

Garsdale Parish Council Abusive, Persistent and Vexatious Complaints Policy

There may be occasions where a resident will persist in their cause. Whenever a complaint has been received which has been investigated previously and replied to, this will be deemed vexatious. Vexatious will be defined as manifestly unjustified, inappropriate or improper use of a formal procedure and/or has no reasonable foundation and/or is likely to cause a disproportionate or unjustified level of disruption, irritation or distress to Parish Councillors or staff.

Parish Councillors and staff cannot be expected to tolerate unacceptable behaviour that is abusive, offensive or threatening. This will include:

- using abusive, aggressive and/or foul language in any form of communication;
- sending multiple letters or emails;
- leaving multiple voice-mails.

Complainants will be deemed abusive, persistent or vexatious where previous or current contact with them shows they meet one or more of the following criteria:

- have harassed or been personally abusive or verbally aggressive towards Councillors or the Clerk dealing with the complaint; this includes the use of foul or inappropriate language;
- have caused persistent offence to a Councillor or the Clerk;
- tone or content of the communication is objectionable.
- persists in pursuing a complaint where it has been fully investigated and full action has been taken within the Parish Council's procedures, but the complainant will not acknowledge or accept this;
- displays unreasonable demands or expectations and fails to recognise that these are unreasonable;
- refuses to accept that issues are not within the power of the Council to investigate, change or influence;
- are unwilling to accept documented evidence to support an adequate response;
- raises repeat issues that have already been fully addressed;
- persists in seeking an outcome which the Council has explained is unrealistic for legal or policy (or other valid) reasons;
- changes the main issue of the complaint or continually raise new issues;
- frequent or overlapping complaints, requests or communications;
- continues to challenge the Council for alleged wrongdoing without any cogent basis to do so;
- is pursuing a relatively trivial or highly personalised matter of little benefit to the residents of the Parish;

- pursuing a personal grudge;
- unreasonable persistence;
- unfounded accusations;
- intransigence;
- deliberate intention to cause annoyance;
- disproportionate effort is required to deal with a trivial matter;
- no obvious intent to obtain information;
- futile or frivolous requests;

Discretion will be used in applying the above criteria to identify abusive, persistent or vexatious complaints/complainants and in deciding the appropriate action to be taken.

Where complainants have been identified as abusive, persistent or vexatious in accordance with the above criteria, the Parish Council will consider if it wishes to suspend all contact with the complainant. Before doing so the Parish Council may decide to deal with the complainant in one or more of the following ways, as it may be worth considering whether a conciliatory approach could help before determining a complaint as vexatious:

- Specify how future contact will be maintained between the Council and the complainant;
- Notify the complainant that the Parish Council has fully responded to all issues and that continuing contact on the same matter will serve no purpose;
- Notify the complainant that continual changes in the nature of the complaint(s) will be dealt with as in the paragraph above.

The complainant will be notified in writing that they have been considered abusive, persistent or vexatious and that this sanction has been invoked as a last resort in order to conclude the matter(s).

Adopted: by Garsdale Parish Council on 12 March 2025

Review: as required