



# Barnham & Eastergate Parish Council Vexatious Complaints Policy

## 1. Purpose

Barnham & Eastergate Parish Council is committed to dealing with complaints fairly, openly, and in a timely manner. However, the Council recognises that a small number of complainants may behave in a way that is unreasonable, persistent, or vexatious, which can place a strain on limited Council resources.

This policy sets out how the Council will manage such situations.

## 2. Scope

This policy applies to all complaints made to Barnham & Eastergate Parish Council including those submitted in writing, by email, or verbally.

It does **not** apply to:

- Complaints about Councillors that fall under the Code of Conduct (handled by the District/Borough Council Monitoring Officer)
- Freedom of Information or Subject Access Requests (Where requests are made under statutory regimes such as the Freedom of Information Act 2000 or data protection legislation, the Council will apply the relevant legal provisions (e.g. vexatious requests or manifestly unfounded/excessive requests) before considering any restrictions under this policy.”)

## 3. Definition of Vexatious or Unreasonable Behaviour

A complaint may be considered vexatious where the complainant’s behaviour is unreasonable, not the complaint itself.

Examples include:

- Persistently pursuing a complaint where the Council’s complaints procedure has been fully exhausted
- Repeatedly raising the same issue without new evidence
- Making excessive, frequent, or overlapping complaints
- Refusing to accept decisions properly reached
- Making unjustified complaints about staff or councillors
- Using abusive, threatening, or discriminatory language
- Contacting multiple councillors or officers about the same issue



- Attempting to disrupt Council business

## 4. Principles

The Council will:

- Ensure all complaints are considered on their merits
- Not label a complainant as vexatious simply because they are persistent
- Act proportionately and fairly
- Ensure decisions are evidence-based
- Maintain a record of all relevant communications

## 5. Procedure for Identifying Vexatious Complaints

1. The Clerk will review the complaint history and behaviour
2. Evidence will be gathered to support any concerns
3. The matter will be referred to the Chair (or a panel of councillors)
4. A decision will be made collectively and recorded in writing

The complainant will not be labelled vexatious without proper consideration and justification.

## 6. Actions the Council May Take

Where a complainant is deemed vexatious, the Council may:

- Require all communication to be directed through the Clerk only
- Limit contact to a specified frequency (e.g., one response per month)
- Require communication in writing only
- Refuse to respond to issues already addressed
- Decline to consider further complaints on the same matter unless new evidence is provided
- Restrict contact with individual councillors
- In extreme cases, cease all communication except where legally required

## 7. Notification to the Complainant

The Council will write to the complainant explaining:

- Why their behaviour is considered vexatious
- What restrictions are being applied
- How long the restrictions will last
- Their right to appeal

## 8. Right of Appeal

The complainant may appeal in writing within [14–28 days].



The appeal will be considered by:

- A panel of councillors not involved in the original decision, or
- The full Council (excluding those previously involved)

The decision on appeal will be final.

## **9. Review of Restrictions**

Restrictions will be reviewed after a set period (e.g., 6 or 12 months).

They may be lifted if:

- The complainant's behaviour improves
- There is no further unreasonable contact

## **10. Record Keeping**

The Council will:

- Keep clear records of decisions and correspondence
- Ensure compliance with data protection legislation
- Store information securely

## **11. Policy Review**

This policy will be reviewed every 2–3 years or earlier if required.

## **12. Legal Context**

This policy operates alongside:

- The Council's Complaints Procedure
- The Freedom of Information Act 2000
- The Data Protection Act 2018
- Guidance from National Association of Local Councils

**Approved: June 2026**