



COMPLAINTS POLICY & PROCEDURE

This Complaints Procedure was adopted by the Council at the Meeting held on 21st September 2020.

In order for any complaint about Woore Parish Council to be dealt with, the following procedure has been adopted so that members of the public can be assured that any complaint will be properly and fully considered. It is hoped that by following this transparent process, the reputation of the Council will be maintained.

Aim of the Complaints Procedure is:

- i. to ensure that all complaints from members of the public are handled swiftly and courteously in a transparent and impartial manner
- ii. to ensure that processes are reviewed to prevent issues reoccurring
- iii. to improve the Council's services

This Procedure does not apply to:

- i. complaints about the conduct of an individual councillor, etc.
- ii. Complaints by an employee of the Council about the Council's actions as an employer

What is a complaint?

This document explains what to do if you feel that you are dissatisfied with the standard of service provided by the Council or its staff.

What if you have a complaint about the actions of a particular Councillor (or Councillors)?

This procedure does not cover complaints about the conduct of a member of the Parish Council. All councillors agree to undertake to observe the Code of Conduct adopted by the Parish Council. A full copy of the Code of Conduct is available on the Parish Council's website at

www.wooreparishcouncil.org.uk

If a Complainant feels a councillor has broken any of the rules in the Code of Conduct, they should refer the complaint directly to the Monitoring Officer, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury SY2 6ND.

What if you have a complaint?

The first priority is to raise the issue with the Parish Council.

The Complainant will be asked to put the complaint in writing (letter/e-mail) to the Clerk (contact details below) giving names and addresses and relevant dates with as much information as possible. If the Complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Chairman of the Council. The Complainant will be asked at the outset to confirm if he/she wants the complaint to be treated confidentially.

Any complaint should detail:

- i. what you are complaining about
- ii. as much detail about your complaint as possible, including dates, events and suggestions as to what you would like the Parish Council to do to rectify the situation

**Next Steps**

The Clerk will log all complaints and acknowledge them in writing, normally within 5 working days. *However, due to the Parish Council only having one employee, the Clerk, some acknowledgements may take longer.* Wherever possible the Clerk will endeavour to deal with your complaint informally. If this is not possible/practicable, following the investigation, you will receive a full reply, in writing, from the Parish Council.

Your reply will:

- i. set out your complaint to ensure that the Parish Council have understood fully, including the events and circumstances surrounding it
- ii. (in the case that the complaint is upheld) the Council will give an explanation of the matters complained of and will explain what steps it intends to take to reduce the risk of the matters complained of being repeated and;
- iii. give a reason for the decision.

What if the Complainant is not satisfied with the reply?

In most circumstances, the issues raised in the complaint will be handled by the Parish Clerk. However, if you are not completely satisfied with their response you can write to the Chairman. The Chairman will then refer the complaint to full Parish Council for investigation and response.

When writing to the Chairman, you should explain that you have already made your complaint to the Parish Council and full reasons as to why you are not satisfied with the response.

Along with this, enclose a copy of the letter that you wrote to the Parish Council (if applicable) and the reply that you received.

How quickly will the Parish Council respond to your complaint?

As stated previously, your complaint will be acknowledged within five working days of receipt, where possible. The investigation will be undertaken and the results reported to you in writing within 21 working days. However, the Parish Council reserves the right to extend the response period should it be felt necessary to seek legal or other advice, in which case the Parish Council will contact you within the extended working period, after which a full response will be received.

It is hoped to be able to resolve most non-complex complaints immediately, but for more complex issues a thorough investigation may need to be undertaken. Depending on the nature of the complaint, the Parish Council may decide to convene an Extraordinary Meeting to discuss the complaint if it is felt that there will be insufficient time within an Ordinary Meeting of the Council to consider the matter. Depending on the nature of the complaint, and in order to ensure GDPR compliance, the Council may choose to hold the discussion in closed session under the Public Bodies (Admission to meetings) Act 1960 if the Council believes that the circumstances warrant the matter being discussed in the absence of the press and public. In the interests of openness and accountability there must be clear relevant reasons or a request from the Complainant for the matter to be held without the presence of the press or public. Investigations will be dealt with as quickly as possible and under normal circumstances the Complainant should get a written response within 21 working days. If the Parish Council do not hear from the Complainant within 10 days the complaint will be closed.



It should be noted that currently the Local Government Ombudsman has no jurisdiction over Parish and Town Councils.

Contact Details

Chelsea Burnard
Clerk to Woore Parish Council
(m) 07808 783 493
(e) clerk@wooreparishcouncil.org



CODE OF PRACTICE FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS

Introduction

The Council, its Councillors and employee work closely with members of the public. In doing this we are often approached by a range of people for a variety of reasons. We aim to provide an excellent level of service to everyone who contacts us. Everyone is entitled to be treated respectfully, courteously and in a polite manner. Anybody who raises an issue with us has a right to expect us to deal with it fully and fairly. When dealing with people we do not normally limit the contact they have with us. However, our staff should not be expected to tolerate abusive, threatening or offensive behaviour. Similarly, we should not be expected to deal with someone who, because the frequency of their contact, hinders the work that we do.

From time to time the Parish Council receives complaints from members of the public. Some complaints are received by telephone or in writing. In order to deal with complaints efficiently and effectively the Parish Council has a complaints policy.

The Parish Council's policy for dealing with unreasonable and persistent Complainants will become operative if the Complainant is deemed to be unreasonably persistent either by written or oral communication; a Complainant begins to make frequent contact with the Parish Clerk's office and hinders the normal day to day running of the Parish Council as such complaints can be time consuming and could lead to unnecessary additional cost to the council tax payer or impact on the well-being of the member of staff.

