PORINGLAND PARISH COUNCIL

Poringland Community Centre, Overtons Way, Poringland, Norfolk, NR14 7WB
Tel: 01508 492182 Email: clerk@poringland-pc.gov.uk
Website: www.poringlandparishcouncil.gov.uk

Complaints Policy

Policy Reference	PPC 10
Version Number	2
Associated Documents	
Last Review Date	March 2025
Frequency of Review	Two Years
Approved by	Full Council
Date for Next Review	March 2027

This is a non-contractual policy that does not require approval from employees before changes are made. Staff will remain bound by amended non-contractual policies.

Complaints Procedure

1. Poringland Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

3. This Complaints Procedure does not apply to:
   3.1. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
   3.2. complaints against councillors. Complaints against councillors are covered by the Local Government Association, Code of Conduct for Members. and, if a complaint against a councillor is received by the council, it will be referred to the Monitoring Officer of South Norfolk Council. Further information can be found here: https://www.south-norfolk.gov.uk/residents/have-your-say/unhappy-conduct-councillor

4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

5. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below. Complaints by social media direct messaging will be considered under this policy

6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Full Council.

8. Where a complaint is being made about the actions of the Chairman, when it is not covered by the Code of Conduct under item 3.2, it will be reviewed by the Vice Chairman

9. The Clerk or the Council Member (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council. In the case of a complaint being made against an employee or a Parish Councillor, the person that has been complained of will be notified and will have an opportunity to comment on the matter.

10. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

11. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Full Council and you will be notified of the date, time and place that the complaint will be heard. You will be notified in writing of the outcome of the review of your original complaint (usually within eight weeks).

12. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is a complaint about an employee and the Council believes the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is of any employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to have a representative present. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion and in accordance with Council's procedures.

Vexatious and Persistent Complaints

Introduction

Poringland Parish Council is committed to dealing with all complaints fairly and impartially, and to making our services as accessible as possible. The purpose of the Vexatious and Persistent Complaints Policy is to provide Poringland Parish Council with a fully transparent framework which
helps the Council to ensure unreasonable and unreasonably persistent or vexatious complainants are dealt with fairly and proportionately. These actions can occur either while a complaint is being investigated, or once Poringland Parish Council has finished the investigation.

Definition

A vexatious complainant is a complainant who is pursuing a complaint which is entirely without merit and is made with the intention of causing inconvenience, harassment or expense to the Council or employees.
'Unreasonable complaint behaviour' may include one or two isolated incidents, as well as 'unreasonably persistent behaviour'. Persistent complaints, specifically 'Unreasonably Persistent' are complaints which have merit, but, because of the frequency or nature of their contact with complaints handlers, hinder consideration of their own or other's complaints, or require a
disproportionate level of resources or time to handle the complaints raised.
For a more detailed definition of the above please refer to the section called Definition in Local Government Ombudsman Guidance on managing unreasonable complaint behaviour

Examples of Unacceptable Complaint Behaviour

The following list draws upon the Local Government and Social Care Ombudsman guidance, and provides examples of behaviour by complainants, which may be described as persistent, vexatious or unreasonable:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to co-operate with the council's complaints investigation process
- Refusing to accept that certain issues are not within the scope of Poringland Parish Council.
- Insisting on the complaint being dealt with in ways which are incompatible with the with the good practice of Poringland Parish Council.
- Making unjustified complaints about staff or councillors who are trying to deal with issues, and seeking to have them replaced.

- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many, detailed but unimportant questions; insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various personnel and councillors.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous Council staff/Councillors, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations that the complainant insists make these 'new' complaints.
- Refusing to accept the decision, repeatedly arguing the point with no new evidence.
- Using abusive, offensive or threatening language.

Some individuals that staff may consider to be vexatious or persistent complainants may be behaving as such because of a specific circumstance or difficulty such as mental health problem. Where this is indicated, any concerns that staff may have about a customer's vulnerability must be raised immediately with the line manager and advice sought from the relevant authorities.

Imposing Restrictions

The Parish Council will ensure that the complaint is being, or has been, investigated properly.
In the first instance the Clerk will consult with the Parish Council prior to issuing a warning to the complainant. The Clerk will contact the complainant in writing to explain why this behaviour is causing concern and ask them to change this behaviour and outline the actions that the Parish Council may take if they do not comply.
If the disruptive behaviour continues, the Clerk will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the Parish Council in future will be restricted. The Clerk will make this decision in consultation with the Parish Council and inform the complainant in writing of what procedures have been put in place and for what period.
Any restriction that is imposed on the complainant's contact with the Parish Council will be appropriate and proportionate and the complainant will be advised of the period of time over which that the restriction will be in place. In most cases restrictions will apply for between three to six months, but in exceptional cases this may be extended.
Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
• Banning the complainant from making contact by telephone except through a third party e.g. a solicitor, a Councillor or a friend acting on their behalf.
• Banning the complainant from sending emails to individuals and/or the Clerk and insisting they only correspond by postal letter.
• Requiring contact to take place with one named person only (Clerk or councillor).
• Restricting telephone calls to specified days and/or times and/or duration.
• Requiring any personal contact to take place in the presence of an appropriate witness.
• Letting the complainant know that the Parish Council will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated councillor will be identified who will read future correspondence).

When the decision has been taken to apply this policy to a complainant, the Clerk will contact the complainant in writing to explain:
• why the decision has been taken
• what action has been taken
• the duration of that action.

The Clerk will enclose a copy of this policy in the letter to the complainant.
Where a complainant continues to behave in a way that is unacceptable, the Clerk, in consultation with the Parish Council may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered, e.g. the reporting of the matter to the police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

New complaints from complainants who are treated as vexatious or persistent

New complaints from people who have come under this policy will be treated on their merits. The Parish Council will decide whether any restrictions that have been applied before are still appropriate and necessary in relation to the new complaint. A blanket policy is not supported, nor ignoring genuine service requests or complaints where they are founded.

Record Keeping

The Clerk will retain adequate records of the details of the case and the action that has been taken. Records will be kept of:
• the name and address of each member of the public who is treated as vexatious or persistent, or any other person who so aids the complainant
• when the restrictions came into force and ends
• what the restrictions are
• when the person and Parish Council were advised.
Full Council be provided with a regular report giving information about members of the public who have been treated as vexatious/persistent as per this policy.

Contacts

The Clerk of Poringland Parish Council
Address: Overtons Way
Poringland
Norfolk
NR14 7WB

Telephone: 01508 492182
Email: clerk@poringland-pc.gov.uk

The Chairman of Poringland Parish Council – John Joyce
Address: c/o As above

Telephone: 07539 254661
Email: johnjoyce@poringland-pc.gov.uk