

Birdingbury Parish Council

Vexatious Complainants Procedure

Adopted by the Parish Council on 19th June 2023
Date for review July 2025

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

1 Introduction

This policy identifies situations where a complainant, either individually or as part of a group might be considered as habitual or vexatious. 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 time. The Council endeavours to respond with patience and sympathy to the needs of all complainants but it recognises there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem. For the purpose of this policy habitual or vexatious complaints are regarded as the repeated and obsessive pursuit of unreasonable complaints and unrealistic outcomes or pursuing reasonable complaints in an unreasonable manner.

2 Procedure

When the Council concludes that a complainant is acting vexatiously it will send a copy of this policy to the complainant to give them prior notification of its possible implementation.

Where complaints continue the Council will treat the complainant as a habitual or vexatious complainant.

The Clerk, on behalf of the Parish Council, will notify the complainant in writing or by e-mail to explain why their behaviour is causing concern. The Clerk will ask them to modify their behaviour and where possible give examples e.g., not shouting at the Clerk or Cllrs, not using abusive language, not continually writing to or telephoning the Parish Council. The Clerk will also outline the actions the Council may take if they do not comply.

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 Parish Council in future will be restricted. These 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.
- letting the complainant know the Parish Council will not respond to or acknowledge any further contact from them on the specific topic of that complaint.

Where a complainant continues to behave in a way that is unacceptable the Council will refuse all contact with the complainant and stop any investigation into their complaints.

Where the behaviour is so extreme, or it threatens the immediate safety and welfare of councillors or staff this will be reported to the police and the complainant notified accordingly.

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.