REPORT 26.056(d) Complaints Procedure
Author: Jon Sloan, Clerk
Date: 29th April 2026

1. BACKGROUND

Laverstock and Ford Parish Council's Standing Orders requires under section 5(j) reviews of specific key policies and procedures at each annual meeting. The Complaints Procedure is listed there.

2. SUMMARY

Our Complaints Procedure was adopted in January 2025 (PC25.011) and is due for reconsideration in December 2026. It is attached in Annex One.

Since this Procedure was adopted, Council has adopted a related policy – Vexatious Complaints Policy (PCPC25.139) – which is due for reconsideration in December 2028. It is attached in Annex Two.

3. RECOMMENDATION

That Council notes this review of the Complaints Procedure and Vexatious Complaints Policy in line with Standing Order 5(j) and resolves to continue with their relative reconsideration / readoption dates.

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ANNEX ONE – adopted Complaints Procedure

Purpose	To set out a Code of Practice
Scope	Councillors and employees
Date adopted	20th January 2025
Minute Ref:	PC25.011
Previous	None
Next Review	December 2026
Policy Owner	Full Council – L&FPC
Supersedes	None

Laverstock & Ford Parish Council
COMPLAINTS PROCEDURE

OUR COMMITMENT TO YOU

The Parish Council wants to provide good local services and first-class information on other services in the area. However, if you have a concern about the standard of service, actions, or lack of action by the Council or its staff, we have drawn up a complaints procedure designed to deal with your concerns speedily and fairly.

HOW CAN YOU COMPLAIN?

COMPLAINTS ABOUT AN INDIVIDUAL COUNCIL EMPLOYEE

In writing to:

- The Parish Clerk, c/o 3 Pilgrims Way, Laverstock, Salisbury, SP1 1RZ
- Telephone: 07771 802839
- Email: parish-clerk@laverstockford-pc.gov.uk
- OR, if your complaint is about the Clerk, to the Chair of the Council, c/o 3 Pilgrims Way, Laverstock, Salisbury, SP1 1RZ or Email: Chair of the Council nick.baker@laverstockford-pc.gov.uk.

Such complaints will then be dealt with as an internal employment matter and any appropriate action taken by the Personnel Committee.

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COMPLAINTS ABOUT A COUNCILLOR UNDER THE MEMBERS' CODE OF CONDUCT

Parish Councillors are required to uphold the following principles: ***Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership***. The Code of Conduct policy can be found at: https://laverstockford-pc.gov.uk/code-of-conduct.

If, having read the code of conduct, you consider that a councillor may have been in breach of their code and you wish to complain, please complete the members complaint form below (Appendix 1) and either:

- email it to: MonitoringOfficer@Wiltshire.gov.uk
- Or, print off and post to: The Monitoring Officer, Wiltshire Council, Trowbridge, Wiltshire BA14 8JN

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COMPLAINTS ABOUT THE COUNCIL SERVICE, ADMINISTRATION OR PROCEDURES

- In writing to the Parish Clerk, c/o 3 Pilgrims Way, Laverstock, Salisbury, SP1 1RZ
- Telephone: 07771 802839
- Email: parish-clerk@laverstockford-pc.gov.uk

Such complaints will be handled under the Council's Complaints Procedure.

COMPLAINTS PROCEDURE

OUR PROMISE TO YOU

We promise:

- To deal with your complaint in an understanding and sympathetic way
- To acknowledge receipt of your complaint within two working days and let you know the name of the person dealing with your complaint
- To respond to all complaints within 15 working days.

WHAT HAPPENS TO MY COMPLAINT?

STAGE 1 RESPONSE TO YOUR COMPLAINT

The Clerk will consider your complaint and, hopefully, it will be resolved to your satisfaction, either by immediate action or a course of action agreeable to you. If you feel that the complaint cannot be resolved to your satisfaction, you can ask for the matter to be referred to a sub-committee of three Parish councillors under Stage 2. Stage 1 will be completed within 15 working days of the date of your complaint.

