

WHATFIELD PARISH COUNCIL

VEXATIOUS COMPLAINTS POLICY

This policy identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be 'habitual or vexatious' and details Whatfield Parish Council's approach to the few complainants whose actions or behaviour we consider unacceptable.

Explanation of Terms

The term "complainant" includes anyone acting on behalf of a complainant or who contacts us about a complaint.

This policy applies to everyone who receives a service or requests information from Whatfield Parish Council, and to people acting on their behalf.

For the purposes of this policy, "Whatfield Parish Council" refers to the Parish Councillors of Whatfield and anyone appointed by the Parish Council to work with, for or on behalf of the Parish Council.

In this policy the term habitual means 'done constantly or as a habit'.

The term "vexatious" is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. These terms are used in this policy to clarify that we are attempting to deal with persons who seek to be disruptive to Whatfield Parish Council through pursuing an unreasonable course of conduct.

The Policy

We recognise that people may act out of character in times of trouble or distress. A complainant may have experienced upsetting or distressing circumstances before making a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint. But the actions of complainants who are angry, demanding or persistent may put unreasonable demands on us or result in unacceptable behaviour towards Whatfield Parish Council. We consider these actions unacceptable and aim to manage them using this Policy.

Aggressive or Abusive Behaviour

Violence is not restricted to acts of aggression that may result in physical harm. Violence also includes behaviour or language (whether oral or written, including electronic) that may cause us or anyone working with/for us to feel afraid, threatened or abused. Examples of aggressive or abusive behaviours include, but are not limited to:

- Threats
- Physical violence
- Personal verbal abuse
- Personal written (including electronic) or texted abuse
- Derogatory remarks
- Rudeness

Inflammatory statements and unsubstantiated allegations can also be abusive behaviour. We expect our members to be treated courteously and with respect. Violence or abuse towards members of Whatfield Parish Council or anyone appointed by the Parish Council to work with, for or on behalf of the Parish Council is unacceptable.

If the action adversely affects our ability to do our work and provide a service to others, we may need to manage the unacceptable action by restricting complainant contact with us. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we tell the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with us to either written communication or through a third party.

We do not deal with correspondence (letter, fax or electronic) that is abusive or contains allegations that lack substantive evidence. When this happens we tell the complainant that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not stop.

We record all incidents of complainant's unacceptable actions. If we decide to restrict complainant contact, we will make a note in the relevant file and on appropriate computer records. A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach.