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# COULSTON PARISH COUNCIL

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Complaints Policy



ADOPTED: MAY 2025    REVIEWED MAY 2026

## **1. Introduction**

Coulston Parish Council is an elected body of local government whose statutory function is to serve and represent its local community within a prescribed scope of local responsibilities and functions.

We are pleased to hear from residents about their needs and wants and when services are appreciated, but we also want to know when things go wrong or residents are dissatisfied.

We are committed to dealing with complaints fairly and impartially.

However, if a complaint could reasonably be described as habitual or vexatious, we reserve the right to invoke this policy to govern our actions. 'Vexatious' refers to a complainant persisting unreasonably or making complaints in order to make life difficult for the Council rather than genuinely to resolve a grievance. If their persistence adversely affects our ability to do our work and provide a service to others, we may need to address unacceptable behaviour by restricting contact with our officers.

## **2. Aim and scope of the Policy**

This policy and guidance covers all complaints made to the Council including those related to Freedom of Information requests. It sets out the Council's approach to dealing with habitual vexatious complaints so that both Council members and residents can be clear what to expect.

Appendix 1 lists a range of situations that the Council may consider to be vexatious.

This policy and guidance will be reviewed on a regular basis to ensure it is up to date and fit for purpose.

*Please note:* While the following guidance refers to written correspondence, this can also extend to telephone and email communication.

## **3. Stage 1: Handling vexatious complaints**

If the Parish Council decides that a complaint is vexatious, complainants should in the first instance be invited to refer their complaint about Coulston Parish Council to Wiltshire Council.

Email: [complaints@wiltshire.gov.uk](mailto:complaints@wiltshire.gov.uk)

Telephone: 01225 718400

By post: Customer Complaints Team, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN

If the person refuses to pursue the complaint in this way and continues to put their complaint in writing (either publicly or directly to the Parish Council) then the Parish Council should appoint one of its members to be the sole channel of communication with the complainant.

## **4. Stage 2: Subsequent handling of different types of vexatious complaints**

*Complaints about the same matter (habitual complaints)*

The appointed member will review all relevant correspondence and, if satisfied they are dealing with a habitual complaint, will write to the person to warn them that the Council will not enter into any further correspondence about the matter. If the complainant does not take this advice, the member may decide that any further correspondence that does not raise any significant new matters or present any new information may be filed with no acknowledgment sent.

#### *Complaints about similar matters*

The most difficult vexatious complaints to deal with are often complaints that are slightly different from the original complaint, but about the same broad area of activity. A decision will have to be made as to whether or not the matters are sufficiently different to justify being considered as a new complaint (see below).

#### *Complaints about different matters*

If a person keeps making complaints about different matters, each complaint should normally be considered in the usual way under the Complaints Procedure. The following are potential exceptions to this rule:

- If the volume of correspondence/or communication starts to impact on council resources, it may be useful to hold a meeting with the complainant to find if there is a more effective way for the correspondence to be dealt with. This may bring to light an underlying, common cause for the various complaints.
- If the new complaints are about entirely trivial matters, or matters that have clearly not caused the customer any injustice, it may be appropriate to close down the complaint at Stage 1. The person should be told this, and there is no need to provide any right to appeal other than to the Ombudsman via Wiltshire Council Complaints team (see above). Subsequent complaints should then simply be noted.

A complaint to the Council does not have to be made in writing. However, if a customer keeps telephoning either to discuss an existing complaint or to make a new complaint, and this is proving time consuming and disruptive, it may be reasonable to consider restricting future contact.

## **5. Freedom of Information**

Complaints related to Freedom of Information (FOI) are dealt with through the Complaints Procedure up to and including Stage 2. If they continue after Stage 2, instead of being referred to the Local Government Ombudsman, FOI complaints are referred to the Information Commissioner's Office. ( <https://ico.org.uk> )

## **6. Restricting contact**

Any restrictions will be agreed by Parish Council and will be appropriate and proportionate to the nature of the complainant's contacts with the council at that time. The following are examples of the types of restriction which may be used:

- Placing time limits on telephone conversations and personal contacts.

- Restricting the number of telephone calls that will be taken (for example one call on one specified morning/afternoon of any week).
- Limiting the person to one medium of contact (telephone, letter, e-mail etc).
- Requiring the person to communicate only with one named contact.
- If a complaint is currently going through the council's complaints procedure, asking the person to enter into a written agreement about their future conduct if the complaint is to be progressed.
- Requiring any personal contacts to take place in the presence of a witness.
- Closing the investigation into a complaint.
- Refusing to register and process further complaint, providing the complainant with acknowledgements only of further letters, faxes, or e-mails received after a particular point.
- Banning a complainant from some or all of the Council's premises or meetings.
- Involving the police in cases where we believe the person has committed a criminal offence (for example, harassment, assault on staff or criminal damage), where assault is threatened, or where the person refuses repeated requests to leave council meetings or premises.

