Roxby cum Risby Parish Council

Complaints Procedure

On receipt of a written complaint the Clerk or Chair, as appropriate, shall (except where the complaint is about the Clerk), try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Clerk or a Councillor. Complaints about the Clerk will be dealt with under the Council's employment policies and procedures. When a member of the public wishes to complain about an individual Councillor, they shall be referred to the Monitoring Officer at North Lincolnshire Council.

Where the Clerk receives a written complaint about his or her behaviour, he or she shall refer it to the Chair or the Personnel Committee.

If a complaint regarding procedures or administration is notified to Roxby cum Risby Parish Council the following actions shall be implemented:

Prior to the Meeting

- The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated proper officer.
- If the complainant does not wish to put the complaint to the Clerk or other proper officer, they may be advised to put it to the Chair of the Council.
- The Clerk shall acknowledge the receipt of the complaint promptly and advise the complainant when the matter will be considered by the Council or by a committee established for the purposes of hearing complaints.
- The Clerk or Chair shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
- The Clerk or Chair shall bring any written complaint which has not been settled to the next meeting of the Council. The Council shall then determine whether the complaint should be referred to a complaints committee. The Clerk shall then notify the complainant of the date on which the complaint will be considered.
- The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
- 7 clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely on at the meeting.

At the Meeting

- The Council or Committee shall consider whether the circumstances of the complaint warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
- The Chair to introduce everyone and explain procedure.
- The Complainant (or representative) should outline the grounds for complaint.
- Members to ask any question of the complainant.
- If relevant, Clerk or other proper officer to explain the council's position.
- Members to ask any question of the Clerk or other proper officer.
- The Clerk or other proper officer and complainant to be offered opportunity to summarise their position (in this order).
- The Clerk or other proper officer and complainant to 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 to be invited back).
- Clerk or other proper officer and complainant return to hear decision, or to be advised when the decision will be made.
- The Council shall defer dealing with any written complaint **only** if it is of the opinion that issues of law or practice arise on which advice is necessary from ERNLLCA. Such complaints shall be dealt with at the next meeting after the advice has been received.

After the Meeting

The decision will be confirmed in writing within seven working days together with details of any action to be taken and advising that either a) any appeal should be addressed to The Chair of Roxby cum Risby Parish Council within ten days or b) the Council's decision is final.

Repeated and Vexatious Complaints Procedure

This procedure must be initiated as a last resort, when all else has failed.

1. Definition of a repeated or vexatious complaint

1.1 A **repeated complaint** is one where a complainant submits an identical or substantially similar complaint after their initial complaint has been fully and properly handled under the Council's Code of Practice in Dealing with Complaints.

1.2 A **vexatious complaint** is one where the contents of the complaint or conduct of the complainant is manifestly unreasonable or is intended to or has the effect of causing distress, harassment or disproportionate inconvenience or expense.

1.3 Examples of when a complaint may be deemed to be vexatious are set out below.

Where a complainant:

- Has threatened or used physical violence towards those dealing with the complaint.
- Persistently changes the substance of a complaint or continually raises new issues to seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed.
  Note: Care must be taken however, not to disregard new issues, which are significantly different from the original complaint, as they need to be addressed as separate complaints.
- Is repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions, or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- Repeatedly does not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
- Regularly focuses on a trivial matter to an extent, which is out of proportion to its significance and continues to focus on this point.
  Note: It is recognised that determining what constitutes a trivial matter can be subjective and careful judgement shall be used in these cases.
- Has in the course of addressing a registered complaint, had an excessive number of contacts with the Council, which place unreasonable demands on those dealing with the complaint.
  Note: For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, e-mail or fax. Discretion will be used in determining the precise number of excessive contacts having regard to the circumstances of each individual case.
- Is known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- Makes unreasonable demands on the Council and/or Clerk and fails to accept that these may be unreasonable, for example, insisting on responses to complaints or enquiries being provided more urgently than is reasonable.

1.4 A Councillor or the Clerk may propose to the Council that a complaint be deemed to be vexatious and/or repeated. Between meetings, the Chair, through informal consultation with the other Councillors, may deem a complaint to be vexatious and/or repeated. The Council (or Chair) shall ensure that the Code of Practice in Dealing with Complaints has been correctly implemented so far as is possible and that no material element has been overlooked or inadequately addressed.

1.5 When the Council (or Chair) is satisfied on paragraph 1.4, it (or he/she) shall then determine what action is to be taken.

2. Response to repeated or vexatious complaints.

2.1 The Council shall decide an appropriate course of action and may choose one of the following options:

a) Attempt to resolve matters by drawing up a signed "Agreement of Code of Behaviour" for the parties involved, which must be adhered to if the complaint is to be processed.

b) Decline contact with the complainant either in person, by telephone, by fax, by e-mail or by letter or any combination of these. At least one form of contact must be maintained. The Council may nominate a single person for all future contact.

c) Notify the complainant that all points have been addressed, and that the Council has tried to resolve the issues of concern. However, there is nothing more that can be done, and that continuing contact in the matter will serve no useful purpose. At this point, correspondence will be at an end and that any further letters will be acknowledged but not answered.

2.2 When the course of action has been decided upon, the Council shall notify the complainant in writing to confirm that their complaint has been classified as vexatious and/or repeated, the reasons why and what action will be taken as a result. A copy of this letter is to be maintained for reference purposes.

Contacts

Name: Jo Curtis – Clerk to Roxby cum Risby Parish Council
Address: 15 Ings Lane, Hibaldstow, Brigg, DN20 9PF
Tel: 07931323506
Email: clerk@roxby-cum-risbyparishcouncil.gov.uk

Approved: 2 September 2026
Next review: September 2027