

## **ROUGHTON PARISH COUNCIL POLICY ON UNREASONABLY PERSISTENT COMPLAINANTS**

There are a small number of complainants who, because of the frequency of their contact with the Parish Council, hinder its consideration of their or other people's complaints to the extent to which it may prejudice the ability of the Parish Council to deliver the services it is obliged to provide. Such complainants are referred to as "unreasonably persistent complainants" and, in exceptional circumstances, the Parish Council will take action to limit their contact with the Clerk and with Members generally.

The decision to restrict access to the Clerk and Members will be taken by the Council as a whole. This will be done by means of ordinary resolution of which the Complainant will receive prior written notice and any restrictions imposed will be appropriate and proportionate. The options that are most likely to be considered are:-

### **Definition of contact – "communication with someone, or with a group or organisation"**

1. A restriction upon the format of contact, eg. by letter or e-mail only.
2. Requiring that contact is with one individual only; in most cases this will be the Clerk or the Chair.
3. Restricting telephone contact to specific times.
4. Requesting that the complainant enter into a contract regulating his or her future contacts with the Parish Council.

In all cases where Roughton Parish Council has decided by resolution to treat someone as an unreasonably persistent complainant, the Clerk will write to tell them why it is believed that his or her behaviour falls into that category, what action the Parish Council is taking, and the duration of that action.

The letter should also advise them that they may challenge that a decision by written notice of appeal to the Parish Council which will then review the decision. Such a review will be by way of complete reconsideration of the evidence previously considered in making the decision, together with any fresh evidence the complainant might wish to submit.

If this appeal is not allowed and Roughton Parish Council decide to carry on treating someone as an unreasonably persistent complainant, but the subject matter of their individual complaint is still under investigation 3 months later, then the Parish Council will once more review their decision and decide if any restrictions in place will still continue.

Where a complainant who has exhausted the Parish Council's complaints procedure persists in communicating with the Clerk or Members regarding the matter, then the Parish Council may decide to terminate contact with the complainant upon that matter. In such cases, correspondence will be read but unless there is fresh evidence that materially affects the Parish Council's decision upon the substance of the complaint, that correspondent will be simply acknowledged or filed with no acknowledgement. It should be stressed that should a person who has been placed upon the Roughton Parish Council's unreasonably persistent complainant's register, then that complaint will be treated upon its merits.

Where a complainant is being removed from the register they will be placed on a probationary list for a further 12 months in order that the situation can be monitored. If at anytime during this probationary period the complainant recommences their unreasonable complaints or communications the complainant will be placed **immediately** back onto the "Persistent Complainants" List by the Clerk and Chair without reference to the full Council for a further period to be determined at the next Parish Council Meeting.