in an open and accountable way. While it is recognised that there may occasionally be complaints against individual Parish Councillors, in order to be fair to members, the Parish Council will not publicly acknowledge such a complaint until the independent Swale Borough Council (SBC) Monitoring Officer decides that there is a case to investigate. The Parish Council will take no action that interferes with the investigation or which may inflame the situation. It has however no control over what the complainant makes public.

**Note:** The Local Government Ombudsman is unable to deal with complaints about Parish Councils as its legal remit only covers County, District and Borough Councils.

## Procedure:

1. If a member or officer of the Parish Council receives a complaint that may fall within the Code it shall be immediately passed on to the Clerk or Chairman/Vice-Chairman for referral to the SBC Monitoring Officer.
2. On receipt of a complaint the Chairman\* will write a confidential briefing note to all councillors simply stating that Councillor X is the subject of a complaint which has been referred to the Monitoring Officer. In the interests of fairness the issue/complaint will not be discussed at any Parish Council meeting.
3. If the Monitoring Officer decides to take no further action then the Chairman\* will write a confidential briefing note to all councillors stating no further action is being taken. The issue/complaint will not be discussed at any Parish Council meeting and it is up to Councillor X whether he/she wishes to have the complaint acknowledged publicly as unfounded.
4. If the Monitoring Officer notifies the Parish Council of a decision to further investigate the complaint, the Chairman\* will write a confidential briefing note to all councillors stating this.
  - a. The issue/complaint will not be discussed at any Parish Council meeting\*\* however the Chairman and Vice-Chairman will draft a press release for use if the complaint becomes public.
  - b. The press release will stick to the facts and not comment on the actual complaint.

5. If subsequently the Monitoring Officer's decision is to take no further action then the Chairman\* will write a confidential briefing note to all councillors stating no further action is being taken.
  
6. On notification that the Monitoring Officer considers that there is substance to the complaint, which is when it is likely that the complaint will become public, the Chairman\* will again write a briefing note to inform all councillors of the situation. Advice will be sought from the Monitoring Officer on whether the issue should be acknowledged as an item at the next Parish Council Meeting.
  - a. The Parish Council (and individual councillors if approached) will stick to the facts and not comment on the actual complaint.
  - b. The press release will be reviewed and, if necessary, released.
  
7. At the conclusion of the investigation the Parish Council will prepare, if necessary, another press release acknowledging any decision made by the Monitoring Officer. A draft of this press release will be supplied to all councillors. If it is felt necessary an emergency Parish Council meeting will be arranged.

*\*or if necessary the Vice-Chairman or Clerk.*

*\*\* If there is a recommendation from the Monitoring Officer that Councillor X or the Parish Council might require some training then the Parish Council will need to discuss generalities (i.e. need for and cost of training) but specifics of the complaint/decision will not be discussed.*

**END**

**Date Approved: 30.07.2015**

**Signed by the Chair:**