

# Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace

Gainsborough, Lincolnshire, DN22 2RJ

Telephone: 01427 811573

Website: [gainsborough-tc.gov.uk](http://gainsborough-tc.gov.uk)



Dear Councillor,

You are hereby summoned to attend a meeting of **Council** which will be held on **Wednesday 05 January 2022** commencing at **7pm** in the function room, **Marshalls Sports Ground, Middlefield Lane, Gainsborough.**

The business of the meeting is set out in the agenda below.

A handwritten signature in black ink, appearing to be 'BB' followed by a flourish.

**Belina Boyer**  
Town Clerk

| Agenda no         | Agenda item title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Power                                                                                                                                      |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Open Forum</b> | (Members of the public are welcome to present any matter relevant to the wellbeing of Gainsborough Town and each president will receive the attention of the council for a period not exceeding 3 minutes, with a maximum of 15 minutes in total. Please see the <a href="#">Council's Public Participation at Meetings Policy</a> and <a href="#">Standing Orders</a> 3 f-l for details.<br><br>Recording, including filming, audio recording, taking photographs, blogging, tweeting and the use of other social media websites is permitted at council meetings which are open to the public. Anyone wishing to do so MUST adhere to the protocol laid out in the council's <a href="#">Filming and Recordings of Meetings Policy</a> . | <i>Public Bodies (Admissions to Meetings) Act 1960, s 1(1). As amended by The Openness of Local Government Bodies Regulations 2014, s3</i> |
| <b>FC22/001</b>   | To note apologies for absence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Local Government Act 1972, s85 (1) &amp; Sch 12, p40.</i>                                                                               |

|                 |                                                                                                                                                                                                                                                                     |                                                                                                          |
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| <b>FC22/002</b> | To receive any declarations of interest in accordance with the requirements of the Localism Act 2011, and to consider any applications for dispensations in relation to disclosable pecuniary interests or personal interests.                                      | <i>Localism Act 2011, s31.</i>                                                                           |
| <b>FC22/003</b> | To consider any dispensation requests received by the Clerk in relation to personal and/or disclosable pecuniary interests, not previously recorded.                                                                                                                | <i>Localism Act 2011, s33.</i>                                                                           |
| <b>FC22/004</b> | To receive and note the Town Clerk's report (for information only)                                                                                                                                                                                                  | <i>N/A</i>                                                                                               |
| <b>FC22/005</b> | <b>Minutes of the previous meeting(s)</b><br>To receive the minutes of the previous Gainsborough Town Council meeting(s) and resolve to sign these as a true record of the meeting(s).<br><b>Paper A – Full Council 01 December 2021</b>                            | <i>Local Government Act 1972, Sch 12, p41 (1).</i>                                                       |
| <b>FC22/006</b> | To note the draft minutes of the committee meetings and the decisions contained therein.<br><b>Paper B – Personnel Committee, 15 December</b><br><b>Paper C – Finance and Strategy Committee, 22 December</b><br><b>Paper D - Planning Committee, 22 December .</b> | <i>Local Government Act 1972, Sch 12, p41 (1).</i>                                                       |
| <b>FC22/007</b> | To receive the recommendation of the Finance and Strategy Committee:<br><br>To <b>approve</b> the budget as presented, representing a total budget requirement of £554,358.                                                                                         | <i>Joint Panel on Accountability and Governance for Smaller Authorities in England 2021. (JPAG 2021)</i> |
| <b>FC22/008</b> | To receive the recommendation of the Finance and Strategy Committee:<br><br>To <b>approve</b> the precept demand for £554,358 as informed by the budget..                                                                                                           | <i>Local Government Finance Act 1992, s.41</i>                                                           |
| <b>FC22/009</b> | To <b>approve</b> the urgent replacement of pipework in the cemetery to stop a major leakage at a cost of £3,963 + VAT.<br><b>Paper E</b>                                                                                                                           | <i>Local Government Act 1972, s.214(2)</i>                                                               |
| <b>FC22/010</b> | To review and adopt a revised complaints procedure.<br><b>Paper F</b>                                                                                                                                                                                               | <i>Local Government Act 1972, s.111</i>                                                                  |
| <b>FC22/011</b> | To review and adopt a vexations complaints procedure.<br><b>Paper G</b>                                                                                                                                                                                             | <i>Local Government Act 1972, s.111</i>                                                                  |

