



Vexatious and Unreasonable Complaints Policy

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| Adopted | Wednesday 11 th June 2025. |
| Minute Number | SR563.1/06/25 |
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Purpose

The purpose of this policy is to outline how Stanwix Rural Parish Council will deal with unreasonable, persistent, or vexatious complaints or contact from members of the public.

Stanwix Rural Parish Council is committed to dealing with complaints and contacts from residents in an open and transparent way that is fair and equal to everyone.

On the whole, dealing with complaints and contacts is a simple process. Occasions may arise, however, when the frequency, nature or tone of such contact with the Parish Council, may adversely affect its ability to do its job and provide a proper service to other residents. It will refer to these parties as 'unreasonably persistent or vexatious' and apply this policy.

What are unreasonably persistent or vexatious contacts / complaints?

For the purposes of this policy, unreasonable or unreasonably persistent parties are those who make contacts / complaints that:

- clearly do not have any serious purpose or value
- are designed to cause disruption or annoyance
- have the effect of harassing the Council or can be easily seen as obsessive or unreasonable.

Actions and behaviours of unreasonably persistent or vexatious complaints

A person, or anyone acting on their behalf, may be deemed to be an unreasonably persistent and/or vexatious complainant if one or more of the following applies:

- 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 and procedure despite having been provided with information about the scope of the 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 e-mails).
- 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 issues.
- 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.

If a party is not happy with the outcome of their complaint and wishes to challenge it, this is not necessarily grounds to label them as 'unreasonably persistent'.

How we will decide to implement this policy

This policy will be used once all reasonable measures have been taken to resolve issues under the Parish Council's normal procedures. The Parish Council will make sure it has communicated appropriately with the party.

The party will receive a written warning confirming that if their actions/behaviour continues, it will result in the Parish Council treating them as 'unreasonably persistent or vexatious', and that future contact may be restricted.

This policy will not be applied except by decision of an appropriate Working Group, that decision to be ratified by the next full meeting of the Parish Council.

Aggressive complaints

Occasions may arise when an unreasonably persistent or vexatious complainant might become offensive, abusive or threatening. Such behaviours will not be tolerated and may result in the involvement of the Police.

Any situation where violence or abusive language has been used or threatened towards Councillors, staff or their families, at any time, will result in the immediate cessation of personal contact with the complainant. All contact thereafter will be in writing only. All such incidents will be logged and reported to the Police.

Deciding to restrict contact

According to the level and nature of the party's contacts with us, the following actions may be taken at any time:

- Requesting contact in a specific form (e.g. by letter only).
- Requesting contact be made with a named officer only.
- Setting the number of phone calls that will be accepted (e.g. one call a week).
- Refusing to deal with future correspondence on the same matter if a decision has already been reached.

The party will receive a copy of this policy with a covering letter explaining that the policy has been applied and how it will affect their contact with the Parish Council. The letter will outline the length of time the restrictions will be in place and how they can ask for the restricted status to be reviewed at the end of this period.

Appealing a decision to restrict contact

A complainant may, within 15 days of being notified, appeal a decision to place them on the 'unreasonably persistent or vexatious contact list'. Such appeals must be made in writing to the Clerk, giving the reasons for the appeal.

Recording and reviewing restrictions

If a decision is made to apply this policy, this information will be recorded and shared with the Parish Council (personal details will not normally be included).

In the event of further significant information becoming available from the party, such correspondence will be circulated to members and, if necessary, read at the relevant Parish Council meeting

Any new matters raised about new issues by any persons who have come under this policy will be treated on their merits. A decision to restrict contact may be reconsidered if the party can demonstrate a consistently appropriate and acceptable approach in their communication, and or behaviour, with and toward the Parish Council.