

Bromsgrove District & Redditch Borough Councils Unreasonable & Vexatious Complaints Procedure



Purpose



People



Pride



Performance

Date of Issue: September 2024



Bromsgrove
District Council
www.bromsgrove.gov.uk

Redditch
Borough Council
Working together for our communities

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If you need this information in another language/format please call 01527 548284 or email equalities@bromsgroveandredditch.gov.uk

Unreasonable and Vexatious Complaints Procedure

We are committed to dealing with all complaints fairly and impartially. However, in a minority of cases members of the public pursue their complaints in a way that is unreasonable.

These behaviours and actions can impede complaint investigations and adversely affect our ability to do our job and provide a service to others as well as cause a significant strain on Council resources.

We may regard complaints as unreasonable if they:

- Do not have any serious purpose or value or repeat complaints with minor additions/variations.
- Place excessive demands on Council resources.
- Are designed to cause disruption or annoyance or are abusive, offensive or threatening.
- Have the effect of harassing individuals or can be easily seen as excessively repetitive or unreasonable.

Actions and behaviours of unreasonably persistent or vexatious complaints

Complainants or anyone acting on their behalf may be deemed to be vexatious or unreasonably persistent if one or more of the following applies. This may apply to customers contacting us by telephone, email/writing or in person.

- Refusing to specify the grounds of a complaint.
- Refused access to Council buildings.
- Refusing to co-operate with the Council's procedure but still wanting the complaint resolved.
- Making unfounded complaints about the staff dealing with the complaint.
- Taking an excessive approach by complaining officially to the Council as well as raising the same complaint with other bodies such as MP/Councillor/Police/Solicitors/Local Government Ombudsman.
- Changing the basis of the complaint as the investigation moves forward and/or denying earlier statements.
- Raising trivial information and expecting this to be taken into account or raising lots of detailed irrelevant questions and insisting they are answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other people involved.
- Making excessive demands on staff while a complaint is being dealt with.
- Sending a high volume of letters, emails and/or phone calls.

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- Registering repeat complaints after the complaint has been fully investigated and completed.
- Refusing to accept the final decision of a complaint.
- Refusing to accept a complaint is outside the remit of the complaints procedure.
- Persistently contacting the Council through different routes about the same issue.
- Someone who is not looking to resolve a dispute but is looking to cause unnecessary difficulties or problems to the Council.
- Refusing to accept that matters aren't within the Council's powers to investigate if the matter is the responsibility of another organisation.

Implementation of the Unreasonable Complaints Procedure

Where the above behaviours have been identified details will be passed to the Head of Service.

If the Head of Service decides to restrict access, the Council will write to the complainant and explain:

- Why the decision has been taken;
- What it means for their contacts with the Council;
- How long the restrictions will last (not exceeding 6 months); and;
- What the complainant can do to have the decision reviewed;
- How future correspondence will be dealt with.

Actions may include but are not limited to:

- Placing limits on contact e.g. designated times, Officers and contact methods including limiting the number of phone calls that will be accepted (e.g. one call a week).
- Refusing to register and process further complaints about the same matter.
- Informing the Police of threatening behaviour, which may lead to harm or distress of Council Officers.

The information will be recorded and shared with relevant Officers within the Council (personal details will not normally be included).

A complainant can appeal the decision to place them on the 'unreasonable and vexatious complainant list' within 15 days of being notified of our decision.

When someone is put on the list, the service should have a system in place to identify a removal date make sure the ending of the time limit is flagged so that it can be reviewed and implemented as necessary.

A decision to restrict contact may be reconsidered if the complainant shows a more acceptable and consistent approach in their contact with the Council.

Any new complaints made about new issues from people who have come under this policy will be treated on their merits.

Aggressive complaints

On occasions a complainant can go from being unreasonably persistent to offensive, abusive or threatening any of which will not be tolerated.

Complaints will be seen to be violent and aggressive in any situation where abusive language has been used or threats are made towards staff or their families at any time. At this point personal contact with the complainant will be stopped and they will only be allowed to contact the Council in writing. All such incidents will be logged and reported to the Police.

Any resident that persistently causes Council employees / Councillors to feel threatened, harassed or distressed will be added to the Staff Safety Database and alternative measures put in place to deal with them.

Staff Safety Database (sharepoint.com)