

Laverstock and Ford Parish Council

Purpose	To set out a Code of Practice for dealing with vexatious complaints
Scope	Councillors, employees, contractors, general public
Date adopted	
Minute Ref:	
Previous	None
Next Review	December 2028
Policy Owner	Full Council – L&FPC
Supersedes	None

Vexatious Complaints Policy

Introduction

A productive and efficient working relationship relies on open, respectful communication and a shared commitment to resolving issues fairly and transparently. Laverstock and Ford Parish Council encourages residents, contractors, and other stakeholders to voice concerns or complaints whenever they arise. However, there are occasions when the complaint process may be misused, intentionally or otherwise, through the repeated lodging of baseless, frivolous, or malicious complaints. Such behaviour can consume significant organisational resources, undermine morale, and unjustly target individuals or groups, potentially causing real harm.

This document sets out the principles, procedures, and safeguards that constitute a Vexatious Complaint Policy. The aim is to ensure that all complaints are treated seriously and with fairness, while protecting Council officers and members from the detrimental effects of vexatious complaints.

Definition of Vexatious Complaints

A vexatious complaint is a complaint that, by its nature or frequency, is considered to be:

- Without merit or substance;
- Pursued with an intent to harass, embarrass, or cause distress to the subject of the complaint, the Council, or its officers or members;
- Repeatedly submitted, often with minor differences, after a complaint has already been addressed or resolved;
- Repeatedly demanding information or responses, where the requests are unreasonable or have already been addressed;
- Refusing to accept a decision, despite all appropriate review stages being exhausted;
- Pursuing parallel complaints about the same issue with multiple officers, councillors or external bodies;
- Submitting excessive volumes of correspondence or documentation without clear relevance;
- Accompanied by abusive, offensive, or harassing language or behaviour;

- Part of a pattern of unreasonable conduct that serves no legitimate purpose.

A complaint is not vexatious simply because it is unsubstantiated or the complainant is persistent; the determining factor is the purpose, manner, and frequency of the complaint.

Policy Purpose

The purpose of this policy is to:

- Uphold the right of all complainants to raise genuine concerns without fear of reprisal or dismissal;
- Ensure that all complaints are assessed objectively, fairly, and promptly;
- Protect complainants, the Council, its officers and members from the negative consequences of vexatious complaints;
- Provide a clear, transparent process for identifying and managing vexatious complaints;
- Encourage constructive resolution of disputes and foster mutual respect.

Scope

This policy applies to:

- Residents, service users, and other external stakeholders
- Anyone who interacts with or is affected by the Council's operations

The policy covers all types of external complaints, whether formal or informal. Internal complaints are dealt with in accordance with the Complaints Policy or Grievance Policy as appropriate.

Principles

The following principles underpin this policy:

- Fairness: Every complaint will be considered on its individual merits, and the rights of all parties will be respected.
- Transparency: The process for handling complaints will be open, clear, and accessible.
- Confidentiality: Information related to complaints will be managed sensitively and only shared on a need-to-know basis.
- Protection: The Council will take steps to protect staff, members, and other stakeholders from vexatious complaints.
- Proportionality: Action taken will be proportionate to the nature and severity of the vexatious behaviour.

Identifying Vexatious Complaints

A complaint may be considered vexatious if it exhibits one or more of the following characteristics:

- It is persistently pursued, with little or no new evidence, after reasonable attempts have been made to resolve the issue;
- The complaint contains accusations that are demonstrably unfounded or speculative;
- The complainant refuses to accept documented evidence, or insists on pursuing the complaint without reasonable grounds;
- Multiple complaints are made about the same issue, or new complaints are raised solely to prolong the process;
- The language used is aggressive, abusive, threatening or harassing;
- There is an apparent intent to cause disruption or embarrassment rather than to resolve a genuine issue.

A decision to classify a complaint as vexatious should not be made lightly and must be supported by documented evidence.

Procedures

1. Initial Assessment

All complaints will be logged and acknowledged in writing within 10 working days.

The Clerk will conduct a preliminary review to determine the nature and substance of the complaint. If the complaint is about the Clerk, the Deputy Clerk or Responsible Financial Officer (RFO) will fulfil this role. If the complaint is about the Chair, the Vice-Chair or another councillor not previously involved will fulfil this role. If both the Clerk and Chair are conflicted, the Council will appoint suitable alternatives.

If there is any indication that the complaint may be vexatious, it will be referred to the Finance and General Purposes Committee for further assessment and decision.

2. Detailed Review

The complaint will be reviewed against the criteria outlined above, considering both the content and the context of the allegation. The complainant may be asked to clarify their concerns and provide supporting evidence. Any previous history of complaints from the same individual will be reviewed, to identify patterns of behaviour. The subject of the complaint will also be given the opportunity to respond.

3. Determination

The Finance and General Purposes Committee will determine whether the complaint is vexatious, based on the findings. The decision will be documented, and the complainant and relevant parties will be informed in writing, with reasons provided. The complainant will be advised of their right to appeal the decision through the process set out below.

4. Management of Vexatious Complaints

If a complaint is determined to be vexatious, the Council may, at its discretion:

- Cease further investigation or correspondence regarding the complaint;
- Impose restrictions on the complainant's access to officers, members or services, for a defined period;
- Refuse to consider future complaints from the same individual unless new and substantive evidence is provided;
- Take steps to protect officers, members, or affected individuals, including implementing additional security or support measures;
- Refer the matter to legal counsel or relevant authorities if necessary.

Any restrictions imposed will be reviewed every 12 months and lifted when appropriate.

5. Right of Appeal

The complainant will have the right to appeal the classification of their complaint as vexatious. An appeal should be submitted in writing to the Parish Clerk (or substitute as above) within 20 working days of notification of the decision.

The appeal will be considered by a panel consisting of one staff officer (not previously involved in the complaint) and two councillors (not previously involved in the complaint), appointed by the Council or the Finance and General Purposes Committee. The outcome of the appeal will be communicated to all parties, and the decision will be final.

Safeguards and Protections

Protection from Retaliation

No complainant will be penalised for bringing forward a genuine complaint, even if it is not upheld. The policy is intended to deter and manage only those complaints that are unfounded, malicious, or designed to disrupt.

Support for Affected Parties

The Council will provide support to those affected by vexatious complaints, which may include signposting to counselling, mediation, or other appropriate mechanisms.

Monitoring and Review

This policy will be reviewed every THREE years, or more frequently if necessary, to ensure its effectiveness. Data on complaints, including those classified as vexatious, will be monitored as part of the Council's commitment to continuous improvement.

Awareness and Guidance

All staff and councillors involved in responding to complaints will be made aware of this policy and its procedures. Guidance will be provided as needed to ensure consistent and fair application. Where appropriate, advice may be sought from the Clerk, Chair, or external bodies such as NALC.

Communication and Accessibility

This policy will be published on the Council's website and made available in alternative formats on request. Key aspects of the policy will be included in induction materials, staff handbooks, and communicated to all staff, contractors, clients, and stakeholders.

This policy should be read in conjunction with the Council's Complaints Policy and relevant codes of conduct.

Conclusion

Establishing a clear and robust Vexatious Complaint Policy highlights the Council's commitment to fairness, transparency, and respect for all. By balancing the right to raise concerns with protections against the abuse of complaint processes, we foster an environment of trust and integrity for the benefit of everyone involved.

- End of policy -