

Buckland Parish Council

Policy on the management of unreasonable complainant behaviour

Introduction

Buckland Parish Council's (Council) objective, wherever possible, is to complete consideration of a complaint in accordance with Council's published Procedure.

Unreasonable complainant conduct

Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants. If it occurs, Council will take proportionate action to protect the wellbeing of its employees and the integrity of its processes.

The following list provides **examples of unreasonable actions and behaviours**:

- (i) Refusing to specify the grounds of a complaint, despite offers of help.
- (ii) Refusing to cooperate in accordance with Council's Complaints Procedure.
- (iii) Refusing to accept that certain issues are not within the scope of Council's Complaints procedure.
- (iv) Insisting on the complaint being dealt with in ways which are incompatible with Council's adopted Complaints Procedure or with good practice.
- (v) Refusing to accept a decision of Council that has been properly reached in accordance with Council's Complaints Procedure.
- (vi) Making unjustified complaints about employees who are trying to deal with the issues, and seeking to have them replaced.
- (vii) Changing the basis of the complaint as the investigation proceeds.
- (viii) Denying or changing statements he or she made at an earlier stage.
- (ix) Introducing trivial or irrelevant new information at a later stage.
- (x) Raising many detailed but unimportant questions, and insisting they are all answered.
- (xi) Submitting falsified documents from themselves or others.
- (xii) Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- (xiii) Making excessive demands on the time and resources of employees or Councillors whether by phone calls, numerous emails, or detailed letters.
- (xiv) Repeatedly arguing points with no new evidence
- (xv) Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- (xvi) Recording meetings or telephone conversations without the prior knowledge and consent of all parties.

(This above list is not exhaustive)

Options for action

Where a decision on the complaint has been made, Council may advise the complainant that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information.

If Council considers a complainant's behaviour is unreasonable Council may decide to issue a warning. Council may explain why behaviour is considered unreasonable and ask the complainant to change it. Council may also warn the complainant that, if the behaviour continues, Council may take action to restrict the complainant's contact with Council.

If Council considers a complainant's behaviour becomes so extreme it threatens the immediate safety and welfare of Council employees, Council may report the matter to the police or consider taking legal action. In such cases, Council may not give the complainant prior warning.

Restricting access to Council

If Council decides the circumstances justify restriction of access, Council will record the reason for its decision and explain it to the person concerned.

Council will state how long any restriction will apply for before it is reconsidered.

The sort of restrictions imposed could include:

- (i) restricting telephone calls to specified days and limited times
- (ii) limiting contacts to one form only (for example, a maximum of one letter or email a week)
- (iii) requiring contact to take place with one named employee
- (iv) requiring the complainant to enter into an agreement about their future behaviour before considering a complaint, and/or
- (v) suspending all contact with a complainant whilst Council seeks advice and guidance.

Other suitable options will be considered in the light of the complainant's circumstances.

Any form of access restriction will be reviewed once it has been in place 6 months.

New complaints

New complaints from people whose behaviour has previously been deemed unreasonable will be treated on their merits. Restrictions imposed in respect of an earlier complaint will not automatically apply to a new complaint.

Sheena Boyce

Clerk to Buckland Parish Council

Telephone: 01737 448023

Email: parishcouncil@bucklandsurrey.net

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