

# **FURNEUX PELHAM PARISH COUNCIL COMPLAINTS PROCEDURE**

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**Meeting adopted**                      **5 November 2015**

**Reviewed**                                **September 2021**  
**Next review**                            **July 2022**

## **1 Councillors**

- a) This procedure does not cover any complaints made regarding the conduct of a Furneux Pelham Parish Councillor.

## **2 Complaints**

- a) Complaints to Councillors concerning Furneux Pelham 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.
- b) Any complaint received by Furneux Pelham 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 a complaint. However, the unreasonable complainant behaviour section will still apply.
- c) Any written complaint received from a Parishioner by a Councillor or the Clerk should be promptly copied to all councillors and the Clerk for consideration and receipt of the complaint acknowledged, by the Clerk, within 7 days.
- d) 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.
- e) Any complaint regarding a third party will be passed to the third party and they will be given the opportunity to make any comments.
- f) 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.
- g) As with any bi-monthly 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.
- h) The Councillors will consider the content of the complaint and agree appropriate action and response.
- i) The 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.
- j) The complainant will be informed of any actions and response within 14 days of the meeting.
- k) The 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 Council.

### **3 Management of unreasonable complainant behaviour**

#### **Introduction**

- a) Furneux Pelham Parish Council is committed to dealing with all complaints and other correspondence fairly and impartially, and to making its services as accessible as possible.
- b) Because of the nature or frequency of their contact with the 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 Council, or because of unreasonably persistent contacts that distract the Clerk from carrying out the day-to-day work of the Council.

#### **Unacceptable Behaviour**

- a) The 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 the clerk and the integrity of our processes.
- b) Any unacceptable behaviour at a council meeting is covered by the relevant Standing Orders for Furneux Pelham Parish Council.

#### **Unreasonably Persistent Behaviour**

- a) The clerk manages a wide range of work on behalf of the 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 Council. When necessary, we will take action to restrict access to our service or associated initiatives when unreasonable behaviour of this nature persists.
- b) 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.

#### **Warnings**

- a) 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 Council. We will also warn them that, if the behaviour continues, we will take action to restrict their contact with the Council.
- b) Where the behaviour is so extreme that it threatens the immediate safety and welfare of the clerk or Councillors the matter may be reported to the police or the taking of legal action will be considered. In such cases, the Council may not give the complainant or correspondent prior warning.

### **Restricting access to the Council**

- a) The 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.
- b) The sort of restrictions imposed could include:
  - i. restricting e-mails / telephone calls to specified days and limited times;
  - ii. limiting contacts to one form only (for example, a maximum of one letter in advance of each Council meeting); or
  - iii. requiring contact to take place with the clerk or one named Councillor.
- c) Other suitable options will be considered in the light of the complainant or correspondent's circumstances. The objective of the Council, wherever possible, is to ensure that any decisions to restrict access are dealt with in a managed way.
- d) If a complainant or correspondent attends the public meetings of the 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.
- e) The 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 and should remain in place or be extended.

### **Terminating access to the Council**

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