



Bearley Parish Council Complaints Procedure V2

Status	Adopted
Date of review	18 March 2024
Date of next review	March 2027
Previous	
V1 Adopted	March 2018



Bearley Parish Council

COMPLAINTS PROCEEDURE

1. Introduction

- 1.1 The Council recognises that it is not subject to the jurisdiction of the Local Government Ombudsman but has adopted this Code to ensure that complainants are properly and fully considered
- 1.2 The Town Council does not consider formal complaints against councillors. These are dealt with in accordance with the Parish Council's adopted Code of Conduct by Stratford-on-Avon District Council's Monitoring Officer.
- 1.3 All other complaints should be addressed to the Parish Clerk and will be dealt with promptly to maintain public confidence.
- 1.4 Should the complaint be in regard to the Parish Clerk, it should be addressed to the Chair of Council.
- 1.5 A fair and courteous response will be given in all cases, and a full and proper investigation may be undertaken to establish all the pertinent facts.

2. Informal Complaints

- 2.1 The Parish Council will seek to resolve all complaints informally prior to a formal complaint being lodged.
- 2.2 An informal complaint is made to the Parish Clerk who will liaise with the complainant and relevant members/officers to seek resolution.
- 2.3 Should it not be possible to resolve a complaint informally the complainant may escalate the complaint to a formal complaint.
- 2.4 Should, in the opinion of the Parish Clerk or Chair of Council, the complaint be of a serious nature, the complaint shall be escalated to a formal complaint.
- 2.5 The Parish Clerk shall maintain logs of informal complaints about staff and the council.
- 2.6 There is no defined process for an informal complaint; but full records must be kept of any communications and attempts at resolution.

3. Formal Complaints

Where possible, the Parish Council would wish to solve any complaint informally prior to a formal complaint being lodged.

Formal Complaints about Councillors

- 3.1 The Parish Council does not consider formal complaints about its members.
- 3.2 Members are required to comply with the adopted Code of Conduct.
- 3.3 A formal complaint about a member should be addressed to the Monitoring Officer of Stratford-on-Avon District Council who will arrange the investigation of the complaint.
- 3.4 The contact details for the Monitoring Officer are:
The Monitoring Officer
Stratford-on-Avon District Council
Elizabeth House,
Church Street,
Stratford-upon-Avon
CV37 6HX
Telephone (01789) 260400



Email monitoring.officer@stratford-dc.gov.uk

Or, you can use the online form:

<https://www.stratford.gov.uk/doc/211179/name/Complaint%20Form.pdf>

Formal Complaints about Officers

3.5 Formal complaints about the Parish Clerk must be made in writing to the Chair of Council, setting out the reasons for the complaint and providing any supplementary information that will assist an investigation.

3.6 The complainant will be informed that the complaint will be progressed under the council's disciplinary policy and at the end of that process will receive a response to the complaint.

4. Meetings

Before meetings

4.1 The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk.

4.2 If the complainant does not wish to put the complaint to the clerk, he or she should be advised to address it to the chairman of the council.

4.3 The clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way.

4.4 The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

4.5 Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.

At the Meeting

4.6 The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.

4.7 The chairman should introduce everyone and explain the procedure.

4.8 The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk then (ii) members.

4.9 The clerk will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) members.

4.10 The clerk and then the complainant should be offered the opportunity to summarise their position.

4.11 The clerk and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.

4.12 The clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting

4.13 The decision should be confirmed in writing within seven working days together with details of any action to be taken.



5. Vexatious Complaints

- 5.1 A vexatious complainant is one who persists unreasonably with their complaints, or makes complaints in order to inconvenience the Council rather than genuinely resolve an issue. This may include making serial complaints about different issues or continuing to raise the same or similar matters repeatedly.
- 5.2 If such complaints affect the Council's ability to undertake its work and provide its services to others, it may alter the way it deals with complaints by not acknowledging or responding to vexatious complaints. Complaints will still be read in case they contain new information.
- 5.3 If a complainant is to be classified as vexatious they shall be informed so and given a timescale of how long this will remain the case.
- 5.4 Should a vexatious complainant make a new complaint about new issues these will be treated on their merits.