Where this policy is applied, the person will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements, the length of time that these restrictions will be in place and what they can do to have the decision reviewed. There should never be a blanket ban for an unspecified period of time. Wherever possible, we will apply restrictions in a way that allows a complaint to progress to completion through our complaints process. We will try to maintain at least one form of contact.

In extreme situations, we will tell the complainant in writing that their name is on a 'no personal contact' list contained in the council's Awareness Register (template attached). This means that they must restrict contact with the Council to either written/taped communication or through a third party advocate or representative.

In deciding which restrictions are appropriate, careful consideration will be given to balancing the rights of the individual with the need to ensure other residents and our employees do not suffer any disadvantage and the resources of the council are used as effectively as possible.

When the appointed Council member feels that it is appropriate to include a complainant on the Awareness Register, they need to complete the form attached at Appendix 2 and file it with the Parish Clerk.

Where it is decided to restrict contact, a note will also be made in any relevant files and computer records relating to that person. All information held on the Awareness Register will be reviewed every twelve months as part of the evaluation and review process for the effectiveness of the policy.

A person can appeal a decision to restrict contact by contacting the Local Government Ombudsman (LGO), unless the complaint has already been considered in full by the LGO.

Restricting contact by the complainant does not mean that their correspondence will not be read at all. Any further letters, e-mails or telephone calls from the complainant will need to be considered in case they contain any significant new information.

When persistent complainants make new complaints about new issues these will be treated on their merits and decisions will need to be taken on whether any restrictions which have been applied before are still appropriate and necessary.

**7 May 2024**

APPENDIX 1: Examples of the behaviour of persistent complainants

APPENDIX 2: Restricted Contact Awareness Register

## **APPENDIX 1**

### *Some examples of the behaviour of persistent complainants*

- Refusal to specify the grounds of a complaint, despite offers of assistance with this from Parish Council staff.
- Refusal to co-operate with the complaints investigation process or insistence on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making what appear to be groundless complaints about the Parish Council member or employees dealing with the complaints or attempting to use the complaints procedure to pursue a personal vendetta against an employee or Council member.
- Making unnecessarily excessive demands on the time and resources of Parish Council members or staff whilst a complaint is being looked into.
- Refusal to accept information provided, for no apparent good reason.
- Changing the basis of the complaint as the investigation process goes on and/or denying statements he/she made at an earlier stage.
- Making statements or providing manufactured 'evidence' the person knows are incorrect or persuading others to do so.
- Raising at a late stage in the process, significant new information which was in the person's possession when he or she first submitted a complaint.
- Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Lodging numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure.
- Refusal to accept that issues are not within the remit of a complaints procedure or demanding outcomes which the complaint procedure cannot in itself provide such as the overturning of court decisions, dismissal or criminal prosecution of staff.
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.
- Making unnecessarily excessive demands on the time and resources of Parish Council members or staff whilst a complaint is being investigated by, for example, excessive telephoning or sending emails, writing lengthy complex letters every few days and expecting immediate responses.
- Adopting an excessively 'scattergun' approach, for instance pursuing a complaint or complaints with the Council and at the same time with a Member of Parliament/a councillor/the authority's independent auditor/the Standards Board/local police/solicitors/the Ombudsman.
- Seeking to coerce, intimidate or threaten staff or other people involved, whether by use of language, tone of voice or behaviour including body language.
- Submitting repeat complaints, after the complaints process has been completed, essentially about the same issues, with additions/variations which the customer insists make these 'new' complaints which should be put through the full complaints procedure.
- Using valid new complaints to resurrect issues which were included in previous complaints.

- Persistence in contacting the Council and demanding responses or action long after the council has closed the investigation into a complaint and all rights of review and appeal have been exhausted.

## APPENDIX 2

### Restricted Contact Awareness Register

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |             |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|
| Details of person to be placed on register:                                                                                                                                                                                                                                                                                                                                                                                                                               |             |                |
| Last name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                | First Name: | Also known as: |
| Contact details:                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                |
| Reason why complainant should be added to the register:<br><i>Include information on</i> <ul style="list-style-type: none"><li>- <i>The length of time you/colleagues have been in contact with the complainant</i></li><li>- <i>The amount of correspondence exchanged</i></li><li>- <i>The nature of the complaint(s)</i></li><li>- <i>The steps that have already been taken to resolve the situation</i></li></ul> <i>Attach copies of any relevant documentation</i> |             |                |
| Name of Council member dealing with complainant:                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                |
| Nature of contact restriction:                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |                |
| Date entered onto Awareness Register:                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |                |