



FINCHINGFIELD PARISH COUNCIL

REPRESENTING FINCHINGFIELD AND CORNISH HALL END

Vexatious, Persistent or Abusive Complaints Policy

Adopted: 24th March 2026

Review Date: on or before 24/03/27

Minute Reference: 088-2026

Authorised on behalf of Finchingfield Parish Council: Mark Nicholls (Clerk) 27th March 2026

1. Introduction

- 1.1 This policy identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be habitual, persistent or vexatious. The following clauses form the Council policy for responding to these situations.
- 1.2 In this policy the term *habitual* means behaviour that is repeated frequently or as a matter of routine. The term *vexatious* is recognised in law and refers to actions brought without sufficient grounds, primarily intended to cause annoyance or disruption.
- 1.3 The purpose of this policy is to assist the Council in identifying and managing individuals whose conduct may be disruptive to the Council through pursuing an unreasonable course of conduct.
- 1.4 Habitual or vexatious complaints can present difficulties for councils, councillors and officers because they may place disproportionate demands on Council time and resources. Whilst the Council aims to respond with patience and fairness to all complainants, there may be circumstances where no further reasonable action can be taken.
- 1.5 Legitimate criticism or challenge of the Council's procedures, decisions or services will **not automatically be regarded as vexatious**. A complainant being dissatisfied with the outcome of a complaint does not, by itself, mean that the complainant will be treated as vexatious or persistent.
- 1.6 The aim of this policy is to ensure that all complainants are treated in ways which are **consistent, fair and reasonable**, while protecting the Council's ability to conduct its work effectively.
- 1.7 The term *complaint* within this policy may also include requests made under the **Freedom of Information Act 2000** or the **Data Protection Act 2018**, where the behaviour surrounding those requests becomes unreasonable.

2. Habitual or Vexatious Complainants

2.1 For the purpose of this policy a habitual or vexatious complainant is someone who repeatedly and/or obsessively pursues:

- unreasonable complaints or unrealistic outcomes, or
- reasonable complaints but in an unreasonable manner.

2.2 The status of a complainant identified under this policy will be kept under review. If behaviour improves and contact becomes reasonable, the restrictions may be reconsidered.

3. Definitions and Characteristics

3.1 Finchingfield Parish Council defines unreasonably persistent or vexatious complainants as any individual/s who, because of the frequency or nature of their contact with the Council, hinder the Council's ability to properly consider their complaint or other Council business.

3.2 The terms *persistent* and *vexatious* may apply separately or together.

3.3 Examples of behaviours that may be considered vexatious or persistent include, but are not restricted to:

- a. failure to accept the Council's final response to a complaint
- b. having insufficient grounds for a complaint and pursuing it primarily to cause annoyance
- c. refusing to specify the grounds of a complaint despite assistance being offered
- d. refusing to cooperate with the investigation process
- e. refusing to accept that an issue falls outside the Council's remit
- f. refusing to accept that matters may be beyond the Council's legal powers
- g. insisting complaints are handled in ways incompatible with the Council's procedures
- h. making repeated groundless complaints about Council staff or councillors
- i. making excessive or unreasonable contact with the Council
- j. making unreasonable demands on officers or councillors
- k. using abusive, aggressive or threatening language
- l. introducing new issues in order to broaden or add new information or complaints, while a complaint is already being investigated, with the purpose or effect of frustrating the process
- m. changing the substance of a complaint without justification
- n. denying statements previously made during the complaint process
- o. making the same complaint repeatedly after the process has concluded
- p. contacting multiple councillors or external organisations simultaneously regarding the same issue
- q. refusing to accept documented evidence or formal decisions of the Council.
- r. consistently making complaints

3.4 These characteristics may be considered individually or collectively when determining whether behaviour is vexatious.



4. Imposing Restrictions

- 4.1 The Council will first ensure that any complaint has been properly considered in accordance with the Council's adopted complaints procedure.
- 4.2 The Clerk will normally consult with the Chairman before issuing a written warning to the complainant explaining why their behaviour is causing concern and requesting that the behaviour changes.
- 4.3 If the behaviour continues, the Clerk, in consultation with the Chairman, may impose restrictions on the complainant's contact with the Council.
- 4.4 Any restrictions will be proportionate and appropriate to the circumstances and will normally apply for **three to six months**, although this may be extended in exceptional circumstances.
- 4.5 The Council may impose, but not limited to, one or more of the following restrictions:
- a. limiting contact to a single point of contact (normally the Clerk)
 - b. requiring correspondence to be made only in writing
 - c. restricting telephone contact to specified days or times
 - d. requiring meetings to take place only with a witness present
 - e. refusing to respond to repeated correspondence on matters already concluded
 - f. requiring contact through a third party such as a solicitor or councillor.
- 4.6 The complainant will be informed in writing:
- a. why the restrictions have been applied
 - b. what the restrictions are; and
 - c. how long the restrictions will apply.
- 4.7 A copy of this policy will be provided to the complainant.
- 4.8 In extreme cases where behaviour threatens the safety or welfare of councillors or officers, the Council may consider further action including referral to the police or legal advice.

5. New Complaints from Complainants Subject to this Policy

- 5.1 Any new complaint submitted by a complainant who is subject to this policy will still be considered on its merits.
- 5.2 The Clerk and Chairman will determine whether any restrictions already in place remain appropriate for the new complaint.
- 5.3 The Council will not operate a blanket policy of ignoring legitimate complaints or service requests.

6. Review

- 6.1 The status of a complainant identified as vexatious or persistent will be reviewed by the Clerk and the Chairman **every six months**, or sooner if appropriate.
- 6.2 The complainant will be informed if the restrictions are lifted, amended or extended.



7. Record Keeping

7.1 The Clerk will maintain records of all cases where this policy is applied.

7.2 Records will include:

- a. the name and address of the complainant
- b. the date restrictions were imposed
- c. the type of restrictions applied
- d. the review dates
- e. when the complainant and relevant councillors were informed.

7.3 Full Council may receive reports regarding the application of this policy where appropriate

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