

Public Notice

Intended Submission of Formal Complaint to the Local Government & Social Care Ombudsman

The Parish Council gives formal notice that it is preparing to submit a complaint to the **Local Government & Social Care Ombudsman** concerning East Devon District Council's (EDDC) handling of matters formally raised by both the Parish Council and the Parish Clerk.

Summary of Concerns

The intended complaint follows a sustained pattern of procedural failure, non-compliance with recognised governance standards, and administrative omission by EDDC, including:

- Failure to respond to formally raised issues within reasonable administrative timeframes.
- Failure to provide any substantive or evidence-based reply to the Parish Clerk's correspondence, despite the provision of documentary evidence and statutory references.
- Failure to initiate any investigatory process, notwithstanding that the concerns fall directly within EDDC's governance, complaints, and standards remit.
- Failure to adhere to basic principles of good governance, including transparency, accountability, responsiveness, and lawful administrative practice.

Failure to Answer Legitimate Questions and Failure to Acknowledge Correspondence

The Parish Council further notes that EDDC has repeatedly failed to answer legitimate questions raised by both the Parish Council and the Parish Clerk. On multiple occasions, letters addressed to senior officers and the Chief Executive have not been acknowledged, leaving important matters unaddressed and preventing the Parish Council from obtaining essential procedural clarity.

This persistent lack of acknowledgement and failure to respond:

- obstructs the Parish Council's ability to discharge its statutory functions;
- prevents resolution of matters requiring senior-level oversight;
- undermines confidence in EDDC's administrative processes;
- and contributes directly to the wider pattern of maladministration now being documented.

Misclassification of Clarification Letter Following EDDC's FOI Response

A letter sent by the Parish Council seeking clarification on matters openly stated by EDDC in its response to the first Freedom of Information (FOI) request was incorrectly reclassified by EDDC as a new FOI request, despite not falling within the scope of the Freedom of Information Act 2000.

The Parish Council sought clarification only because EDDC's own FOI response raised procedural points requiring explanation. Instead of providing that clarification, EDDC reclassified the correspondence as an FOI request, resulting in:

- the substantive questions being left unanswered;
- no response being issued within the statutory FOI timeframe.
- further delay and obstruction in obtaining essential procedural information.

This misclassification constitutes a further procedural failure and reflects EDDC's ongoing inability to engage appropriately with legitimate enquiries arising directly from its own FOI disclosures.

Provision of Inaccurate and Unevidenced Information Regarding the Community Governance Review

The Parish Council further notes that inaccurate and unevidenced information was provided by the ward councillor regarding the Community Governance Review (CGR) and the proposed subsumption of an area of Rockbeare Parish into Cranbrook Town Council.

These statements were:

- presented as authoritative.
- asserted to reflect the "firm views" of EDDC.
- made without any evidential basis.

Rockbeare Parish Council submitted a Freedom of Information (FOI) request seeking the evidence upon which the councillor's assertions were based. The FOI response confirmed that no such evidence existed, and that the statements made were entirely unsubstantiated.

Dissemination of Personal and Libellous Statements Concerning the Parish Clerk

Following the Clerk's accurate and evidence-based correspondence to all EDDC members, three EDDC councillors made personal, unevidenced, and reputationally damaging statements about the Clerk. These statements were then disseminated widely, including to:

- all EDDC councillors,
- all Devon County Councillors representing the local area, and
- all Rockbeare Parish Councillors.

The statements:

- sought to attack the professional reputation of the Clerk;
- were inconsistent with the FOI findings;
- were unsupported by any evidence;
- and were directed at an officer acting within her professional remit and statutory obligations.

Despite repeated requests, EDDC has refused to confirm whether the statements disseminated represented:

- an official EDDC position, or
- the personal views of the three councillors involved.

A subsequent letter from the Parish Council providing a legal explanation of the statutory requirements was met with an email from one EDDC councillor refusing to retract the comments.

This conduct has:

- perpetuated reputational harm to the Clerk;
- undermined confidence in EDDC's internal governance processes;
- contributed to confusion within the wider councillor body;
- and further obstructed the Parish Council's ability to obtain accurate information.

The Parish Council considers this behaviour to be unfair, inappropriate, and inconsistent with recognised standards of public-sector conduct, including the Nolan Principles of Public Life and EDDC's Member Code of Conduct.

Ward Councillor Non-Attendance

The Parish Council also notes the prolonged non-attendance of the ward councillor at Parish Council meetings. Over the past fourteen months:

- Only one meeting has been attended.
- No written reports have been provided.
- No apologies for absence have been submitted.

Impact on Local Governance

This sustained disengagement represents a failure to discharge the fundamental duties of an elected representative, including:

- Reporting on district-level matters affecting the parish.
- Engaging with the Parish Council as the first tier of local governance.
- Remaining informed of local issues and acting as a conduit between district and parish tiers.
- Providing transparency and accountability through regular attendance and reporting.

The councillor's non-attendance has resulted in:

- a lack of district-level information required for informed decision-making;
- inability to obtain clarification on matters requiring district input;
- obstruction of effective local governance, particularly where coordinated action with EDDC is required.

This pattern is inconsistent with the Nolan Principles, the Local Government Act 1972, and EDDC's Member Code of Conduct.

The Parish Council considers the councillor's disengagement to be a material contributing factor to the wider maladministration exhibited by EDDC.

Protecting the Interests of the Parish

The Parish Council has a duty to act in the best interests of the parish and its residents. EDDC's continued failure to engage with the issues presented — combined with:

- the failure to answer legitimate questions,
- the failure to acknowledge correspondence addressed to senior officers and the CEO,
- the misclassification of formal correspondence,
- the provision of unevidenced information,
- the dissemination of personal and reputationally damaging statements,
- EDDC's refusal to clarify whether those statements represented an official view,
- the refusal of one councillor to retract those statements, and
- the ward councillor's prolonged disengagement —

has left no remaining procedural route other than referral to the Ombudsman.

The complaint will request that the Ombudsman determine whether EDDC's conduct and omissions constitute maladministration, and whether its handling of the matter falls below the standards required of a public authority.