

Local Government & Social Care **OMBUDSMAN**

Town and parish councils

This fact sheet is aimed primarily at anyone who is experiencing problems with a service provided by a parish or town council and is considering making a complaint to the Ombudsman.

I'm not happy with a service provided by my parish council. Can the Ombudsman help me?

In most cases, no. The Local Government Act 1974 (S34 (1)) defines the authorities that we may investigate. Parish and town councils are not included in this definition. But we may be able to consider a complaint about a parish or town council if it is acting on behalf of another council. So, for example, if a county council has arranged that the parish council should maintain the grass verges, then we may be able to look at a complaint about this.

How do I know if the parish council is responsible for the matter I'm complaining about?

The easiest way is to ask the parish council, because arrangements vary in different areas. Some parish councils take responsibility for:

- street lighting
- burial grounds
- play areas and public open spaces
- street furniture, such as litter bins, bus shelters, seats and grit bins
- litter picking and street sweeping
- public toilets.

Parish councils sometimes also take responsibility, on behalf of other authorities, for:

- maintenance of public footpaths and bridleways
- parking
- tree planting and the maintenance of roadside verges (including tree preservation orders)
- recycling provision
- street naming
- taxi and public entertainment licensing.

Can the Ombudsman look at a complaint about a parish or town councillor?

No. A complaint about the conduct of a parish or town councillor should be made to the council itself. If you are not satisfied with the outcome, your local Standards Committee (usually run by whichever local council collects your council tax) may consider your complaint.

We may then be able to look at how the Standards Committee considered your complaint about a parish councillor. But we will not investigate the issues that prompted your complaint.

Can the Ombudsman look at a complaint *from* a parish or town council?

No. The law does not allow us to accept a complaint made by an “authority constituted for the purposes of the public service”. This includes parish and town councils.

But, a parish council, or parish councillor, may be able to help a group of people to make their complaint jointly, about a Standards Committee, for example where several people are all affected by the same planning application.

How do I complain?

You should normally complain first to the council with ultimate responsibility (e.g. the local district, borough, or county council). Councils often have more than one stage in their complaints procedure and you will usually have to complete all stages before we will look at your complaint.

Then, if you are unhappy with the outcome, or the council is taking too long to look into the matter – we think 12 weeks is reasonable – you can complain to us.

You should normally make your complaint to us within 12 months of realising that the council has done something wrong.

To complain to the Ombudsman phone our helpline on 0300 061 0614 (8.30am to 5.00pm, Mondays to Fridays). You will be able to discuss your complaint with one of our advisers. You can text us on 0762 481 1595.

You can complete an [online complaint form](#).

Other sources of information

If you wish to complain about a parish or town councillor we cannot help, but you may be able to complain to your local Standards Committee. You can find more information about this from your local council's website.

Our fact sheets give some general information about the most common type of complaints we receive but they cannot cover every situation. If you are not sure whether we can look into your complaint, please contact us.

The Local Government Ombudsman provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result the Ombudsman aims to get it put right by recommending a suitable remedy.

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