# GRINDON & THORPE THEWLES PARISH COUNCIL

# PERSISTENT AND VEXATIOUS COMPLAINTS AND CORRESPONDENCE POLICY

This policy identifies situations where a complainant or correspondent, either individually or as part of a group of complainants or correspondents, might be considered to be habitual, vexatious, aggressive, abusive or unreasonable and the action to be taken by the Parish Council in these circumstances. The policy is not restricted to complaints, it covers the full range of any contact including requests for information and FOI requests.

## AIMS OF THE POLICY

This policy is designed to assist in identifying and managing persons who seek to be disruptive to the Parish Council through pursuing an unreasonable course of conduct as detailed below.

This policy aims to provide guidance on how to identify and manage persistent, vexatious, aggressive, abusive or unreasonable complaints, correspondence and all forms of communication.

The policy sets out clear 'sanctions' for the small minority of complainants who are unable to pursue their queries or complaints with the Parish Council in a reasonable and acceptable manner.

## DEFINITIONS

**Unreasonable behaviour:** may include one or more isolated incidents, as well as 'unreasonably persistent 'or 'vexatious behaviour', which is usually a build-up of incidents or behaviour over a longer period.

**Vexatious behaviour**: is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning merely to cause annoyance to the defendant'. A vexatious request is one that is likely to cause distress, disruption or irritation without any proper or justified cause.

**Aggressive or abusive behaviour** is not restricted to acts of aggression that may result in physical harm. Violence also includes behaviour or language (whether oral or written) that may cause anyone working with/for us to feel afraid, threatened or abused.

## RECOGNISING UNACCEPTABLE BEHAVIOUR

### Habitual or Vexatious Complaints and Behaviour

Habitual or vexatious complaints or correspondence can be a problem for both the Parish Council and the Clerk. The difficulty in handling such matters is that they are time consuming and wasteful of resources in terms of the Clerk and Councillors' time. There are times when despite having tried to respond to complaints or correspondence there is nothing further which can be reasonably done to assist or to rectify a real or perceived problem. This includes the repeated and/or obsessive pursuit of any matter where lengthy explanations of the Parish Council's actions or stance have already been provided and the complaints procedure has been exhausted.

The following list follows the guidance of the Local Government Ombudsman and provides examples of behaviour that may be considered to be persistent, vexatious or unreasonable.

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about members who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising detailed unimportant questions, insisting they are all answered.
- Covertly recording meetings and conversations
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organizations.
- Making excessive demands on Grindon & Thorpe Thewles PC time and resources with lengthy phone calls, emails to Parish Councillors or the Clerk, or detailed frequent letters and expecting immediate responses.
- Having insufficient or no grounds for their complaint, making it only to annoy or cause inconvenience to the Parish Council.
- Submitting repeat complaints with minor additions/variations, the complainant insisting that this makes these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.
- Using abusive threatening or offensive language

**The above is not exhaustive, merely explanatory of examples of unreasonable behaviour.**

**Where a request is considered to be vexatious Grindon & Thorpe Thewles Parish Council may make the decision not to provide the information requested, informing the complainant that further contact on the matter will not be acknowledged or replied to.**

**Aggressive or abusive behaviour**

Violence is not restricted to behaviour that may result in physical harm but also includes behaviour or language (oral or written) that may cause any Councillor, the Clerk or anyone working on their behalf to feel afraid, threatened or abused. This may include (but is not limited to) the following:

- Threats
- Physical violence
- Personal verbal abuse
- Personal written, texted or social media abuse
- Derogatory comments
- Rudeness
- Inflammatory statements and unsubstantiated allegations.

## ACTION TO BE TAKEN BY THE COUNCIL

Grindon & Thorpe Thewles Parish Council will meet in private at the end of the next available Full Council meeting to discuss any complaints/complainant's behaviour that are considered by the Clerk to the Parish Council or any Councillor to come under the above definitions.

## STAGE 1

If a Parish Council resolution confirms that the complainant's actions (including correspondence) fall under the required definition, the rationale for this will be recorded and the Clerk will be asked to write to the individual/group to say that their behaviour is considered to be unreasonable and unacceptable and to request a change of approach. A copy of this policy document will be sent.

## STAGE 2

If there is no improvement in behaviour then this matter will again be referred to a private meeting of the Parish Council who will consider whether this constitutes continued unacceptable behaviour and inform the complainant(s) in writing that their behaviour is not acceptable and why.

Each case will be reviewed individually and sanctions may include:

Restrictions on contact with the Parish Council for example:

- A total ban on all communication for a set period of time.
- Banning the complainant from making contact by telephone;
- Banning the individual/group from sending e-mails and insisting on correspondence by letter;
- Banning the individual/group from raising questions or queries at Parish Council meetings.
- Banning the individual/group from attending Parish Council meetings for a prescribed period of time, (not longer than 12 months).
- Requiring personal contact to take place only in the presence of a witness.
- Any other sanctions considered necessary by the Parish Council pertaining to the circumstances of the case.

All sanctions will be reviewed at six monthly intervals.

**When behaviour is so extreme that it threatens the immediate health or safety of the Clerk, Councillors or anyone acting on their behalf, then the Parish Council will cease all contact at once and will pursue such action that is commensurate and proportionate to the behaviour through the initiation of criminal prosecution or civil proceedings. The Parish Council may not give prior warning of this action.**

**Adopted:** 10 January 2023

Last Updated: February 2026