



STOTFOLD TOWN COUNCIL

VEXATIOUS COMPLAINTS POLICY

1. INTRODUCTION

- 1.1 A vexatious complaint is one that appears to be intended primarily to cause harassment, annoyance, frustration, worry, or financial cost to the Town Council or its staff. It is not to be confused with a complaint that is found to be without merit but was made in good faith. It refers to bringing up the same issues repeatedly, even after they have already been decided.
- 1.2 This policy ensures complaints are handled fairly while preventing excessive demands on council resources. It applies to all complaints, including those under the Freedom of Information Act 2000 and Data Protection Act 2018.
- 1.2 Under the Protection from Harassment Act 1977 S1(1) A person must not pursue a course of conduct— (a)which amounts to harassment of another, and (b)which he knows or ought to know amounts to harassment of the other. Such action can be:
- Physical Conduct;
 - Verbal Conduct;
 - Non-Verbal Conduct
- 1.4 The Town Council encourages mediation or alternative dispute resolution where appropriate before imposing restrictions.

2. DEFINITION OF UNREASONABLE COMPLAINT BEHAVIOUR

- 2.1 Raising a complaint does not in itself constitute unreasonably persistent behaviour and neither do complainants who escalate through all stages of the relevant complaints procedure or those who express criticism about the complaints process itself.
- 2.2 A complaint itself may be either reasonable or unreasonable, as can the persistence of a complainant. In some cases, persistence is necessary to achieve a fair outcome, while in others, it can become excessive and unreasonable. This policy recognises the need to balance these factors when determining how to manage complaints.
- 2.3 Sometimes the situation between the Town Council and a complainant can escalate and the behaviour moves from being unreasonable and unreasonably persistent to behaviour, which is unacceptable, for example, abusive, offensive, or threatening. Such complainants are in a small minority, but their behaviour may result in the Town Council having to restrict access to Town Council premises.
- 2.5 **Examples of unreasonably persistent behaviour:**
- This list is not exhaustive, nor does one single characteristic on its own imply that the person will be considered as being in this category:
- Refusing to specify the grounds of a complaint, despite offers of help.
 - Refusing to cooperate with the complaint's investigation process.

- Refusing to accept that certain issues are not within the scope of the Council’s authority or within the scope of a complaint’s 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 staff 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 many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various members of staff and/or organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations, which the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

4. MANAGING UNREASONABLE COMPLAINANT BEHAVIOUR

- 4.1 Before invoking this policy, the Town Clerk will consider whether further actions—such as a mediation meeting—could resolve the issue.
- 4.2 If a member of staff dealing with a complaint considers that a complainant is behaving unreasonably, they should seek the advice of the Clerk. They should submit evidence to support their view which may include copies of e-mails, case notes or independent witness statements. On being notified of a complainant behaving unreasonably the following stages will be followed:
- 4.3 If a complainant’s behaviour is deemed unreasonable, the Town Clerk will adhere to the following stages:

STAGE ONE	A verbal warning will be issued to the complainant by the Town Clerk, advising them that they are acting unreasonably and if they continue then further steps will be taken	Stage One will be reported to the Governance & Resources Committee and/or Council depending on which meets first, under Confidential items.
STAGE TWO	If the complainant persists, then they will be invited to attend a meeting with the Town Clerk and a Councillor. The complainant will be invited to attend with a friend or colleague.	Stage Two will be reported to either the Governance & Resources Committee and/or Council depending on which meets first, under Confidential items.
STAGE THREE	A final written warning will be issued to the complainant, sent confidentially outlining the members of contacting the Town Council set out below.	Stage Three will be reported to either the Governance & Resources Committee and/or Council depending on which meets first, under Confidential items.

4.2 Where the behaviour is extreme or threatens staff safety, the Town Council may escalate the matter to the police or take legal action without prior warning.

5. IMPOSING AND REVIEWING RESTRICTIONS

5.1 Types of restrictions that may be imposed include:

- Limiting the complainant to one method of contact (e.g., email only);
- Requiring all contact to be through a named officer;
- Restricting communication to specific times/dates;
- Declining to acknowledge correspondence unless it introduces significant new information;
- Refusing all contact if behaviour remains abusive or threatening.

5.2 Any restrictions will be proportionate and will be reviewed every three months. If the complainant demonstrates a more reasonable approach, restrictions may be lifted early.

6. HANDLING NEW COMPLAINTS FROM RESTRICTED INDIVIDUALS

6.1 Any new complaints from a restricted complainant will be assessed on their individual merits.

6.2 Restrictions will not prevent the Council from considering genuine concerns, but previous behaviour will be considered when deciding how to proceed.

7. RECORD KEEPING AND CONFIDENTIALITY

7.1 The Town Clerk will maintain **secure records** of all decisions made under this policy including:

- The name and details of the complainant;
- The nature of the restrictions imposed;
- The period of enforcement and review dates;
- The rationale behind the decision.

7.2 Records will be retained in accordance with GDPR requirements and will only be accessed by authorised personnel.

8. PROCESS FOR FILING COMPLAINTS

8.1 The process for filing complaints is set out in detail in the Complaints Policy which is published to the Town Council's website.

9. ALIGNMENT WITH OTHER POLICIES OF THE TOWN COUNCIL

This Policy is not exhaustive and does not cover all forms of behaviour that may be considered unreasonable. In certain circumstances, it may be more appropriate to refer to the following Town Council Policies:

- Complaints Policy
- Complaints Procedure
- Public Participation Policy
- Risk Management Strategy
- Subject Access Request

Revision History

Adopted	April 2025
Reviewed and updated	
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