

Unreasonable Complaint Behaviour Policy



2022

POTTO PARISH COUNCIL

District
Hambleton

County
North Yorkshire

The Parish Council wants to deal with complainants in ways which are open, fair and proportionate.

In a minority of cases people pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts and submission of information. This can impede the investigation of their complaint (or complaints by others) and can have significant resource issues for the parish council. These actions can occur either while their complaint is being investigated, or once the parish council has concluded the complaint investigation.

This policy aims to outline a proportionate approach when responding to unreasonable complainant behaviour, based on the Ombudsman's view of good practice in dealing with these complaints.

The Potto Parish Council Policy

This policy covers 'unreasonable complainant behaviour', which may include one or two isolated incidents, as well as 'unreasonably persistent behaviour', which is usually an accumulation of incidents or behaviour over a longer period.

Some complainants may have justified complaints but may pursue them in inappropriate ways. Others may pursue complaints which appear to have no substance, or which have already been investigated and determined. Their contacts with the parish council may be amicable but still place very heavy demands on staff time, or they may be very emotionally charged and distressing for all involved.

Very occasionally complainants act deceitfully by forging documents, making covert recordings of meetings, or adopting false identities. Such behaviour is unacceptable and managing it can become a distraction from consideration of the original substance of complaint.

Situations can escalate, and in a few cases, complainants become abusive, offensive, threatening or otherwise behave unacceptably. In response, the parish council may have to restrict access to its premises or staff, in accordance with procedures protecting staff from harassment and harm.

Unreasonable actions and behaviours

Some of the actions and behaviours which organisations often find problematic, come to the Ombudsman's attention. Single incidents may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the complaint. They include:

- ▶ refusing to specify the grounds of a complaint, despite offers of assistance
- ▶ refusing to co-operate with the complaint's investigation process
- ▶ refusing to accept that certain issues are not within the scope of a complaint's procedure
- ▶ insisting on the complaint being dealt with in ways which are incompatible with the adopted Complaints Procedure or with good practice