



## COMPLAINTS POLICY

Adopted at Full Council Meeting on 8<sup>th</sup> September 2025

### 1. Introduction

- i. Tewkesbury Town Council takes its responsibility for good conduct seriously. This procedure details how the Council will respond to complaints made to the Council. This policy does not cover Code of Conduct complaints concerning Councillors.
- ii. The Council will accept written, verbal, and emailed complaints and also complaints made in person.
- iii. All complaints investigations shall be undertaken in the strictest confidence until such time as the matter is resolved.

### 2. Initial Complaint

- i. In the first instance the Town Clerk will endeavour to resolve the complaint. If this is not possible or appropriate the following procedure applies.

### 3. Stage One – Formal Response

- i. The Complainant should be asked to formally put the complaint to the Clerk, if the Complainant does not wish to put the complaint to the Clerk, he or she should put it to the Town Mayor (as Chairman of the Council).
- ii. The Clerk (or Town Mayor) should acknowledge the complaint in writing within 5 days and attempt to satisfy the Complainant by providing an explanation, in writing, about the Council's procedures or administration in relation to the specific complaint.

### 4. Stage Two – Committee Investigation

- i. If the Complainant is not satisfied with the response and wishes to appeal, the Clerk shall call a meeting of the appropriate Committee. The Committee shall consist of a least three (3) Councillors who are impartial. The Clerk shall notify the Complainant of the venue, date and time of the meeting at which the Committee will consider the complaint and shall invite the Complainant to attend, accompanied by a representative if wished.
- ii. An agenda will be provided according to current procedures and only invited Councillors will be permitted to attend the meeting
- iii. The Clerk shall request the Complainant to provide, at least five clear working days prior to the meeting, copies of any documentation or other evidence which he or she intends to

produce at the meeting. Similarly, the Clerk shall provide the Complainant with copies of any documentation to which the Committee might refer to at the meeting.

## **5. Stage Two - At the Meeting**

- i. The Committee shall conduct the hearing of the complaint in private.
- ii. The Chairman shall make introductions and explain the procedure.
  - a) The Complainant (or representative) shall outline the grounds for the complaint.
  - b) The Committee shall ask any questions of the Complainant.
  - c) If relevant, the Clerk shall explain the Council's position.
  - d) The Committee shall ask any questions of the Clerk.
  - e) The Clerk and Complainant (in that order) shall be offered the opportunity to summarise their position.
  - f) The Clerk and Complainant shall be asked to leave the room while the Committee decides whether or not the complaint is justified (if a point of clarification is necessary, both the Clerk and the Complainant shall be invited to re-join the meeting).
  - g) The Clerk and Complainant shall be invited to return to the meeting to hear the decision or to be advised when the decision will be made.

## **6. Stage Two - After the Meeting**

- i. The decision shall be confirmed in writing within seven working days, together with details of any action taken.
- ii. If the complainant is not satisfied with the Committee's decision then the complainant can ask for the decision to be reconsidered at Full Council, normally within two weeks. The outcome of this decision will be confirmed in writing within seven working days. If the complainant remains dissatisfied the Council will seek assistance from the County Association.

## **7. Vexatious complaint procedure**

- a. This section outlines how Tewkesbury Town Council manages abusive, unreasonably persistent, or vexatious requests and complaints. The terms request and complaint are interchangeable throughout.
- b. Definitions

Habitual: Repeated or routine behaviour.

Vexatious: Actions intended to cause distress, annoyance, or disruption without valid reason.
- c. A request may be considered vexatious or persistent if it:
  - Uses abusive or aggressive language.

- Makes repeated, unfounded accusations.
- Overwhelms the Council with volume or complexity.
- Demands disproportionate time/resources.
- Harasses or causes distress to staff or councillors.

Legitimate criticism or dissatisfaction does not automatically make a request vexatious.

**d. Identification Process**

Before applying this process for vexatious complaints:

- The Clerk will review the request against this process.
- The Clerk will send the requester a copy of this process, warning of potential restrictions.

If the behaviour continues:

- The Clerk / Deputy Clerk will seek agreement to treat the requester as vexatious or habitual, in conjunction with either the Mayor and / or Chair of the Staffing Committee.
- The Clerk or Mayor or Staffing Committee Chair will notify the requester in writing (sent via signed-for delivery), explaining:
  - Why the decision was made
  - What restrictions apply
  - How long they will last
  - Their right to appeal

**e. Criteria for Vexatious Behaviour**

Behaviours may include:

- Refusal to accept decisions or processes
- Introducing irrelevant or excessive information
- Repeatedly changing the complaint
- Harassing staff or councillors
- Sending multiple complaints with minor changes
- Using offensive, threatening, or derogatory language
- Excessive contact via phone, email, or social media
- Demanding responses to repetitive issues

**f. Imposing Restrictions**

If behaviour does not improve after a warning:

- A second letter will be sent (signed-for), confirming the restrictions.
- Restrictions are applied with Staffing Committee approval and tailored to the case.

Possible restrictions include:

- Limiting communication to one contact method (e.g. post only)
- Designating one point of contact (and a deputy)
- Limiting contact to set days/times
- Requiring a third party to communicate on their behalf
- Refusing to respond on specific topics

Timescale: Restrictions typically last 3–6 months, and may be extended in exceptional cases, with quarterly reviews.

If behaviour escalates or threatens safety, the Council may:

- Refer to the police
- Take legal action
- Impose restrictions without prior warning

**g. New Requests**

New requests from restricted individuals will be reviewed on their own merits. The Council may:

- Maintain, adjust, or lift restrictions
- Refuse new requests if behaviour persists

A blanket refusal policy is not supported.

**h. Review Process**

- Status is reviewed after 3 months, then every 3 months during the restriction period.
- If behaviour improves, restrictions may be lifted.
- The requester will be informed in writing of any changes.

**i. Record Keeping**

The Clerk will keep records of:

- Names and addresses of individuals subject to restrictions
- When restrictions start and end
- Details of restrictions and notifications
- Actions taken

Full Council will receive regular confidential reports on cases managed under this process.

**j. Appeals**

- Appeals must be made in writing within 5 working days of receiving notice of restrictions.
- The Council review and respond with a final decision.

Where the term 'Clerk' is given, the terms 'Deputy Clerk', 'Mayor' or 'Chair of Staffing Committee' could also apply dependant on circumstances.