|                 |                                                                                                                                                                                                                                  |                                                                                           |
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| <b>FC22/012</b> | To consider the Council's pursuit of the local Council Award Scheme Foundation or Quality status and approve the expenditure of £50 registration fee and £50 (Foundation) or £100 (Quality) accreditation fee.<br><b>Paper H</b> | <i>Local Government Act 1972, s.111</i>                                                   |
| <b>FC22/013</b> | To consider any application(s) received by 31 December 2021 for co-option to the vacancy in Gainsborough Trent ward and consider any further action required to fill the vacancy.<br><b>To be tabled</b>                         | <i>The Local Elections (Parishes and Communities) (England and Wales) Rules 2006 5(5)</i> |
| <b>FC22/014</b> | To fix a date and time for the Council's informal creative meeting to formulate a vision and direction for the Council as resolved at November's Personnel Committee Meeting                                                     | <i>Local Government Act 1972, s.111</i>                                                   |
| <b>FC22/015</b> | To note the correspondence previously circulated by email – for information only.                                                                                                                                                | <i>N/A</i>                                                                                |
| <b>FC22/016</b> | To note the date and time of the next Full Council Meeting scheduled for 02 February 2022 at 19.00.                                                                                                                              | <i>Local Government Act 1972, Sch 12, p10 (2)(a)</i>                                      |

# PAPER A

**GAINSBOROUGH TOWN COUNCIL**

MINUTES of a Meeting of Council held in the Function Room, Marshalls Sports Ground, Middlefield Lane, Gainsborough on Wednesday 01 December 2021 at 7:00pm

**Present:**  
Councillor Pat O'Connor (Chairman)  
Councillor Caz Davies  
Councillor Tim Davies  
Cllr David Dobbie  
Councillor Paul Key  
Councillor Keith Panter  
Councillor Baptiste Velan  
Councillor Kenneth Woolley

**In Attendance:**

Belina Boyer                      Town Clerk  
Sean Alcock                      Operations Manager

**1. TO RECEIVE APOLOGIES FOR ABSENCE**

The Council noted apologies for absence from Cllrs Plastow, Craig, Boles and Schofield. Cllrs Muggridge, Lambie, Dannatt, Loates were not present.

**2. PUBLIC PARTICIPATION**

There was none.

**3. TO RECEIVE MEMBERS' DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE LOCALISM ACT 2011 AND TO RECEIVE ANY APPLICATIONS FOR DISPENSATION**

None declared.

**4. MINUTES OF THE PREVIOUS MEETING (Paper A)**

Meeting of Council held on Wednesday 03 November 2021

**RESOLVED** that the minutes of the meeting held on Wednesday 03 November 2021 be approved and signed as a true record of that meeting.

**5. COMMITTEE MEETING MINUTES (Paper C)**

**RESOLVED** to **NOTE** committee meeting minutes drafted since the last meeting.

**6. TOWN CLERKS REPORT (Paper D)**

**RESOLVED** to **NOTE** the report the Town Clerk's report.

**7. GENERAL CEMETERY HAND RAILINGS (Paper D)**

**RESOLVED** to release funds from the War Memorial EMR to proceed with the work at the earliest opportunity.

**8. COUNCIL REVIEW**

Due to Cllr Craig's absence no update could be received. Deferred to next meeting.

**9. COMMITTEE VACANCIES**

**RESOLVED** to appoint Cllr P O'Connor as Chairman of the Personnel Committee.

There remains a vacancy on the Property and Services Committee.

**10. FULL COUNCIL MEETING LOCATION**

A proposal by Cllr Dobbie to continue committee meetings at Richmond House was not carried.

**RESOLVED** to move **all** Council and Committee meetings to the Function Room, Marshalls Sports Ground, Middlefield Lane, Gainsborough with immediate effect until the Annual Meeting of the Council.