This policy sets out the actions that the Council can take when dealing with either unreasonably persistent contact or unacceptable behaviour from people. **This policy is expected to apply to very few people.**

No action under this procedure will ever allow a potentially serious issue affecting public safety to go uninvestigated.



POLICY FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS

1. A vexatious Complainant will be notified that the Council's Policy For Dealing With Unreasonable And Persistent Complaints is to be enforced, together with the reason why.
2. The Complainant will then be asked to adopt one or all of the following procedures:
 - i. Restricting contact to one method;
 - ii. Request contact with the Parish Council in one particular form (for example: letter only);
 - iii. Request contact to take place with a named Officer or Councillor;
 - iv. Restrict telephone calls to specified days and times;
 - v. And/or be asked to enter into an agreement about future contact with the Parish Council.
3. Any action taken will be reasonable, proportionate and balance the interests of the persons with the duty to protect the health, safety and well-being of our staff.

The Parish Council may adopt one or all of the following procedures:

 - i. Accepting contact through a third party only;
 - ii. Only acknowledging or filing correspondence unless new information is presented;
 - iii. Refusal to accept further telephone calls; or
 - iv. Restricting the issues we will correspond on.
4. The Parish Council will decide how long it will spend on any one complaint and whether it feels the complaint has been sufficiently dealt with.
5. In all cases where a Complainant is deemed to be unreasonable and persistent, the Parish Council will write to the Complainant to justify its course of action and explain for how long it will be operative.
6. The Complainant may challenge the Parish Council's decision, although proof that the complaint has not been sufficiently dealt with will be required.
7. If deemed to be a fair challenge the Parish Council will conduct a review of the complaint and will re-consider whether the complaint should still be treated as unreasonable and-or vexatious.
8. If a Complainant persists in communicating with the Council once their case has been closed, the Council reserves the rights to terminate all further communication.
9. The case will only be re-visited if the Complainant can provide fresh evidence that may affect the Council's previous decision concerning the original complaint.
10. If the Council feels that re-opening the complaint cannot be justified the Complainant will be notified in writing that the case has been closed and there will be no further communication.



11. New complaints received from Complainants previously deemed to be unreasonable and or vexatious will be treated on their merits.
12. Complaints will be kept on file for no more than 6 years.

**What is unreasonably persistent?**

Unreasonably persistent people are those who, because of the frequency or nature of their contact with us, can hinder our work. Those who are unreasonably persistent may have justified complaints or grievance but are pursuing them in inappropriate ways, or they may be intent on pursuing complaints/issues which appear to have no substance or which have already been investigated and determined.

In dealing with people, we recognise that our resources including staff time must be used where they can provide the most value. This might mean that we cannot respond to every complaint/issues in the way a person would like. Examples of the types of actions/behaviour which may cause this policy to be used are noted below. These are not exhaustive but could include one or more of the following:

- Adopting a 'scattergun' approach: pursuing a complaint or other issues with us and, at the same time, with other people or bodies such as the Principal Authority, Member of Parliament, local police, solicitor the Ombudsman.
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint/issue is being looked into by, for example, excessive telephoning or sending emails to numerous staff members, or Councillors writing lengthy complex letters every few days and expecting immediate responses.
- Submitting repeated complaints, after the complaints processes have been completed, essentially about the same issues, with additions/variations which the Complainant insists make these 'new' complaints worthy of being put through the full complaint procedure.
- Refusing to accept the decision on a complaint/issue – repeatedly arguing the point and complaining about the decision.
- Refusing to accept that issues are not within our remit despite having been provided with information about our scope.
- Insisting on the complaint/issue being dealt with in ways which are incompatible with standard procedure or with good practice.

What is unacceptable behaviour?

We expect our staff to be treated with courtesy and respect.

We recognise that people often feel under pressure, distressed, or feel that they must be determined to pursue their concerns. They can also feel angry about their situation. Staff must be able to distinguish between distress, frustration, forcefulness and determine behaviour which is unacceptable.

Unacceptable behaviour is defined as: behaviour or language (oral or written) that may cause staff to feel afraid, intimidated, threatened or abused. This could include threats of physical violence, derogatory remarks rudeness, harassment, inflammatory statements and unsubstantiated allegations.

**How do we feel about this behaviour?**

For face to face and/or telephone contact:

- i. If unacceptable behaviour occurs, the staff member, or Councillor should explain to the individual why their behaviour is unacceptable. The member of staff should then give the individual the opportunity to stop the unacceptable behaviour and explain that if they persist it will result in the conversation being terminated.
- ii. Once the conversation has ended notes should be made of the conversation with a clear description of the unacceptable behaviour that was demonstrated by the member of the public.
- iii. This note should be saved to the complaints folder. Please be aware when writing that note, that this information would be disclosed under GDPR regulations.
- iv. If at any point you have concerns for your personal safety, you should summon support from a Councillor and/or the police.

The procedure for DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINTANTS will be implemented.

Extreme Behaviour

In exceptional cases the behaviour of a person may pose an immediate threat to the health, safety or well-being of our staff. In such circumstances, the Parish Clerk may, with or without warning to the person, refer the case to the police or instigate civil proceedings.

Policy Reviewed: May 2021
Policy Reviewed: May 2022
Policy Reviewed: May 2023

By: Full Council
By: Full Council
By: Full Council

Minute Item: 21015
Minute Item: 22013
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