STAGE 2 REVIEW OF STAGE 1 RESPONSE

If you are dissatisfied with the Stage 1 response, you may, within 15 working days of the date of the response, request a review. This will be undertaken by a specially convened subcommittee of three Parish councillors who will consider and investigate your complaint and review the Stage 1 response. You will receive a response within 15 working days of your request for a review. The decision of the sub-committee will be final.

Wiltshire Council

Appendix 1:

COMPLAINT FORM REGARDING COUNCILLORS

This form is for complaints against Members of Wiltshire Council and Members of Town/Parish/City Councils within the Wiltshire Council Unitary Authority area, in accordance with the arrangements set out in Protocol 11 of the Wiltshire Council Constitution and the Localism Act 2011.

Complaints must relate to the behaviour of a Member of a Council when on official business, where that behaviour is considered to be in breach of that Council's Code of Conduct for Members.

In accordance with Paragraph 4.6 of Protocol 11, the Monitoring Officer may decide not to take any further action on a complaint where, on the available information, it appears to be trivial, vexations, malicious, politically motivated or 'tit for tat', and it would not be in the public interest, including particularly the efficient use of resources

If you have any questions relating to completion of this form or the complaints process, please email governance@wiltshire.gov.uk or write to Governance, County Hall, Trowbridge, BA14 8JN or Tel: 01225 718400

Your details

Date of complaint	
Title	
First name	
Last name	
Address	

Daytime phone	
Evening phone	
Mobile	
e-mail address	

We will not disclose your contact details to anyone unless it is necessary to do so in order to process and resolve your complaint.

However, we will tell the following people that you have made a complaint:

- The Member you have complained about ("The Subject Member");
- The clerk of the parish council (if applicable)
- The Monitoring Officer and other officers supporting the arrangements for processing and resolving complaints;
- The Independent Persons;
- Those Members of the Wiltshire Council Standards Committee considering the complaint.

An Independent person means a person appointed under Section 28(7) of the Localism Act 2011 whose views must be sought and taken into account before a decision is made on an allegation of Member misconduct under these arrangements, or who may be consulted by the Member about the complaint. An Independent Person consulted by the Member about the complaint would not be the same Independent Person whose views were sought before a decision is made.

Please indicate the box that best describes you:

Member of the public	
Elected or co-opted Member of a Council	
Member of Parliament	
Wiltshire Council Employee	

Other (please specify)	

Subject Member
Please give us the name of the Member you believe to have breached their Council's Code of Conduct, and the name of the council they belong to. If you wish to complain about more than one Member, please complete a separate form for each Member.

First name	Last name	Council

Code of Conduct and Guidance for Submission of a Complaint
Every local council has its own Code of Conduct. Members of a Council only have to comply with the Code of Conduct relevant to the Council of which they are a Member. Codes are often accessible from the relevant Council website, if they have one, or otherwise upon request from the Clerk of that Council. If someone is a Member of several Councils, they may be subject to multiple Codes.

In all cases, the Code of Conduct **ONLY** applies when the Member is acting in their capacity as a Member and does not apply to their private lives or when they are acting in other capacities. However, it is possible that someone could be acting in multiple capacities simultaneously.

If, having read the relevant Code, you believe that the Member has breached their local Code, please enclose a copy of that Code with your complaint. Please also provide an explanation of which elements of the code you believe to have been breached and how.

It is important that you provide us with all the information you want to be taken into account This is because the Council's Assessment Sub-Committee will need to decide on the basis of information as submitted whether there is sufficient evidence to proceed to an investigation. If insufficient information is included, it may determine not to proceed.
For example, please make sure you tell us:

- Exactly what you are alleging the Member said or did. For instance, instead of just saying that the Member failed to act in the public interest in the conduct of their duties, please also state exactly what they said or did to lead you to that conclusion.

- You should give the date of the alleged incident(s) wherever possible. Where you cannot do so you must at least provide a general timeframe.

  This is particularly important as a complaint will not be referred for investigation when it is made more than 20 working days after the date upon which the

Complainant became, or ought reasonably to have become, aware of the matter giving rise to the complaint.

In any event, the Monitoring Officer may decide not to refer a complaint for investigation where, in their opinion, the length of time that has elapsed since the matter giving rise to the complaint means that it would not be in the interests of justice to proceed.

- You should let us know whether there were any witnesses to the alleged incident(s) and provide their names and contact details if possible.
- You should provide any relevant background information.

The assessment criteria used for consideration of complaints can be found on the council's website at this link.

Decision Notices

When a final decision is made in relation to your complaint, whether it is to take no further action or, following an investigation and hearing, it is determined that the Member complained of is in breach of a relevant Code, a decision notice will be prepared. In the interests of transparency and fairness, such decision notices will normally be made public at the end of the complaints process. As the Complainant, you will receive a copy of the decision notice ahead of its publication on the Council's website. You will have an opportunity to make representations if you believe that personal details should be excluded from that decision notice, but must do so within five days of receiving the decision notice.
If such representations are made, the Monitoring Officer will give consideration to redacting parts of the decision notice or publishing a summary of the decision.

Privacy Notice

Wiltshire Council holds and processes personal data in accordance with all current legislation relating to data protection and complies with the General Data Protection Regulation 2016. Your details will be processed strictly in accordance with that legislation. A detailed Privacy Notice is included with this form.

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Details of Complaint
Write down the details of your complaint here. Continue on a separate sheet if there is not enough space on this form.

Only complete this section if you are asking us to keep your identity confidential

Confidential from Subject Member

In the interests of fairness and natural justice, we believe that Members who are complained about have a right to know who made the complaint. We will provide them with a copy of this complaint form. We will not withhold your identity or details of your complaint unless there is good reason to believe that releasing that information would result in:

- You or your witnesses being unlawfully bullied or intimidated or;
- The destruction of information or evidence that would seriously hamper an investigation of the complaint.

We will not automatically agree to a request to keep your identity or the substance of your complaint confidential. Your request and your reasons for asking for confidentiality will be considered by the Monitoring Officer. If they decide that your identity and information about your complaint must be released to the Member you are complaining about, we will let you know. Normally we would then allow you to withdraw your complaint if you wish to do so.

Provide us with details of why we should withhold your identity from the Member about whom you are complaining:

As detailed previously a summary of the details of the complaint, including names of the parties, will become public once the matter has been concluded. If for any reason you believe that there is justification for personal details set out in the complaint confidential once the matter is concluded please indicate these below.

Provide us with details of why personal details and/or identity should be kept confidential in relation to this complaint.

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Privacy Notice – Code of Conduct Complaints.

This notice gives you information about the data we hold about you ('the Complainant'), how we use it, your rights in relation to it and the safeguards that are in place to protect it.

Data Controller

Wiltshire Council is registered as a data controller with the Information Commissioner's Office. Full details of the registration are available at ICO register of data controllers. For details of how to contact the Council please follow this link

Data Protection Officer (DPO)

The Council's DPO may be contacted as above or online at dataprotection@wiltshire.gov.uk

What type of Information we have

The Governance Team will collect and hold personal identifiers, including names and contact details and other personal information submitted as part of a code of conduct complaint (which will depend on the nature of the complaint made).

How we get the information and why we have it

The Governance Team will process your personal information for the purpose of considering, investigating and determining complaints that members of Wiltshire Council or town and parish councils within Wiltshire have acted in a manner that amounts to a breach of the code of conduct that applies to the relevant council. It will also be processed for maintaining our records and for any related administration. Most of that personal information will be provided directly by you for these purposes, although we may also obtain information from the Clerk to the relevant Council and the Subject Member (the councillor against whom a complaint is made).

Personal information provided by you may be shared with the Subject Member and with other parties as specified on the Complaint Form. On final determination of a Complaint, a Decision Notice will normally be published on the Council's website, which may contain the name of the Complainant

and other personal information, dependent on the nature of the complaint.

