

Antony Parish Council

Complaints Policy

This Complaints policy was adopted by the council on 3rd September 2026

Minute reference: 61.26b

Review: Annually

1. Purpose

Antony Parish Council is committed to providing a high-quality, accessible and accountable service to residents, businesses, visitors and all those who use or are affected by the Council's services. The Council recognises that, from time to time, concerns may arise and that a clear complaints procedure helps the Council respond fairly, consistently and promptly.

This policy explains how complaints may be made, how they will be handled, what complainants can expect from the Council, and how the Council will use complaints to improve its administration, procedures and services.

2. Scope of this Policy

This policy applies to complaints about Antony Parish Council's administration, procedures, services, actions or omissions. This policy also applies to complaints about the Council's handling of personal data, including concerns about how personal information has been collected, used, stored, shared, retained or disposed of. Where a complaint raises issues under data protection legislation, the Council will consider the issues as part of this complaints process and will respond in accordance with its legal data protections obligations.

The policy does not apply where another process is more appropriate. Such matters include:

- Complaints about the conduct of councillors, which should be referred to Cornwall Council's Monitoring Officer under the councillor Code of Conduct complaints process. Details on how to make a complaint can be found here: <https://www.cornwall.gov.uk/the-council-and-democracy/councillors-and-meetings/code-of-conduct-complaints/>
- Allegations of criminal activity, which should be referred to the police.
- Financial irregularity or objections to the Council's accounts, which may be referred to the external auditor through the statutory audit process.

4. Principles

Antony Parish Council will handle complaints in accordance with the following principles:

- Complaints will be treated seriously, courteously and without unnecessary delay.
- The process will be accessible, transparent and proportionate to the nature of the complaint.
- Complainants will be given a reasonable opportunity to explain their concerns and provide evidence.

- The Council will seek to resolve complaints informally where this is appropriate and possible.
- Decisions will be based on the evidence available and will be communicated clearly.
- The Council will respect confidentiality where appropriate, while recognising its legal duties for openness, decision-making and record keeping.
- The Council will learn from complaints and take action to improve services, procedures or communication where necessary.

5. How to Make a Complaint

Complaints should normally be made in writing to the Clerk to Antony Parish Council. The complaint should set out the issue clearly, include relevant dates and details, explain what outcome is being sought, and provide copies of any supporting information.

If the complaint concerns the Clerk, or if the complainant does not wish to raise the matter with the Clerk, the complaint should be addressed to the Chair of the Council and marked confidential.

If the complaint concerns the Chair, or if the Chair has a conflict of interest, the complaint should be addressed to the Vice-Chair and marked confidential. Where the Vice-Chair is also involved or has a conflict of interest, the Council may nominate another councillor, or an appropriate committee, to manage the complaint process. Any councillor who is the subject of the complaint, or who has a prejudicial conflict of interest, should not take part in deciding the complaint.

6. Anonymous Complaints

Anonymous complaints will not normally be investigated because it may be difficult to clarify the issues, test evidence, provide a fair right of reply, or inform the complainant of the outcome. However, the Council may consider an anonymous complaint where it contains sufficient information to allow the matter to be understood and where the issue raised appears serious, credible and within the scope of this policy.

7. Informal Resolution

Many concerns can be resolved quickly and informally. Where appropriate, the Clerk, Chair or another authorised representative will seek to resolve the issue by providing

an explanation, correcting an error, arranging a service response, apologising where appropriate, or clarifying the Council's position.

If the complainant remains dissatisfied, or if the matter is serious or complex, the complaint may be considered under the formal procedure below.

8. Formal Complaints Procedure

8.1 Acknowledgement

The Clerk or Chair will acknowledge receipt of a formal complaint within five working days where practicable. The acknowledgement will confirm who is handling the complaint, whether further information is required, and the expected timetable for consideration.

