Complaints Policy

Sturminster Marshall Parish Council

Adopted 7th November 2024

1. **Purpose of the Policy**
   Sturminster Marshall Parish Council (the Council) recognises that from time to time there may be concerns expressed by members of the public over the activities of the Council or one of its Members or employees.

   This policy sets out the Council's stance on expressions of dissatisfaction or formal complaints and how they will be dealt with in a manner which is demonstrably consistent, fair, and reasonable.

2. **Handling complaints**
   A complaint is any expression of dissatisfaction, however made, about the standard of service, action, or lack of action, by the Council or its Officers.

   On receipt of an expression of dissatisfaction or complaint, the Clerk will try to resolve the matter immediately or as soon as is practicable.

   If the member of the public is not satisfied with the response, they may submit a formal complaint to the Clerk in writing with full details of the complaint, their full name, email address, and telephone number. All information is treated as confidential and will only be collected and stored for the purposes of dealing with your complaint and improving our services.

   The Clerk will send a letter of acknowledgement to the complainant within 5 working days. Day 1 = the next working day after receipt.

   The Clerk will bring all formal written complaints to a meeting of full Council, having first consulted with the Chair and Vice-Chair on whether the complaint warrants discussion at a Council meeting in the absence of the press and public.

   The complainant may be offered the opportunity to explain the nature of the complaint at the meeting.

The Clerk will communicate to the complainant in writing the decision that has been made by the Council and the nature of any action taken by the Council. The Council aims to make a decision within 40 working days. Day 1 = the next working day after receipt.

We understand that making a complaint can be as a result of a stressful and distressing event or situation and we will do everything we can to support the complainant through the process, but we will not tolerate unreasonable, aggressive, or abusive behaviour. If an individual displays these behaviours, the Council will apply the vexatious procedure in Section 5 of this Policy. 3.

3. **Complaints about a Member's Conduct**

Councils have no powers to deal with complaints about a Member's Code of Conduct. Such complaints can only be dealt with by the principal authority's Monitoring Officer. If you wish to submit a complaint for a Member of the Council's breach of this code, you should do so to Dorset Council's Monitoring Officer by completing this form Comments, compliments and complaints - Dorset Council.

4. **Complaints against an employee of the Council**

Complaints of this nature must be made in writing to the Chair and will be considered as an employment issue. The Chair will present the complaint to the Staffing Committee for consideration at a meeting held in the absence of the press or public.

The Chair will send a letter of acknowledgement to the complainant within 5 working days. Day 1 = the next working day after receipt.

The complainant may be invited to attend part of the Staffing Committee meeting to explain the nature of their complaint in the absence of the press and public.

The employee will have the opportunity to respond to allegations at this meeting in the absence of the public and press.

The Chair will communicate to the complainant in writing the decision that has been made by the Council and the nature of any action taken by the Council. The Council aims to make a decision within 40 working days. Day 1 = the next working day after receipt.

5. Vexatious Complaints

Making a judgement on whether a complaint is vexatious depends upon a number of factors, which are outlined below.

The Council recognises that it is important to distinguish between people who make a number of complaints because they genuinely believe things have gone wrong, and people who are seeking to subvert the legitimate business of the Council.

It is acknowledged complainants will often feel frustrated and aggrieved, therefore it's important to consider the merits of each case rather than the way in which they are expressed.

Vexatious complaints can be characterised in the following ways:
• Behaviour which is obsessive, persistent, harassing, prolific, repetitious which has the effect of hindering the Council's ability to go about its democratic business due to the extreme workload generated
• Behaviour which is aggressive or designed to cause extreme distress, bully, humiliate, intimidate, or undermine specific individuals
• Behaviour which displays an insistence on pursuing unmeritorious issues, trivial points, or unrealistic outcomes beyond all reason
• Behaviour characterised by a refusal to accept that issues raised are not within the power of the Council to investigate, change, or influence

Judgement will be required to separate a person's legitimate queries from those that are unreasonable, often within the same complaint.

Sanctions on vexatious complainants can include:
• Being permitted to only communicate with one nominated member of the Council or Officer of the Council
• Being permitted to only communicate in a specific way, for example, letter rather than email or telephone.
• Receiving no responses to further enquiries and communications on the same matter if no substantive new issue is raised
• Receiving no responses to all enquiries and communications made to the council for 6 months if no substantive new issue is raised
• If the complainant does not reside in the parish, they will be advised that all future correspondence will be ignored and left unread.

If the Council judge the complaint to be vexatious, the Clerk will write to the correspondent advising them that their complaint or correspondence has been determined to be vexatious, give the reason for that decision, and what sanction has been imposed, if any.

There is no route of appeal against the decision that a complaint is vexatious