Legal basis for processing

Our processing shall be lawful because **at least one** of the following will apply:
(a) The data subject has given consent to the Council for processing of their personal data for one or specific purposes. This consent can be withdrawn by contacting the Governance Team;
(b) Processing is necessary for compliance with a legal obligation to which the Council is subject, in particular any requirements under the Localism Act 2011.
(c) Processing is necessary in order to protect the vital interests of the data subject or of another natural person;
(d) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council;

If your special category data is processed, in addition to one of the above, processing will be necessary because **at least one** of the following shall also apply:

(a) The data subject has given explicit consent to the processing of those personal data for one or more specified purposes;
(b) To carry out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law;
(c) To protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
(d) Processing relates to personal data which are manifestly made public by the data subject;
(e) For the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
(f) Processing is necessary for reasons of substantial public interest;
(g) For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal data in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact the Data Protection Officer (details above) if you wish to make a request.

How to complain: You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address: Information Commissioner's Office**,** Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Helpline number: 0303 123 1113

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Date: 29th April 2026

ANNEX TWO – adopted Vexatious Complaints Policy

Laverstock and Ford Parish Council Vexatious Complaints Policy

Purpose	To set out a Code of Practice for dealing with vexatious complaints
Scope	Councillors, employees, contractors, general public
Date adopted	20 October 2025
Minute Ref:	PC25.139
Previous	None
Next Review	December 2028
Policy Owner	Full Council – L&FPC
Supersedes	None

Introduction

A productive and efficient working relationship relies on open, respectful communication and a shared commitment to resolving issues fairly and transparently. Laverstock and Ford Parish Council encourages residents, contractors, and other stakeholders to voice concerns or complaints whenever they arise. However, there are occasions when the complaint process may be misused , intentionally or otherwise, through the repeated lodging of baseless, frivolous, or malicious complaints. Such behaviour can consume significant organisational resources, undermine morale, and unjustly target individuals or groups, potentially causing real harm.

This document sets out the principles, procedures, and safeguards that constitute a Vexatious Complaint Policy. The aim is to ensure that all complaints are treated seriously and with fairness, while protecting Council officers and members from the detrimental effects of vexatious complaints.

Definition of Vexatious Complaints

A vexatious complaint is a complaint that, by its nature or frequency, is considered to be:

- Without merit or substance;
- Pursued with an intent to harass, embarrass, or cause distress to the subject of the complaint, the Council, or its officers or members;
- Repeatedly submitted, often with minor differences, after a complaint has already been addressed or resolved;
- Repeatedly demanding information or responses, where the requests are unreasonable or have already been addressed;
- Refusing to accept a decision, despite all appropriate review stages being exhausted;

- Pursuing parallel complaints about the same issue with multiple officers, councillors or external bodies;
- Submitting excessive volumes of correspondence or documentation without clear relevance;
- Accompanied by abusive, offensive, or harassing language or behaviour;
- Part of a pattern of unreasonable conduct that serves no legitimate purpose.

A complaint is not vexatious simply because it is unsubstantiated or the complainant is persistent; the determining factor is the purpose, manner, and frequency of the complaint.

Policy Purpose

The purpose of this policy is to:

- Uphold the right of all complainants to raise genuine concerns without fear of reprisal or dismissal;
- Ensure that all complaints are assessed objectively, fairly, and promptly;
- Protect complainants, the Council, its officers and members from the negative consequences of vexatious complaints;
- Provide a clear, transparent process for identifying and managing vexatious complaints;
- Encourage constructive resolution of disputes and foster mutual respect.

Scope

This policy applies to:

- Residents, service users, and other external stakeholders
- Anyone who interacts with or is affected by the Council's operations

The policy covers all types of external complaints, whether formal or informal. Internal complaints are dealt with in accordance with the Complaints Policy or Grievance Policy as appropriate.

Principles

The following principles underpin this policy:

- Fairness: Every complaint will be considered on its individual merits, and the rights of all parties will be respected.
- Transparency: The process for handling complaints will be open, clear, and accessible.
- Confidentiality: Information related to complaints will be managed sensitively and only shared on a need-to-know basis.
- Protection: The Council will take steps to protect staff, members, and other stakeholders from vexatious complaints.
- Proportionality: Action taken will be proportionate to the nature and severity of the vexatious behaviour.

