



Controlled Document

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Complaint Policy and Procedure

Lenham 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 for this council or are unhappy about an action or lack of action by this council, then this complaints procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

This complaints procedure applies to complaints about the council administration and procedures and may include complaints about how council employees have dealt with your concerns.

Lenham Parish Council will not acknowledge or consider, under any circumstances, complaints that are submitted anonymously.

Lenham Parish Council aims to operate in a way that is open, transparent and fair and to provide efficient and appropriate services to the community of Lenham. The Council welcomes feedback from the public at all times.

Complaints handled by the Council Office

Lenham Parish Council has a two-stage complaints procedure for addressing concerns from members of the public.

1. If complaints are made to the Council either in person, by telephone, letter or email the Council Office staff will try to resolve the complaint informally in a timely manner.
2. Complaints must always be directed through the Council offices, not through individual Councillors. A complainant may advise a Councillor of the details of the complaint but individual Councillors are not authorised to resolve complaints
3. It is hoped that most complaints can be resolved quickly and amicably through this route.

Complaints handled by the Parish Council

However, if the complainant is not satisfied by the informal actions taken, he or she will be asked to submit a formal complaint which should be directed to the Clerk. The Clerk is the Proper Officer of the Council.

1. A formal complaint must be submitted in writing to the Council offices, addressed to the Clerk or Chairman of the Parish Council as appropriate. The complaint should cover as much detail as possible and enclose any relevant supporting documentation.



2. The Clerk or Chairman of the Parish Council will attempt to acknowledge receipt of the complaint, in writing, within 5 working days.
3. On receipt of a complaint, the Clerk in consultation with the Chairman of the Parish Council, will ascertain the category of the complaint and take the relevant action with reference to the complaint category detailed in Appendix 1.
4. The Clerk or Chairman of the Parish Council will carry out an initial investigation into the complaint and will, within 10 working days, provide the complainant with an update in progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint will be considered closed.
5. The Clerk or Chairman of the Parish Council will report to the Council, summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainants and any Council staff involved.
6. If the Clerk or Chairman of the Parish Council is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to the appropriate committee Chairman or to the next Council meeting. The Council can decide to instigate a formal investigation by their Complaints Committee.
7. A complaint against a member of the Council's staff could result in disciplinary action or in cases of gross misconduct, dismissal from the Council's employment. The Council, will not under any circumstances, enter into any correspondence or discussion with any complainant about any action taken, formally or informally against any member of staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

Repeated of Vexatious Complaints

A small percentage of complaints may be persistent or complain in a way that appears to be obsessive, harassing or repetitious. This will require a disproportionate amount of resources and can sometimes act in a manner that it unacceptably stressful for staff.

Whilst everyone has the right to make a legitimate complaint, they are not entitled to do so in a way that is unreasonable or which has the effect of intimidating or harassing staff.

A vexatious or persistent complaint can be characterised in a number of ways:

- Actions which are obsessive, persistent, harassing, prolific, repetitious.
- Insistent upon pursuing unmeritorious complaint and/or unrealistic outcomes beyond all reason.



- Insistent upon pursuing meritorious complaints in an unreasonable manner.

A complaint can only be considered vexatious once a decision has been passed to that effect by resolution of the council giving the reason and scope. This will be confirmed in writing to the complainant.

	Complaint Category	Action
A	Financial Irregularity	The Clerk/RFO should endeavour to provide an explanation of the item. The Clerk/RFO may need to consult the auditor/Audit commission. If the complainant is not satisfied, the Clerk should advise the complainant of the Local Elector's statutory right to object Council's audit of accounts pursuant to S.16 Audit Commission Act 1998.
B	Criminal Activity	The Clerk should refer to the complainant to the police.
C	Member Conduct	If the complainant relates to a failure to comply with the Code of Conduct the complainant should be advised to submit the complaint to the monitoring officer at Maidstone Borough Council.
D	Employee Conduct	As an internal disciplinary matter, this should be dealt with under the council's disciplinary procedure.
E	Other*	Should be dealt with under the following complaints procedure.

*Category E complaints are "expressions of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body action on behalf of the Council". These will be heard by the Complaints Committee established by the Council which has delegated authority to deal with complaints on its behalf.

