

Stanton Drew Parish Council

Vexatious Communications and Complaints Policy

1. Introduction

This policy sets out Stanton Drew Parish Council's position on vexatious or abusive complaints, demands, and/or repeated requests for information and how they will be dealt with.

The application of this policy does not prevent residents of Stanton Drew or individuals/organisations from outside the area contacting the council in connection with its business and operations, or to access information or services to which they are entitled.

In applying restrictions, careful consideration will be given to balancing the rights of the individual against the need to ensure that Officers and Councillors do not suffer any disadvantage or undue stress that can be caused by persistent or vexatious communications and complaints and that the resources of the organisation are used as effectively as possible.

The key question Stanton Drew Parish Council will ask is whether the request is likely to cause a disproportionate or unjustified level of disruption to business, irritation or distress. The Parish Council has a legal duty under the Health and Safety at Work etc Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare at work of its employees, members and contractors.

2. Vexatious communication (see Appendix A)

A decision as to whether a communication is vexatious will be made on one or more of the following criteria:

- Can the request be fairly seen as obsessive?
- Is the request harassing the organisation?
- Would complying with the request impose a significant burden?
- Is the request designed to cause disruption or annoyance?
- Does the request lack serious purpose or value?

A request may not be vexatious in isolation, but when considered in context it might form part of a wider pattern of behaviour that makes it vexatious.

3. Procedure

When a communication is deemed to be a vexatious communication the Requestor will be informed and given the grounds for such decision. The notification will state that any further communication relating to the same matters will not be acknowledged or replied to. Should the communication persist then restrictions may be imposed by Stanton Drew Parish Council including suspending all contact with the Requestor with regards to communication relating to the same matters.

If the conduct or correspondence of a group of persons acting together is considered vexatious, Stanton Drew Parish Council may refuse to respond to communications from that group or limit the amount of correspondence from them that will be dealt with.

4. Document Review

This procedure shall be reviewed by the Parish Council on an annual basis.

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Appendix A

Identifying a Vexatious Request. A Requestor and anyone acting on their behalf may be deemed to be vexatious where contact with them shows that they meet one or more of the following criteria:

Abusive or aggressive language

The tone or language of the Requestor's correspondence goes beyond the level of criticism that a public authority or its employees should reasonably expect to receive.

Burden on the organisation

The effort required to meet the request will be so grossly oppressive in terms of the strain on time and resources, that the authority cannot reasonably be expected to comply, no matter how legitimate the subject matter or valid the intentions of the Requestor.

Personal grudges

For whatever reason, the Requestor is targeting their correspondence towards a particular employee or office holder against whom they have some personal enmity.

Unreasonable persistence

The Requestor is attempting to reopen an issue which has already been comprehensively addressed by Stanton Drew Parish Council.

Unfounded accusations

The request makes completely unsubstantiated accusations against Stanton Drew Parish Council or specific employees.

Intransigence

The Requestor takes an unreasonably entrenched position, rejecting attempts to assist and advise out of hand and shows no willingness to engage with the Stanton Drew Parish Council.

Frequent or overlapping requests

The Requestor submits frequent correspondence about the same issue or sends in new requests before Stanton Drew Parish Council has had an opportunity to address their earlier enquiries.

Deliberate intention to cause annoyance

The Requestor has explicitly stated that it is their intention to cause disruption to Stanton Drew Parish Council or is a member of a campaign group whose stated aim is to disrupt the authority.

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Scattergun approach

The request appears to be part of a completely random approach, lacks any clear focus, or seems to have been solely designed for the purpose of 'fishing' for information without any idea of what might be revealed.

Disproportionate effort

The matter being pursued by the Requestor is relatively trivial and Stanton Drew Parish Council would have to expend a disproportionate amount of resources in order to meet their request.

No obvious intent to obtain information

The Requestor is abusing their rights of access to information as a means to vent their anger at a particular decision, or to harass and annoy the organisation, for example, by requesting information which Stanton Drew Parish Council knows them to possess already.

Futile requests

The issue at hand individually affects the Requestor and has already been conclusively resolved by Stanton Drew Parish Council or subjected to some form of independent investigation.

Frivolous requests

The subject matter is inane or extremely trivial and the request appears to lack any serious purpose. The request is made for the sole purpose of amusement.