The Clerk would liaise with the chairmen and members of the committees normally held on Tuesdays.

**11. CLEANING**

**RESOLVED** to temporarily appoint agency cleaning staff until a permanent member of staff can be appointed.

The choice of agency was delegated to the Clerk.

**12. COUNCILLOR VACANCY**

Cllr Dobbie called for a recorded vote.

**RESOLVED** to advertise the vacancy for co-option if no election was called.

Votes in favour: Cllrs C Davies, T Davies, P Key, P O'Connor, K Panter, B Velan, K Woolley.

Votes against: Cllr Dobbie

**13. ACTING CLERK**

**RESOLVED** to terminate the appointment of Cllr O'Connor as Acting Clerk with immediate effect as a Town Clerk had been appointed and taken up post.

**RESOLVED** to thank Cllr O'Connor for taking on the unpaid position of unpaid Acting Clerk.

Cllr O'Connor thanked the council's staff for their support.

**14. CORRESPONDENCE TO NOTE**

**RESOLVED** to note the correspondence previously circulated by email.

Meeting concluded at 20.07.

# PAPER B

## GAINSBOROUGH TOWN COUNCIL

MINUTES of a Meeting of the Personnel Committee held Wednesday 15 December 2021 at 7pm at Marshalls Sports Ground, Middlefield Lane, Gainsborough.

**Present:** Councillor Matt Boles – ex officio (chairing)  
Councillor Denise Schofield  
Councillor Baptiste Velan  
Councillor Tim Davies

**In Attendance:**

Belina Boyer Town Clerk

**In the absence of the committee chairman, the committee elected Cllr Boles to chair this meeting.**

**1. TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Cllrs Loates, O'Connor, Panter Craig and Woolley

**2. TO RECEIVE MEMBERS' DECLARATIONS OF INTEREST**

None received.

**3. MINUTES FROM THE PREVIOUS MEETING (Paper A)**

i. Minutes of the meeting of Personnel Committee held Wednesday 10 November 2021

**RESOLVED** that the minutes of the Personnel Committee meeting held on Wednesday 10 November 2021 be confirmed and signed as a correct record.

**4. EXCLUSION OF PRESS AND PUBLIC**

Due to the confidential nature, members **RESOLVED** to exclude the press and public from the meeting during consideration of the next seven items in accordance with the Public Bodies (Admission to Meetings) Act 1960.

**5. STAFF APPRAISALS (Paper C)**

The Committee received and noted reports from Cllr Schofield and the clerk on the most recent staff appraisal and that the appraisals of two further members of staff were still outstanding.

**6. STAFF TRAINING (Paper D)**

Committee considered approval of staff training.

**RESOLVED** to approve the expenditure of £150+ VAT for both the Clerk and The deputy Clerk to attend the SLCC Virtual Practitioner's Conference in February from the current budget.

**7. SICKNESS ABSENCE AND ANNUAL LEAVE (Paper E)**

Signed:

Dated



Committee noted the report.

Members agreed that Officers and staff should be encouraged to give thought to taking their leave sooner rather than later to ensure they can be accommodated.

The Town Clerk is to look into the corona virus legislation regarding the carrying over of holidays.

**8. GROUNDS MAINTENANCE UPDATE**

**RESOLVED** to extend the probationary period of the member of staff whose probationary period was due to come to an end between Christmas and New Year by six weeks. The Operations Manager would make the necessary arrangements for a probationary period panel.

**9. STAFF PAY REVIEW**

Cllr Schofield's motion was seconded by Cllr T Davies. The Committee unanimously **RESOLVED** to pay a one-off honorarium to the Admin Support Officer and the Grounds Maintenance Team Leader in recognition of their taking on additional duties during the seven month period when the former clerk was absent.

