

WOODHAM FERRERS & BICKNACRE PARISH COUNCIL

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PERSISTENT, UNREASONABLE AND VEXATIOUS COMPLAINTS POLICY

Adopted: 6th October 2026

Review Date: October 2027

1. Purpose

Woodham Ferrers & Bicknacre Parish Council ("the Council") is committed to dealing with complaints fairly, consistently and proportionately.

The Council recognises that people who make complaints may be frustrated, concerned or dissatisfied with the Council's actions or decisions. A person will not be regarded as unreasonable or vexatious simply because they make a complaint, disagree with the Council, request a review or continue to pursue a genuine concern.

There may, however, be circumstances where the nature, frequency or manner of contact becomes unreasonable, disproportionate, abusive or places excessive demands on the Council, its employees or Councillors.

This policy sets out how the Council will deal with such circumstances while ensuring that legitimate complaints and genuine new matters continue to be considered appropriately.

2. Relationship with Other Council Procedures

This policy should be read alongside the Council's Complaints Procedure and other relevant policies.

Using the Council's Complaints Procedure, requesting a review, disagreeing with a decision or challenging the Council's reasoning will not, by itself, constitute unreasonable or vexatious behaviour.

Complaints about individual Councillors will be dealt with under the Council's adopted Code of Conduct arrangements and, where appropriate, by the Monitoring Officer at Chelmsford City Council. Complaints about employees will be dealt with under the Council's relevant employment procedures.

Requests made under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 will be considered in accordance with the relevant statutory requirements and the Council's information governance arrangements.

3. Unreasonable or Vexatious Behaviour

There is no single definition that will apply to every situation. The Council will consider the individual circumstances and the substance and merits of the matter being raised.

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

- repeatedly pursues substantially the same matter after it has been properly considered and responded to, without providing significant new information;
- repeatedly changes or expands a complaint or introduces new issues in a way which unreasonably prolongs its consideration;
- makes excessive or disproportionate contact about the same matter, including through multiple communication channels or by repeatedly contacting individual Councillors or employees;
- makes unreasonable demands about the manner, timing or frequency of responses or expects the Council to undertake work outside its remit;
- repeatedly demands answers to questions which have already been properly addressed;
- repeatedly fails to identify a clear issue despite reasonable attempts by the Council to clarify the matter;
- uses abusive, insulting, threatening or intimidating language or behaviour;
- engages in harassment or behaviour intended to coerce or intimidate employees or Councillors; or
- otherwise pursues a matter in a way which places disproportionate demands on the Council's limited resources.

A high volume of correspondence or persistence will not, by itself, make a complaint unreasonable where it relates to a genuine and unresolved issue.

The Council will make reasonable allowance for people who may occasionally become upset or frustrated.

4. Informal Action

Where appropriate, the Council will seek to resolve concerns about unreasonable contact informally before imposing restrictions.

The Clerk may explain:

- what behaviour or contact is causing concern;
- why it is considered unreasonable or disproportionate;
- what the Council expects in future;
- what the person can reasonably expect from the Council; and
- what action may be taken if the behaviour continues.

An informal warning will not be necessary where there are threats, violence, serious harassment or other behaviour presenting an immediate risk.

5. Applying This Policy

The Parish Clerk, as Proper Officer, is responsible for administering this policy in accordance with the Council's Scheme of Delegation.

Before imposing formal restrictions, the Clerk will consider the circumstances of the case, including:

- the nature and substance of the matter;
- the history, frequency and duration of the contact;
- whether the Council has properly responded to the issues raised;
- whether significant new information has been provided;
- the effect on Council resources;
- any behaviour towards employees or Councillors; and
- whether any proposed restriction is reasonable and proportionate.

The Clerk will consult the Chairman before formal restrictions are imposed.

Where a matter falls outside the Clerk's delegated authority or otherwise requires a decision of the Council, it will be referred to the appropriate decision-making body.

6. Restrictions on Contact

Where necessary, reasonable and proportionate restrictions may be imposed. These may include:

- limiting the frequency or duration of telephone calls or meetings;
- requiring communication to be made in writing;
- requiring contact to be made through one nominated person;
- requiring meetings to be arranged by appointment or attended by another person;
- limiting contact to a particular subject or complaint;
- acknowledging, but not substantively responding to, repeated correspondence about a matter which has been concluded;
- restricting contact with individual employees or Councillors where appropriate;
- requiring communication through a nominated representative or advocate;
- restricting access to Council premises where there are legitimate safety or conduct concerns; or
- temporarily suspending substantive correspondence about a concluded matter where the Council has fully responded and there is nothing further to add.

Restrictions may be used individually or in combination. There will be no blanket restriction for an unspecified period.

Genuine new matters will continue to be considered appropriately.

7. Notification and Review

Where formal restrictions are imposed, the person concerned will normally be informed in writing of:

- the reasons for the decision;
- the restrictions being imposed;
- when they take effect and how long they will remain in place;
- the method of communication that remains available;
- how genuine new matters may be raised; and
- how the restrictions may be reviewed.

The Council will endeavour to maintain at least one reasonable means of written communication. Restrictions will be reviewed periodically and will not continue indefinitely without consideration of whether they remain necessary and proportionate.

A person subject to restrictions may request a review where they consider that circumstances have changed or the restrictions are no longer appropriate. Where practicable, the review will be undertaken by the Chairman or another appropriate person who was not directly responsible for the original decision.

Restrictions will be removed or amended when they are no longer necessary or proportionate.

8. Threatening, Abusive or Unsafe Behaviour

Threats, violence, serious harassment or abusive or intimidating behaviour towards Council employees, Councillors or members of the public are unacceptable.

Where necessary, the Council may immediately:

- terminate a telephone or face-to-face conversation;
- require a person to leave Council premises;
- restrict personal contact;
- require future communication to be in writing;
- report suspected criminal behaviour to the Police; or
- take other reasonable action to protect employees, Councillors and members of the public.

Such action may be taken without waiting for completion of the Council's Complaints Procedure where there is an immediate safety concern.

9. Records and Data Protection

Appropriate records will be maintained where this policy is applied, including the reasons for any restrictions, the restrictions imposed and relevant review dates.

Where formal contact restrictions are imposed, the Council may maintain an internal Restricted Contact Awareness Register containing only the information reasonably necessary to administer those restrictions.

Records will be kept securely, access will be limited to those who reasonably require the information for Council purposes, and information will be retained and deleted in accordance with the Council's Data Protection and Information Governance policies and Document Retention arrangements.

10. Principles

The Council will apply this policy fairly, consistently and proportionately.

In doing so, it will balance:

- an individual's right to raise legitimate concerns;
- the Council's responsibility to consider complaints properly;
- the rights, safety and welfare of employees and Councillors;
- the need to use Council resources effectively; and
- the Council's responsibility to provide an appropriate service to all residents.

This policy will not be used to avoid dealing with a legitimate complaint.

11. Review

This policy will be reviewed annually, or sooner where necessary, alongside the Council's Complaints Procedure and other related policies.