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# **Hemswell Cliff Parish Council**

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## **Hemswell Cliff Parish Council Complaints Policy and Procedure**

**1. Councillors**

- 1.1 This procedure does not cover any complaints made regarding the conduct of a councillor.

**2. Complaints**

- 2.1 Complaints to Councillors concerning Parish Council business must be taken seriously and, if given verbally to the councillor, should be requested to be put in writing by the complainant and addressed to the Clerk.
- 2.2 Any complaint received by the Parish Council must be clearly marked as a complaint otherwise it will be dealt with as a standard communication and will not come under the scope of the complaints policy. However, the unreasonable complainant behaviour section will still apply.
- 2.3 Any written complaint received from a parishioner by a parish councillor, the Clerk, or a member of staff should be promptly copied to all councillors and the Clerk for consideration and receipt within 7 days.
- 2.4 The complaint will be investigated by the Clerk within 21 days taking into account considered input from councillors and a response prepared for the next full council meeting.
- 2.5 Any complaint regarding a third party will be passed to the third party and they will be given the opportunity to make a comment.
- 2.6 The Clerk or the Chairman, where the complaint is in respect to the Clerk, will report the outcome of any complaints resolved by direct action with the complainant to the next available meeting of the Council explaining the reason for the need to take direct action.
- 2.7 As with any monthly Parish Council meeting the public, including any complainant, will have the right to talk to the complaint during the public session to the time limit enforced at such meetings.
- 2.8 Councillors will consider the content of the complaint and agree appropriate action and response.
- 2.9 The Parish Council may consider that the circumstances of a complaint warrants the matter being discussed without the presence of the press and the public. In such a case the result will be communicated to the complainant directly and to the general public through the minutes of the meeting.
- 2.10 The complainant will be informed of any actions and response within 14 days of the meeting.
- 2.11 The Parish Council may defer dealing with any complaint if it is of the opinion that any of the issues arising from the complaint require further advice being obtained. Any advice received will be referred to the next available meeting of the Parish Council.

**3. Management of unreasonable complainant behaviour**

- 3.1 The Parish Council is committed to dealing with all complaints and other correspondence fairly and impartially, and to making its services as accessible as possible.
- 3.2 Because of the nature or frequency of their contact with the Parish Council a small number of complainants or other correspondents hinder the normal workings of the Council. This may be

because of unacceptable behaviour in their dealings with the Parish Council, or because of unreasonably persistent contacts that distract staff from carrying out day-to-day work.

### 3.3 Unacceptable Behaviour

3.3.1 The Parish Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants or correspondents. When it occurs, we will take proportionate action to protect the wellbeing of our staff and the integrity of our processes.

3.3.2 Any unacceptable behaviour at a council meeting is covered by the relevant Standing Orders.

### 3.4 Unreasonably Persistent Behaviour

3.4.1 Our staff manage a wide range of work on behalf of the Parish Council at any one time, using their time and resources to best effect. They cannot do so if an individual or group attempts to dominate attention with frequent, lengthy contacts and repetitive information. This hinders the consideration of other aspects of the day-to-day work of the Parish Council. When necessary, we will take action to restrict access to our service or associated initiatives when unreasonable behaviour of this nature persists.

3.4.2 An individual or group as referenced relates to a single individual using alternative identities, such as using a different email address, or a set of individuals that appear to have a common or connected unreasonable behaviour pattern.

### 3.5 Warnings

3.5.1 In most instances when we consider behaviour is unreasonable we will explain why and ask the individual or group to change it. This may take the form of offering a face-to-face meeting with the Chairman or other member of the Parish Council. We will also warn them that, if the behaviour continues, we will take action to restrict their contact with the Parish Council.

3.5.2 Where the behaviour is so extreme that it threatens the immediate safety and welfare of the Parish Council's staff or councillors the matter may be reported to the police or the taking of legal action will be considered. In such cases, the Parish Council may not give the complainant or correspondent prior warning.

### 3.6 Restricting access

3.6.1 The Parish Council will decide whether the circumstances justify any restriction of access. They will record the reason for their decision and explain it to the person or group concerned. They will state for how long any restriction will apply before it is reconsidered, and state how the decision can be challenged.

3.6.1 The sort of restrictions imposed could include:

- A. restricting e-mails / telephone calls to specified days and limited times;
- B. limiting contacts to one form only (for example, a maximum of one letter in advance of each Parish Council meeting), and/or;
- C. requiring contact to take place with one named officer/councillor.

3.6.2 Other suitable options will be considered in the light of the complainant or correspondent's circumstances. The objective of the Parish Council, wherever possible, is to ensure that any decisions to restrict access are dealt with in a managed way.

3.6.3 If a complainant or correspondent attends the public meetings of the Parish Council and is deemed by those councillors present to be affecting the normal running of the meeting then the Chairman will have the right to request the individual concerned to leave the meeting.

3.6.4 The Parish Council will review any restrictions imposed every six months or on the meeting following expiry of such a restriction order to determine whether they are still necessary, should remain in place or be extended.

3.7 Terminating access

3.7.1 If a complainant or correspondent continues to behave unreasonably, and overrides the restrictions placed on access, the Parish Council may decide to terminate all contact.

This document is available free online at: [Policies - Hemswell Cliff Parish Council](#)

In accordance with the Parish Council's Publication Scheme this document can be purchased for 5p per page, plus postage and packaging. To get a quote for a copy of this document please contact the Clerk to the Parish Council.

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