

Rottingdean Parish Council

Complaints Procedure – revised May 2025

1. This procedure covers routine complaints about the work or action of the Parish Council.

Definition of a complaint

2. Generally, this will be about the Parish Council's procedures or administration, an expression of dissatisfaction by a member of the public about a council action, lack of action or about a standard of service – whether the action taken by the Parish Council as a body, a Councillor or person acting on behalf of the Council.
3. This Complaints Procedure **does not** apply to:
 - a. Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
 - b. Complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 24th July 2012 and, if a complaint against a councillor is received by the council, it will be referred to the Monitoring Officer at Brighton and Hove City Council.
 - c. Complaints involving Financial irregularity will be handled by the Council's own auditor / external auditor; Criminal activity will be referred to the Police; Employee conduct that will be dealt with by the internal disciplinary procedure.

Making a complaint

4. Your complaint must be made in writing or by e mail to both the Clerk and the Chair of the Parish Council. The Council will not consider anonymous complaints nor act upon verbal complaints unless confirmed in writing or email or minuted at a formal meeting where the Parish Clerk is present. The Parish Clerk's email is parish.clerk@rottingdean-pc.gov.uk
 - If your complaint is about the Clerk, then the complaint should be made in writing or email to the Chair and the Vice Chair of the Parish Council.
 - If your complaint is about the Chair, then the complaint should be made in writing or email to the Clerk and the Vice Chair of the Parish Council.
 - If both the Clerk and the Chair of the are the subject of the complaint the Vice Chair should be contacted.
5. The complaint will be acknowledged within 7 days

Complaint process

6. Our aim is to ensure that the process for dealing with complaints is managed consistently, fairly and respectfully to all parties. It may be necessary to seek further advice from other organisations such as Brighton and Hove City Council to clarify

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good practice and to respond to the claimant. It is the responsibility of the Parish Clerk to conduct that investigation

7. All complaints will be treated seriously and registered as a complaint to ensure that the procedure is followed. For this reason, all complaints must be communicated to all Councillors ensuring they are made aware of the issues involved. Complaints about a third party should be passed to the third party and they will be given an opportunity to make comments
8. The complaint will be discussed initially with the person or persons involved and the Chair of the Parish Council and the Vice Chair, dependant on who the complaint is about.
9. When the complaint has been investigated, the Chair or Vice Chair will bring the matter to the full Council for discussion and decision. In a case where either the Chair or the Vice Chair is the subject of a complaint the other will bring the matter to the full Council. Two councillors will be selected to absent themselves from the meeting to allow for an appeals process should this be necessary.
10. Where the complaint is about the action of the Parish Council as a body then the complaint will be discussed with the whole Council minus two councillors appointed by the Chair to be excluded in the first instance to allow for an appeals procedure should this be necessary.
11. If the complainant is invited to attend the full council discussion, in accordance with Council's standing orders the complainant may not speak at the Full Council as the item will be on the agenda.
12. Where the process is lengthy, i.e. more than 1 month, then the Parish Clerk should provide regular updates to the Complainant.
13. After investigation and discussion, a decision should be reached by the Council and communicated to the complainant in writing within seven working days of the decision, together with details of any action to be taken.
14. If the Complainant is dissatisfied with the outcome, then the two councillors appointed by the Chair will review the process and information. If the procedures were correctly handled, then the claimant should be informed that their appeal was not successful.
15. If the two Councillors decide that the procedures have not been handled correctly, the complaint must go back to the full Council to be reconsidered.
16. Complainants should be notified of the result of the appeal process within 14 days of the appeal being lodged.
17. The decision of the Parish Council is final with no further appeal process as the Local Government Ombudsman does not consider complaints in respect of Parish Councils.

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Unreasonable and Vexatious Complaints

18. There may be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Parish Council has already taken reasonable action in response. These matters will be referred to the Parish Council, by the Clerk, with a summary of the issues and of attempts to resolve the complaint. The Parish Council may decide that no further action can usefully be taken in response to the complaint and inform the complainant that only new and substantive issues will merit a response.
19. In the event of serial facetious, vexatious or malicious complaints from a member of the public, the council may need to take legal advice before continuing correspondence with the Complainant.
20. The policy will be reviewed within 3 years of the approval date below

Approved by Council July 2025