



GAWSWORTH PRISH COUNCIL

COMLPAINTS POLICY

JULY 2016

CONTENTS

Introduction	3
Informal Complaint	3
Formal Complaints	4
Formal Complaints about Councillors.....	4
Formal Complaints about the Clerk	4
Formal Complaints about the Council, Committees or Decisions.....	4
Vexatious complaints.....	5

INTRODUCTION

- 1.1 The Council recognises that it is not subject to the jurisdiction of the Local Government Ombudsman but has adopted this Code to ensure that complainants are properly and fully considered.
- 1.2 The Parish Council does not consider formal complaints against councillors. These are dealt with in accordance with the Parish Council's adopted Code of Conduct by Cheshire East Council's Monitoring Officer.
- 1.3 All other complaints should be addressed to the Parish Clerk and will be dealt with promptly to maintain public confidence.
- 1.4 Should the complaint be in regard to the Parish Clerk, it should be addressed to the Chair.
- 1.5 A fair and courteous response will be given in all cases, and a full and proper investigation may be undertaken to establish all the pertinent facts.

INFORMAL COMPLAINT

- 2.1 The Parish Council will seek to resolve all complaints informally prior to a formal complaint being lodged.
- 2.2 An informal complaint is made to the Parish Clerk who will liaise with the complainant and relevant members to seek resolution.
- 2.3 Should it not be possible to resolve a complaint informally the complainant may escalate the complaint to a formal complaint.
- 2.4 Should, in the opinion of the Parish Clerk or Chair, the complaint be of a serious nature, the complaint shall be escalated to a formal complaint.
- 2.5 There is no defined process for an informal complaint; but full records must be kept of any communications and attempts at resolution.

FORMAL COMPLAINTS

Where possible, the Parish Council would wish to solve any complaint informally prior to a formal complaint being lodged

FORMAL COMPLAINTS ABOUT COUNCILLORS

- 3.1 The Parish Council does not consider formal complaints about its members.
- 3.2 Members are required to comply with an adopted Code of Conduct.
- 3.3 A formal complaint about a member should be addressed to the Monitoring Officer of Cheshire East Council who will arrange the investigation of the complaint. Cheshire East Council has its own policies for dealing with such complaints.
- 3.4 The contact details for the Monitoring Officer are:

The Monitoring Officer
Cheshire East Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

monitoringofficercec@cheshireeast.gov.uk

FORMAL COMPLAINTS ABOUT THE CLERK

- 4.1 Formal complaints about the Parish Clerk must be made in writing to the Chairman; setting out the reasons for the complaint and providing any supplementary information that will assist an investigation.
- 4.2 Complaints will be processed in accordance with the Council's Disciplinary procedure.

FORMAL COMPLAINTS ABOUT THE COUNCIL, COMMITTEES OR DECISIONS

- 5.1 Complaints about a decision, the general operations of the Council or the Council as a body should be made to the Parish Clerk in writing, providing any additional information that will enable the complaint to be investigated.

- 5.2 The complaint shall first be considered by the Parish Clerk and Chair who shall seek to resolve the issue or explain the background to the decision
- 5.3 Should it not be possible to resolve the complaint, it shall be referred to Full Council. The complainant shall be invited to address the Council to outline the background to the complaint.
- 5.4 Records shall be kept detailing all complaints, actions undertaken and the outcome.

VEXATIOUS COMPLAINTS

- 6.1 A vexatious complainant is one who persists unreasonably with their complaints, or makes complaints in order to inconvenience the Council rather than genuinely resolve an issue. This may include making serial complaints about different issues or continuing to raise the same or similar matters repeatedly.
- 6.2 If such complaints affect the Council's ability to undertake its work and provide its services to others, it may alter the way it deals with complaints by not acknowledging or responding to vexatious complaints. Complaints will still be read in case they contain new information.
- 6.3 If a complainant is to be classified as vexatious they shall be informed so and given a timescale of how long this will remain the case.
- 6.4 Should a vexatious complainant make a new complaint about new issues these will be treated on their merits