The meeting concluded at 7.46pm

DRAFT

# PAPER C

## GAINSBOROUGH TOWN COUNCIL

MINUTES of a Meeting of the Finance and Strategy Committee held Wednesday 22 December 2021 at 6pm at Marshalls Sports Ground, Middlefield Lane, Gainsborough

**Present:** Councillor Matt Boles (Chairman) – ex officio  
Councillor Tim Davies (Vice Chairman)  
Councillor Richard Craig – ex officio  
Councillor David Dobbie  
Councillor Paul Key

**In Attendance:**

Belina Boyer Town Clerk  
Rachel Allbones Deputy Clerk & RFO

**1. TO RECEIVE APOLOGIES FOR ABSENCE**

The Committee noted the apologies received from Cllrs Schofield, Plastow and Velan. Cllr Lambie did not attend.

**2. TO RECEIVE MEMBERS' DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE LOCALISM ACT 2011 AND TO RECEIVE ANY APPLICATIONS FOR DISPENSATION**

There were none.

**3. MINUTES FROM THE PREVIOUS MEETING (Papers A and B)**

**RESOLVED** that the minutes of the Finance and Strategy Committee meeting held on Tuesday 16 November 2021 be confirmed and signed as a correct record.

**RESOLVED** that the minutes of the Extraordinary Finance and Strategy Committee meeting held on Thursday 25 November 2021 be confirmed and signed as a correct record.

**4. FINANCIAL REPORTS (Papers C, D &E)**

Committee received and considered the following reports:

- i. Unpaid Expenditure Transactions for 17 December 2021
- ii. Cashbook Summary (including due and unpaid transactions) for 17 December 2021
- iii. Budget Comparison Report (including due and unpaid transactions) for 17 December 2021

**RESOLVED** that Members accept and approve the following reports: -

- Unpaid Expenditure Transactions for 17 December 2021
- Cashbook Summary (including due and unpaid transactions) for 17 December 2021
- Budget Comparison Report (including due and unpaid transactions) for 17 December 2021

**5. MONTHLY BANK RECONCILIATIONS (Papers F)**

Committee considered sign off of the monthly bank reconciliations for the months of for 30 November 2021 as per the paragraph 2.2 in Financial Regulations.

**RESOLVED** to accept and sign off the Bank Reconciliation for 30 November 2021.

**6. 2022 / 2023 BUDGET (Paper G)**

**RESOLVED** to **RECOMMEND** to Full Council to **approve** the budget as presented, representing a total budget requirement of £554.358.

**RESOLVED** to **RECOMMEND** to Full Council to **approve** the precept demand for £554.358 as informed by the budget.

**7. INTERNAL AUDIT REPORT (Papers H)**

The committee noted the action proposed namely review and re-format of the Risk Register, production of a revised budget for January meeting, Right-to-Work status review, VAT checks and unclaimed cheques to be written back.

**RESOLVED** to NOTE the proposed actions.

**8. CO-OPTION APPLICATION (PAPER I)**

**RESOLVED** to adopt the co-option application form as part of the co-option process. .

**9. ANNUAL REVIEW OF DATA PROTECTION POLICY PACK (PAPER J)**

**RESOLVED** to adopt the Data Protection Policy Pack with the amendments and additions as recommended.

# PAPER D

PAPER E

Croft Drainage Solutions: 01427 671 255 07557 120 014  
[admin@croftdrainage.co.uk](mailto:admin@croftdrainage.co.uk) vat no. 976 2229 92 Company no. 6962211

FAO Sean Alcock  
Operations Manager  
Gainsborough Town Council

17<sup>th</sup> December 2021

**Quote for replacing pipe at Gainsborough General Cemetery. Details:**

- Install c. 132 metres of 32mm diameter MDPE water pipe from outlet side of new stop tap near Commonwealth War Graves sign, alongside tarmac access road to the existing stop tap near base of second standpipe on this section - replacing existing lead pipe that runs under the tarmac
- Make 2 new connections to existing standpipes, disconnecting them from the lead pipe
- Lay pipe through 1.6 metres of tarmac footpath, reinstate with black concrete
- Lay pipe through 3 metres of concrete slab (with bench on it), reinstate with concrete
- Disconnect old toilet block
- Hand dig around 4 trees and around vulnerable graves where the clearance to the tarmac roadway is too narrow to use excavator. Total hand digging estimated at 30 metres of total length
- Reinstate grassed areas with excavated material and levelled to match surrounding area
- Estimated time to complete the work is 4 days

