



## **St Georges & Priorslee Parish Council**

### **Habitual and Vexatious Complaints Policy**

**Adopted at the Parish Council meeting on 17<sup>th</sup> September 2024**

#### **Introduction**

St Georges and Priorslee Parish Council (the Council) is dedicated to delivering high-quality services for all residents and visitors. One way the Council strives for continuous improvement is by attentively considering and positively responding to any feedback or complaints, and by rectifying any errors.

There may be instances where a complainant persists in pursuing a complaint without reasonable grounds or when the Council has already taken appropriate action. In such cases, the Council may decide that no further action is necessary and inform the complainant that only new and substantial issues will be addressed.

This policy outlines how to identify and respond to complaints that are habitual or vexatious, whether from an individual or a group.

#### **Definitions**

- **Habitual:** Actions that are done repeatedly or out of habit.
- **Vexatious:** As defined in law, actions taken without sufficient grounds to cause annoyance to the defendant. In the Council context, it means actions intended to cause annoyance to the Council, its members, or staff.

A complainant may be considered habitual or vexatious if their past or current behaviour fits any of the following criteria:

- Persistently pursuing a complaint even after the Council's Complaints Procedure has been fully and properly implemented and exhausted.
- Constantly changing the substance of a complaint or raising new issues to prolong contact, even after the complaint has been addressed.
- Unwilling to accept factual evidence or repeatedly denying receipt of adequate responses, despite clear correspondence.
- Failing to clearly identify the issues they want investigated, even after the Council's reasonable efforts to help specify their concerns.
- Focusing disproportionately on trivial matters.

- Making excessive contacts with the Council, placing unreasonable demands on staff or members.
- Being abusive or aggressive towards staff or members.
- Recording meetings or conversations without prior consent.
- Making unreasonable demands on Council resources and refusing to accept the unreasonableness of such demands.

### **Procedures for Dealing with Habitual or Vexatious Complainants**

If a complainant threatens or uses physical violence towards staff or members, personal contact will be discontinued, and all further communication will be in writing. Such incidents will be documented.

### **Courses of Action**

When identified as habitual or vexatious, the Clerk, in consultation with the Chairman of the Council, may take one or more of the following actions:

- Notify the complainant in writing, explaining why their complaint has been classified as vexatious, and outline the Council's normal complaints procedure.
- Inform the complainant that the Council has responded fully to their concerns and will not engage in further correspondence on the matter.
- Decline further contact with the complainant by any means.
- Inform the complainant that the Council may seek legal advice on unreasonable or vexatious complaints.
- Suspend all contact while seeking advice from a solicitor or relevant agency.
- Invite the complainant to a meeting with the Clerk and Chairman to discuss the issue.
- Provide the complainant with the contact details of the Local Government Ombudsman for further action.
- Notify the full Council of vexatious or habitual complainants.

### **Withdrawing Habitual or Vexatious Status**

The status of a habitual or vexatious complainant will be regularly reviewed. If the complainant demonstrates a reasonable approach or submits a new complaint that appears appropriate for the normal complaint's procedure, their status may be reviewed, and normal communication channels may be resumed.

Signed on behalf of the Parish Council

Chairman: Cllr R Overton

Clerk: Kate Southgate

Date: 17<sup>th</sup> September 2024

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Review Date September 2027

