



Procedure For Vexatious Correspondence And Complaints

Purpose of this procedure

A very small percentage of people will correspond with or complain to the Parish Council in a way that could reasonably be described as obsessive, harassing or repetitious. This type of correspondence can take up a disproportionate amount of resource and result in unacceptable stress for the Clerk and Councillors.

This procedure is designed to address vexatious correspondence and complaints and manage inappropriately demanding or unreasonable behaviour from vexatious correspondents.

The use of this procedure does not prevent people from accessing services to which they have a statutory entitlement. It is however designed to ensure that the rights of other service users are protected, limited resources are used fairly and effectively and the Clerk and Councillors receive a reasonable degree of protection from the stress that can be caused by vexatious correspondence and complaints.

This procedure does not address violent or threatening behaviour which needs an immediate response.

Identifying vexatious correspondence or complaints

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'. This policy intends to assist in identifying and managing those who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.

Vexatious or persistent complaints and correspondence is typically characterised in the following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, repetitious and/or;
- Displays an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason.
- Displays an insistence upon pursuing meritorious complaints or issues in an unreasonable manner.



- A “scatter gun” approach, with copies of letters being sent to several recipients on a regular basis, often including the media, the MP, the Chair of the Council, other Councillors and external regulators.
- Repeated and/or frequent requests for information, whether or not those requests are made under the access to information legislation.

Use of the procedure

Assessing complaints and/or correspondence as vexatious is a very serious step, only to be undertaken after a very careful assessment of all known facts. For this reason any decision must be evidence-based and reviewed regularly.

Anyone with concerns about a particular correspondent should discuss this with the Chair.

If the Clerk or Councillors identify such behaviour a brief statement will be prepared, explaining why they think the correspondent is vexatious and its effect upon the Clerk, Councillors and/or the parish.

Handling correspondence and complaints that have been assessed as vexatious

- i. The first step will be for the Chair to write to the correspondent advising them that their complaint and/or correspondence has been assessed as vexatious and giving the reason(s) for that decision.
- ii. The letter should state that the Council will assess any future correspondence to consider whether it raises any substantive new issue(s).
- iii. The correspondent should be advised that if no substantive new issue is raised, that their correspondence will not receive a response.
- iv. They should be advised that the decision will be reviewed in 6 months' time, to run from the date of the letter advising them that their complaint/correspondence has been determined to be vexatious.

There is no route of appeal against the decision that a complaint or correspondence is vexatious.

Any future correspondence should be passed to the Council members for consideration. Unless there are genuinely new and substantive issues, no response is required. If considered appropriate, they may acknowledge the first piece of correspondence,



reminding the correspondent that their correspondence has already been determined to be vexatious. After that, however, no response or acknowledgement should be sent.

If future correspondence raises significant new issues, a response can be sent.

Reviewing the decision

- Six months after the correspondent has been advised that their complaint and/or correspondence has been assessed as vexatious, that decision should be reviewed.
- The Council will consider whether there has been any improvement in their vexatious behaviour and the Chair should write to the correspondent advising of the outcome.
- If the behaviour has improved, future correspondence can be treated in the usual way.
- If there has been no significant improvement, the correspondence will continue to be treated as vexatious, and will be reviewed every six months.