**Note:**

- The reinstated grassed areas will need grass seeding when appropriate after the work has been completed
- The pipe may have to be laid shallower than usual around the trees if it is felt that cutting away roots may damage to them

**Quote:**

**Unit Rate: £3,963**

**VAT@20%: £792.60**

**Total Including VAT: £4,755.60**

Kind Regards, Ben Usher

# PAPER F



## 4. Complaints Policy and Procedure

### Adopted XXXXX

Gainsborough Town 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 from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

1. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
2. This Complaints Procedure does **not** apply to:
  - 2.1. 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.
  - 2.2. Complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 02/04/2019 and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of West Lindsey District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of West Lindsey District Council.
3. The appropriate time for influencing Council decision-making is by raising your concerns **before** the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. Written representation must be received by the Clerk seven clear days before a scheduled meeting in order to allow sufficient time to prepare the necessary reports and add items to the agenda. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
4. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below. Anonymous complaints or complaints from un-identifiable email addresses will only be considered in exceptional circumstances. Your name and address will not normally be shared and your personal details will be handled in line with the council's privacy policies.

Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within 10 working days.

5. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.

6. The Clerk or the relevant committee of the Council or the Full Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.

7. The Clerk or the Chairman of the relevant committee or of Full Council will notify you within 25 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty-five working days timescale may have to be extended. If it is, you will be kept informed.)

8. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint. The decision of the Full Council is final.

**Contacts**

The Clerk to Gainsborough Town Council:

By post:

By Email:

The Chairman of Gainsborough Town Council

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By post:

By Email:

PAPER G

## Vexatious Complaints Policy

A policy for dealing with abusive, persistent or vexatious complaints and complainants

### 1. Introduction

1.1 This policy identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be habitual or vexatious. The following clauses form the Council policy for ways of responding to these situations.

1.2 In this policy the term habitual means 'done repeatedly or as a habit'. The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. This policy intends to assist in identifying and managing persons who seek to be disruptive to the Council

1.3 The term complaint in this policy includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018 and reference to the Complaints Procedure is, where relevant, to be interpreted as meaning a request under those Acts.

1.4 Habitual or vexatious complaints can be a problem for Council staff and members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer and Member time. While the Council endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

1.5 Raising of legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

1.6 The aim of this policy is to contribute to the overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.

### 2. Habitual or Vexatious Complainants

2.1. For the purpose of this policy the following definitions of habitual or vexatious complainants will be used: *The repeated and/or obsessive pursuit of:*

(1) *unreasonable complaints and/or unrealistic outcomes; and/or*

(2) *reasonable complaints in an unreasonable manner.*

2.2 Prior to considering its implementation the Council will send a summary of this policy to the complainant to give them prior notification of its possible implementation.

2.3 Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the staff and Council will seek agreement to treat the complainant as a habitual or vexatious complainant for the appropriate course of action to be taken. Section 4 details the options available for dealing with habitual or vexatious complaints.

2.4 The Clerk on behalf of the Council will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken.

District and County Councillors for Gainsborough Town Council will also be informed that a constituent has been designated as an habitual or vexatious complainant.

- 2.5 The status of the complainant will be kept under review. If a complainant subsequently demonstrates a more reasonable approach, then their status will be reviewed.

