

Tatham Parish Council

Unreasonably Persistent or Vexatious Complaints Policy

1. Introduction

Tatham Parish Council does not tolerate bullying, harassment or intimidation, in any form, towards any of their employees or Councillors. This applies to such behaviour from members of the public and Parish Council employees/Councillors alike. In the event of a parishioner corresponding with or complaining to Tatham Parish Council or its Clerk in a way that could reasonably be described as bullying harassing, intimidating or abusive this Policy will protect the Clerk and Councillors from that eventuality.

2. Harassment

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/she knows or ought to know amounts to harassment of the other.

Such action can be:

- Physical Conduct;
- Verbal Conduct;
- Non-Verbal Conduct.

3. Bullying

The council defines bullying as a pattern of offensive, intimidating, malicious, insulting, humiliating behaviour intended to undermine an individual or group, gradually and as a consequence eroding their confidence and capability, possibly with the intention to force them to resign and this will not be tolerated.

Such behaviour may also be designed to annoy and/or to create extreme workload for a Parish Council which in Tatham Parish employs a part-time clerk who is paid to work just 3hrs. a week. Full Council meetings take place 6 times a year.

Such behaviour might also be designed to cause extreme distress.

Such behaviour might also be repetitious.

Such behaviour from a minority of individuals can take up a disproportionate amount of limited council resources and can effect the Parish Council's ability to do its work and adversely effect the budget.

4. Defining Vexatious or Unreasonably Persistent Complaints

Vexatious or persistent complaints and correspondence can be characterised in the following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, and repetitious.
- Behaviour which is designed to cause extreme distress, bully, humiliate and intimidate specific individuals and the Corporate Body.
- Frequent correspondence timed to cause the council maximum disruption and Workload.

- Behaviour which displays an insistence on pursuing unmeritorious issues, trivial points and/or unrealistic outcomes beyond all reason.
- Displays an insistence upon pursuing complaints or issues in an unreasonable and abusive manner.
- Repeated and/or frequent and/or simultaneous requests for information, whether or not those requests are made under the access to information legislation.
- Behaviour where other parishioners are contacted to try to undermine councillors.
- Behaviour which has the effect of hindering the council's ability to go about its democratic business due to the extreme workload generated.
- Behaviour where the aim is character assassination.
- Behaviour characterised by a refusal to accept that issues raised are not within the power of the Council to investigate, change or influence.

5. Use of this Policy

In the first instance the Clerk will consult with the Chairman of the Council. With the Chairman's agreement, the complainant will be contacted in writing (also providing a copy of this policy), to explain why the behaviour is a concern and ask them to change their behaviour.

If the behaviours persist and Clerk or Councillors identify behaviour that they think exhibits these characteristics, and which they believe may be vexatious or unreasonably persistent, it should then be referred to the whole council under closed session.

In exceptional circumstances should there be a delay until the next council meeting the policy can be triggered by an email consultation with a minimum of five Councillors including the Chairman or the Vice Chairman .

If the council agrees with the assessment, it should prepare a brief statement of why it considers the complaint or correspondence to be vexatious, including its effect upon the Clerk, Councillors and/or the parish. This should be accompanied by a report for the Council showing the workload effects and resource impact, and, if resources allow, information about the related correspondence via email, telephone and letter,

If the Council agrees the behaviour has been vexatious or unreasonable sanctions can be imposed.

Sanctions may be.

- Make no responses to any enquiries and communications received by the council for six months if no substantive new issue is raised.
- If a new issue is raised this should be by letter to the clerk at the Parish Council's registered address. and not during Public Time at a Parish Council scheduled meeting.

6. Handling correspondence and complaints deemed to be vexatious

The Clerk/Council will write to the correspondent advising them that their complaint and/or correspondence has been determined to be vexatious and giving the reason for that decision.

7. Residents of the Parish

If the complainant is a **local resident of the parish**, the notification letter should state which sanction the council has imposed. They should be advised that the decision will be reviewed in six months 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. The District and County Councillors will be informed that a constituent has been designated as an unreasonably persistent or vexatious complainant.

At the full parish council meeting which occurs six months after the correspondent has been advised that their complaint and/or correspondence is vexatious, the decision should be reviewed. The council should consider whether there has been any improvement in the vexatious behaviour over that time. The Clerk should write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way.

8. Non-Residents of the Parish

If the complainant(s) does not reside in the parish, they will be advised that all future correspondence will be ignored and left unread. There is no route of appeal against the decision that a complaint or correspondence is vexatious.

9. Persistent communication on the same matter from multiple complainants.

If the persistent communication on one matter is from 4 or more complainants, rather than from one complainant, the Clerk or Councillors identifying the behaviour will draft a standard response to all further communications on that matter. As no sanctions are being imposed, this action can be triggered without approval at a full council meeting. This provision is additional to sanctions specified above.

10. Record Keeping.

- The name and address of each member of the Public who is treated as abusive, vexatious or persistent.
- When the restrictions came into force.
- What the restrictions are.
- Date the person, councillors and District Council were advised.

10. Review

This document was approved by Tatham Parish Council on Jan 28th 2025 and was reviewed in January 2026.