8.2 Initial Review

The Clerk or Chair will carry out an initial review to decide whether the complaint falls within this policy, whether it can be resolved without a meeting, and whether any urgent action is required. If the complaint falls outside this policy, the complainant will be informed and, where possible, directed to the appropriate route.

8.3 Consideration by the Council

Where a complaint requires formal consideration, it will normally be placed before the full Council or a committee appointed for that purpose. The complainant will be told when the matter will be considered and whether it is proposed that any part of the meeting should be held in private because confidential, personal, legal or employment matters may be discussed.

The complainant may be invited to attend the meeting and may bring a representative or supporter. At least seven clear working days before the meeting, the complainant should provide copies of any documents or evidence they wish the Council to consider. The Council will provide the complainant with copies of any documents on which it intends to rely, where it is lawful and appropriate to do so.

8.4 Meeting Procedure

At the meeting, the complainant, or their representative, will be invited to explain the complaint and answer questions. The Clerk, Chair or other relevant representative will then explain the Council's position and answer questions. Both sides may be invited to summarise their position before the Council considers the matter.

The Council may ask the complainant and relevant officers or representatives to withdraw while it reaches a decision. Any decision on the complaint will be recorded and, where required, announced in public.

8.5 Decision and Outcome

The Council will confirm its decision in writing within ten working days of the meeting where practicable. The response will explain whether the complaint is upheld, partly upheld or not upheld, give reasons for the decision, and set out any action the Council will take.

9. Appeals or Review

Parish councils in England are generally outside the jurisdiction of the Local Government and Social Care Ombudsman, so there may be no external ombudsman route for many complaints about the Council. However, if the complainant believes the complaint has not been handled fairly, they may request a review by writing to the Chair within ten working days of the decision, explaining why they believe the process or decision was flawed.

Where appropriate, the Council may arrange for councillors who were not involved in the original decision to review the handling of the complaint. The review will not normally reconsider the complaint from the beginning unless there is new evidence or a procedural error that may have affected the outcome.

Where a complaint relates to the handling of personal data, the complainant also has the right to raise the matter with the Information Commissioner's Office (ICO) if they remain dissatisfied with the Council's response. The ICO can be contacted at: <https://ico.org.uk/make-a-complaint/>.

10. Confidentiality and Data Protection

Complaints will be handled with appropriate confidentiality as per The Data (Use and Access) Act 2025. Information will be shared only with those who need it to consider, investigate or respond to the complaint, unless disclosure is required by law or necessary for the proper conduct of Council business.

Personal information will be processed in accordance with the Council's data protection obligations. Complaint records will be retained in line with the Council's document retention policy.

11. Persistent, Vexatious or Unreasonable Complaints

The Council will deal fairly and proportionately with all complainants, including those who contact the Council frequently or strongly disagree with its decisions. However, the Council may take proportionate action where the nature or frequency of contact becomes abusive, threatening, repetitive, unreasonable or disproportionately resource-intensive.

Behaviour may be considered unreasonable, persistent or vexatious where, for example, a complainant:

- Repeatedly raises the same or substantially similar issues after they have already been considered and answered.
- Refuses to accept a decision or explanation without providing new evidence or a clear procedural reason for review.
- Changes the basis of the complaint while the matter is being considered, making it difficult to respond fairly.
- Makes excessive demands on Council time through frequent, lengthy or overlapping correspondence.
- Uses abusive, discriminatory, threatening, intimidating or offensive language or behaviour.
- Seeks an outcome that is unrealistic, disproportionate, outside the Council's powers, or unrelated to the complaint.
- Contacts multiple councillors, officers or third parties about the same matter in a way that obstructs the proper handling of the complaint.
- Persists with a complaint that has already exhausted the Council's complaints process, unless material new evidence is provided.

Before applying restrictions, the Council will normally warn the complainant in writing, explain the behaviour causing concern, identify what change is required, and give the complainant an opportunity to moderate their contact unless the behaviour is so serious that immediate action is justified. Any restrictions on contact will be reasonable, proportionate, time-limited where appropriate, and confirmed in writing.