### 3. Definitions

- 3.1. Gainsborough Town Council defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the Council, hinder the Council's consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.
- 3.2. Examples include the way in which, or frequency with which, complainants raise their complaints with staff or how complainants respond when informed of the Council's decision about the complaint.
- 3.3. Features of an unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

#### **An unreasonably persistent and/or vexatious complainant may:**

- have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious) • refuse to specify the grounds of a complaint despite offers of assistance
- refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure
- refuse to accept that issues are not within the power of the Council to investigate, change or influence
- insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (e.g. insisting that there must not be any written record of the complaint)
- make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- make an unreasonable number of contacts with the Council, by any means in relation to a specific complaint or complaints
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to questions, frequent and/or complex letters, faxes telephone calls or emails)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language or publish their complaints in other forms of media
- raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed

- deny statements he or she made at an earlier stage in the complaint process • are known to have electronically recorded meetings and conversations without the prior knowledge and consent of the other person(s) involved
- adopts a ‘scattergun’ approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with, for example, a Member of Parliament, other Councils, elected Councillors of this and other Councils, the Council’s Independent Auditor, the Standards Board, the Police, other public bodies or solicitors
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded and insist that the minor differences make these ‘new’ complaints which should be put through the full complaints procedure • persistently approach the Council through different routes or other persons about the same issue
- persist in seeking an outcome which Council has explained is unrealistic for legal or policy (or other valid) reasons
- refuse to accept documented evidence as factual
- complain about or challenge an issue based on an historic and/or an irreversible decision or incident
- combine some or all of these features.

#### **4. Imposing Restrictions**

- 4.1 The Council will ensure that the complaint is being, or has been, investigated properly according to the adopted complaints procedure.
- 4.2 In the first instance the Clerk will consult with the Chairman of the prior to issuing a warning to the complainant. The Clerk will contact the complainant in writing, or by e-mail, to explain why this behaviour is causing concern and ask them to change this behaviour and outline the actions that the Council may take if they do not comply.
- 4.3 If the disruptive behaviour continues, the Clerk will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the Council in future will be restricted. The Clerk will make this decision in consultation with the Chairman of the Council and inform the complainant in writing of what procedures have been put in place and for what period.
- 4.4 Any restriction that is imposed on the complainant’s contact with the Council will be appropriate and proportionate and the complainant will be advised of the period of time over which that the restriction will be in place. In most cases restrictions will apply for between three to six months, but in exceptional cases this may be extended. In such cases the restrictions would be reviewed on a quarterly basis, or at the next Full Council Meeting.
- 4.5 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
- banning the complainant from making contact by telephone except through a third party e.g. a solicitor, a Councillor or a friend acting on their behalf
  - banning the complainant from sending emails to individuals and/or all Council Officers and insisting they only correspond by postal letter requiring contact to take place with one named member of staff only restricting telephone calls to specified days and/or times and/or duration • requiring any personal contact to take place in the presence of an appropriate witness letting the complainant know that the Council will not reply to or acknowledge any further contact

from them on the specific topic of that complaint (in this case, a designated member of staff will be identified who will read future correspondence).

4.6 When the decision has been taken to apply this policy to a complainant, the Clerk will contact the complainant in writing to explain:

- why the decision has been taken
- what action has been taken
- the duration of that action.

4.7 The Clerk will enclose a copy of this policy in the letter to the complainant.

4.8 Where a complainant continues to behave in a way that is unacceptable, the Clerk, in consultation with the Chairman of the Council may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

4.9 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered, e.g. the reporting of the matter to the police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

## **5. New complaints from complainants who are treated as abusive, vexatious or Persistent**

5 New complaints from people who have come under this policy will be treated on their merits. The Clerk, the Chairman of the Council will decide whether any restrictions that have been applied before are still appropriate and necessary in relation to the new complaint. A blanket policy is not supported, nor ignoring genuine service requests or complaints where they are founded.

5.2 The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on Council's contact with him or her, will be recorded and notified to those who need to know within the Council.

## **6. Review**

6.1 The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Clerk and the Chairman of the Council, after three months, and at the end of every subsequent three months within the period during which the policy is to apply, or by the next Full Council Meeting.

6.2 The complainant will be informed of the result of this review if the decision to apply this policy has been changed or extended.

## **7. Record Keeping**

7.1 The Clerk will retain adequate records of the details of the case and the action that has been taken. Records will be kept of:

- the name and address of each member of the public who is treated as abusive, vexatious or persistent, or any other person who so aids the complainant
- when the restrictions came into force and ends
- what the restrictions are
- when the person and Council were advised.

