



FOUR MARKS PARISH COUNCIL

COMPLAINTS PROCEDURE

1. **Four Marks Parish Council** (the Council) is committed to providing a quality service for the benefit of the people who live or work in the 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 an 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 Code of Conduct for members adopted by the Council on 15th October 2014 and if a complaint against a Councillor is received by the Council it will be referred to the Standards Committee of East Hampshire District Council. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer of East Hampshire District Council.
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 in 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 (Open session) of the Council meetings. If you are unhappy about 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 Executive Officer (EO). You may do this in person, by telephone, or by writing to or emailing the EO.

6. Wherever possible the EO will try and resolve your complaint immediately. If this is not possible, the EO will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the EO, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Finance & General Purposes (F&GP) Committee or to the Council (as appropriate).
8. The EO, the F&GP Committee or the Council will investigate each complaint, obtaining further information as necessary from you and/or staff or members of the Council.
9. The EO 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).
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the F&GP Committee or to the Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Vexatious Complaints

If the Council are repeatedly contacted by the same group or individual either on the same matter, or continually on different matters, the complaint/complainant will be considered habitual or vexatious.

A complaint will be considered vexatious if:

- i. The complainant is unreasonably persistent and vexatious because of the frequency or nature of their contacts with the Council or hinders the Council's consideration of theirs or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.
- ii. the way in which, or frequency with which, complainants raise their complaints with the EO or how complainants respond when informed of the Council's decision about the complaint.
- iii. Handling the complaint is considered to be disproportionately time consuming or wasteful of the Council's resources

If the complaint/complainant is considered vexatious as above:

- i. The EO will advise the complainant, in writing, that the complaint is being treated as vexatious.
- ii. The EO will inform the F&GP Committee or the Council of the vexatious complaint/complainant for discussion and agreement of any action, if deemed appropriate.
- iii. The EO will then write to the complainant advising them of any actions to be taken, explanation as to why the decision was taken and the duration of that action.

Any behaviour deemed threatening to the EO or Councillors will be reported to the police or legal representation with no prior warning of this action.

Records will be kept of each and every complaint and any action taken.

The term complaint in this policy includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018 in accordance with the General Data Protection Regulation (GDPR) and reference to the Complaints Procedure is, where relevant, to be interpreted as meaning a request under those Acts.

Four Marks Parish Council

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