Identifying Vexatious Complaints

A complaint may be considered vexatious if it exhibits one or more of the following characteristics:

- It is persistently pursued, with little or no new evidence, after reasonable attempts have been made to resolve the issue;

- The complaint contains accusations that are demonstrably unfounded or speculative;
- The complainant refuses to accept documented evidence, or insists on pursuing the complaint without reasonable grounds;
- Multiple complaints are made about the same issue, or new complaints are raised solely to prolong the process;
- The language used is aggressive, abusive, threatening or harassing;
- There is an apparent intent to cause disruption or embarrassment rather than to resolve a genuine issue.

A decision to classify a complaint as vexatious should not be made lightly and must be supported by documented evidence.

Procedures

1. Initial Assessment

All complaints will be logged and acknowledged in writing within 10 working days.

The Clerk will conduct a preliminary review to determine the nature and substance of the complaint. If the complaint is about the Clerk, the Deputy Clerk or Responsible Financial Officer (RFO) will fulfil this role. If the complaint is about the Chair, the Vice-Chair or another councillor not previously involved will fulfil this role. If both the Clerk and Chair are conflicted, the Council will appoint suitable alternatives.

If there is any indication that the complaint may be vexatious, it will be referred to the Finance and General Purposes Committee for further assessment and decision.

2. Detailed Review

The complaint will be reviewed against the criteria outlined above, considering both the content and the context of the allegation. The complainant may be asked to clarify their concerns and provide supporting evidence. Any previous history of complaints from the same individual will be reviewed, to identify patterns of behaviour. The subject of the complaint will also be given the opportunity to respond.

3. Determination

The Finance and General Purposes Committee will determine whether the complaint is vexatious, based on the findings. The decision will be documented, and the complainant and relevant parties will be informed in writing, with reasons provided. The complainant will be advised of their right to appeal the decision through the process set out below.

4. Management of Vexatious Complaints

If a complaint is determined to be vexatious, the Council may, at its discretion:

- Cease further investigation or correspondence regarding the complaint;

- Impose restrictions on the complainant's access to officers, members or services, for a defined period;
- Refuse to consider future complaints from the same individual unless new and substantive evidence is provided;
- Take steps to protect officers, members, or affected individuals, including implementing additional security or support measures;
- Refer the matter to legal counsel or relevant authorities if necessary.

Any restrictions imposed will be reviewed every 12 months and lifted when appropriate.

5. Right of Appeal

The complainant will have the right to appeal the classification of their complaint as vexatious. An appeal should be submitted in writing to the Parish Clerk (or substitute as above) within 20 working days of notification of the decision.

The appeal will be considered by the Council body at the next available Full Council Meeting. The outcome of the appeal will be communicated to all parties, and the decision will be final.

Safeguards and Protections

Protection from Retaliation

No complainant will be penalised for bringing forward a genuine complaint, even if it is not upheld. The policy is intended to deter and manage only those complaints that are unfounded, malicious, or designed to disrupt.

Support for Affected Parties

The Council will provide support to those affected by vexatious complaints, which may include signposting to counselling, mediation, or other appropriate mechanisms.

Monitoring and Review

This policy will be reviewed every THREE years, or more frequently if necessary, to ensure its effectiveness. Data on complaints, including those classified as vexatious, will be monitored as part of the Council's commitment to continuous improvement.

Awareness and Guidance

All staff and councillors involved in responding to complaints will be made aware of this policy and its procedures. Guidance will be provided as needed to ensure consistent and fair application. Where appropriate, advice may be sought from the Clerk, Chair, or external bodies such as NALC.

Communication and Accessibility

This policy will be published on the Council's website and made available in alternative formats on request. Key aspects of the policy will be included in induction materials, staff handbooks, and communicated to all staff, contractors, clients, and stakeholders.

This policy should be read in conjunction with the Council's Complaints Policy and relevant codes of conduct.

Conclusion

Establishing a clear and robust Vexatious Complaint Policy highlights the Council's commitment to fairness, transparency, and respect for all. By balancing the right to raise concerns with protections against the abuse of complaint processes, we foster an environment of trust and integrity for the benefit of everyone involved.

- End of policy -