

## **Langar cum Barnstone Parish Council Unreasonable, Persistent and Vexatious Complaints Policy**

Adopted: 9th April 2026

Reference Number

Review date: Every three years or sooner if required

### **1. Legal Governance Framework & References**

This policy is governed by and operates in accordance with the following statutory and regulatory frameworks, ensuring compliance with all relevant legal obligations:

Freedom of Information Act 2000

Environmental Information Regulations 2004

Data Protection Act 2018

UK General Data Protection Regulation (UK GDPR)

Local Government Act 1972

Equality Act 2010

Protection from Harassment Act 1997

Health and Safety at Work etc. Act 1974

Localism Act 2011

Human Rights Act 1998

NALC guidance and best practice

### **2. Policy statement**

Langar cum Barnstone Parish Council is firmly committed to addressing all complaints in a fair, transparent, consistent, and timely manner, ensuring accountability and continuous improvement in service delivery.

However, in a limited number of instances, individuals may exhibit behaviour that is unreasonable, persistent, or vexatious, thereby placing a disproportionate and undue burden on the Council's finite resources.

This policy outlines the procedures and legal framework for identifying, managing, and responding to such behaviour in a fair, proportionate, and lawful manner, while safeguarding the wellbeing of Council staff and members.

### **3. Scope**

This policy applies to all forms of complaints, representations, and correspondence received by the Council, regardless of the medium through which they are submitted.

It is applicable to the Clerk/RFO, all elected and co-opted Councillors, and members of the public engaging with the Council.

It encompasses all communication channels, including but not limited to email, telephone, written correspondence, social media, and face-to-face interactions.

#### **4. Definitions**

Unreasonable, persistent, or vexatious behaviour refers to actions or communications that are excessive in nature, repetitive, abusive, or lacking in substance, and which unreasonably impact the Council's ability to perform its functions effectively.

#### **5. Examples of unacceptable behaviour**

- Use of abusive, offensive, or threatening language or behaviour
- Excessive, repetitive, or overlapping contact without allowing reasonable time for response
- Persistent refusal to accept decisions or explanations provided by the Council
- Making unfounded, defamatory, or malicious allegations against Council members or staff
- Simultaneously contacting multiple Councillors or staff to circumvent established procedures
- Demanding responses within unreasonable timeframes or outside of normal working hours

#### **6. Responsibilities**

The Council, as a corporate body, holds ultimate responsibility for the implementation and enforcement of this policy. The Clerk/RFO is responsible for managing complaints, maintaining accurate and secure records, and ensuring compliance with data protection legislation. The Chair and Vice Chair are responsible for overseeing the escalation process and making determinations on the imposition or review of restrictions. Councillors must refer all relevant matters to the Clerk and refrain from engaging individually with complainants, exhibiting unreasonable behaviour.

#### **7. Managing unreasonable behaviour,**

The Council will ensure that all complaints have been thoroughly and fairly investigated in accordance with its Complaints Procedure. Where behaviour is deemed to be unreasonable, an informal written warning will be issued, clearly outlining the concerns and expected standards of conduct. If the behaviour persists, the Council may implement proportionate and time-limited restrictions on communication.

## **8. Restrictions**

May include but are not limited to: limiting the frequency or method of contact, requiring all communications to be in writing, designating a single point of contact (typically the Clerk), or declining to respond to repetitive or abusive correspondence. All restrictions will be proportionate, justified, and subject to regular review. Initial restrictions will typically be imposed for a period of three to six months, with extensions applied only where necessary.

## **9. Escalation**

In cases where behaviour is threatening, abusive, or potentially unlawful, the Council reserves the right to immediately escalate the matter by reporting it to the police, seeking legal advice, or initiating legal proceedings, including but not limited to the issuance of injunctions or restraining orders.

## **10. Record keeping**

The Clerk will maintain comprehensive, accurate, and secure records of all individuals subject to this policy, including details of the behaviour, actions taken, communications issued, and review outcomes. All records will be retained and processed in strict accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

## **11. Equality and fairness**

The Council is committed to ensuring that this policy is applied equitably, consistently, and without discrimination. Reasonable adjustments will be made to accommodate the needs of individuals with disabilities or other protected characteristics, in line with the Equality Act 2010.

## **12. Review**

This policy will be reviewed every three years or sooner if legislation or guidance changes.

Signed (Chair)

Cllr J Crosby

Date