***Addendum to WPC Complaints Procedure***

1. Habitual or vexatious complaints can be a problem for officers and Members. The difficulty in handling such complaints is that they are time consuming and wasteful of resources in terms of officer and member time and displace scarce human resources that could otherwise be spent on council priorities. Whilst Woodland Parish Council will endeavour to process all complaints under their complaints procedure, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

2 . In this policy habitual means done repeatedly or as a habit. Vexatious means a complaint brought for the purpose of annoying another person and with no reasonable prospect of success.

3. For the purpose of this policy, the following definition of habitual or vexatious complainants will be used: The repeated and/or obsessive pursuit of: (i) Unreasonable complaints and/or unrealistic outcomes; and/or (ii) Reasonable complaints in an unreasonable manner..

4. Prior to considering its implementation, the PC will send a summary of this policy to the complainant to give them prior notification of its possible implementation.

5. Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Schedule A, WPC will consult with a majority of Councillors to seek agreement to treat the complaint as habitual or vexatious and for an appropriate course of action to be taken. Schedule B details the options available for dealing with habitual or vexatious complaints.

6 WPC will notify complainants in writing of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken.

7 Once a complainant has been determined to be habitual or vexatious, their status will be kept under review after one year and monitored by WPC. If a complainant subsequently demonstrates a more reasonable approach, then their status will be reviewed.

***Schedule A – Criteria for determining habitual or vexatious complaints***

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet one of the following criteria. Where complainants:

!. Persist in pursuing a complaint where the local assessment process has been fully and properly implemented and exhausted.

2. Persistently change the substance of a complaint or frequently raise new issues or seek to prolong contact by frequently raising further concerns or questions whilst the complaint is being addressed. (Care must be taken however not to disregard new issues which are significantly different from the original complaint as they need to be addressed as a separate complaint.)

3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify after a long period of time has elapsed.

4. Repeatedly do not clearly identify the precise issues which they wish to complain about despite reasonable efforts of officers to help them specify their concerns and/or where the concerns identified do not fall within the remit of the local assessment process.

5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what a trivial matter is can be subjective and careful judgement will be used in applying this criterion.

6. Has threatened or used physical violence towards employees at any time. This will itself cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, therefore, only be continued to be written communication. WPC must determine that any complainant who threatens or uses actual physical violence towards employees will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Council is to be made.

7. Have in the course of addressing a complaint to WPC had an excessive number of contacts with the Council, placing unreasonable demands on members and officers. A contact may be made in person by telephone, letter, email or fax. Judgment will be used to determine excessive contact taking into account a specific circumstance of each individual case.

8. Have harassed or been verbally abusive on more than one occasion towards officers dealing with complaints. WPC recognises that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.

9.. Are known or reasonably considered to have recorded meetings or face to face/telephone conversations without the prior knowledge or consent of the parties involved.

10.. Make unreasonable demands on WPC and its employees and fail to accept these may be unreasonable, for example insist on an action being taken by WPC which falls outside of its remit.

11. Make unreasonable complaints which impose a significant burden on the human resources of the PC and where the complaint: a) Clearly does not have any serious purpose or value; or b) Is designed to cause disruption or annoyance; or c) Has the effect of harassing thePC ; or d) Can otherwise fairly be characterised as obsessive or manifestly unreasonable

12.. Make repetitive complaints and allegations that ignore the replies the PCh has supplied in previous correspondence