7.2 Full Council be provided with a regular report giving information about members of the public who have been treated as vexatious/persistent complainers.

# PAPER H



## QUALITY: LOCAL COUNCIL AWARD SCHEME (ENGLAND)

### Advice Notes

The Local Council Award Scheme (LCAS) is designed to improve the reputation of local councils (in England), to celebrate their success and to support all local councils as they reach their full potential. By achieving an award, a council shows its local communities, its partner organisations and other councils that it has met the high standards of governance, community engagement and self-improvement set by the sector. It is a badge of excellence.

The scheme was developed in 2014 from the earlier Quality Council Scheme which was set up in 2003. It is managed on behalf of local councils by the Improvement and Development Board (IDB) and is supported by both SLCC and NALC.

This information comes from the guide that sets out the [Local Council Award Scheme](#) published on the NALC website.

Councils can apply for an award at one of three levels.

- The **Foundation Award** demonstrates that a council meets requirements for operating lawfully and according to standard practice.
- The **Quality Award** demonstrates that a council achieves good practice in governance, community engagement and council improvement.
- The **Quality Gold Award** demonstrates that a council is at the forefront of best practice and achieves excellence in governance, community leadership and council development.

The scheme sets out criteria to meet at each level covering selected aspects of the council's work. Councils can seek to progress through the tiers over time thereby raising standards. Councils of any size can aspire to an award appropriate for their budget and level of activity. The criteria have been chosen to:

- demonstrate **good governance** in managing the business and finances of a council;
- represent a council's role in the community including community engagement, activities that serve the community, **community leadership** and promotion of the democratic process;
- represent **council improvement** through the management and development of staff and councillors.

A panel of peers, normally organised by the County Association, assesses whether the criteria have been met.

To support transparency, every award level has a requirement for certain information to be published online (plus some information that does not need to be published). In all instances the council confirms that the required documents, information and conditions are in place (whether published or not) by resolution in public at a full council meeting. For **Quality Gold**, councils also provide statements for submission to the panel demonstrating excellence in their activities. The panel may ask for additional

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information to check the accuracy of claims.

There are two fees:

- A registration fee paid to the National Association of Local Councils
- An accreditation fee paid to the organisation responsible for administering the local or regional accreditation process.

For further information and access to registration, clerks should look at the section on the NALC website that sets out the scheme and download the guide. At the time of writing you can find the information under Our Work/Improvement and Development/Local Council Award Scheme. You can also contact your County Officer for further support and arrange for the accreditation panel to review your application. The step by step process for applying to the Award Scheme can be found in the 'Accreditation Process' section of the guide.

## LOCAL COUNCIL AWARD SCHEME NATIONAL PANEL DATES 2022

### January 2022 round:

| Task                                                     | Deadline              |
|----------------------------------------------------------|-----------------------|
| Deadline for LCAS applications                           | 28 January 2022 (4pm) |
| Deadline for NALC to provide triage feedback to councils | 18 February 2022      |
| Deadline for councils to respond to triage feedback      | 4 March 2022          |
| Deadline for applications to be sent to panel            | 18 March 2022         |
| Deadline to announce results                             | 29 April 2022         |

### May 2022 round:

| Task                                                     | Deadline         |
|----------------------------------------------------------|------------------|
| Deadline for LCAS applications                           | 6 May 2022 (4pm) |
| Deadline for NALC to provide triage feedback to councils | 27 May 2022      |
| Deadline for councils to respond to triage feedback      | 10 June 2022     |
| Deadline for applications to be sent to panel            | 24 June 2022     |
| Deadline to announce results                             | 5 August 2022    |

### September 2022 round:

| Task                                                     | Deadline               |
|----------------------------------------------------------|------------------------|
| Deadline for LCAS applications                           | 9 September 2022 (4pm) |
| Deadline for NALC to provide triage feedback to councils | 30 September 2022      |
| Deadline for councils to respond to triage feedback      | 14 October 2022        |
| Deadline for applications to be sent to panel            | 28 October 2022        |
| Deadline to announce results                             | 9 December 2022        |