



Todmorden Town Council

Vexatious Complaints and Requests Policy

Created: September 2025

Review: September 2027

1. Introduction

This Policy sets out Todmorden Town Council's stance on complaints, demands and/or repeated requests that fall under the category of "vexatious," and how the Council and Officers will address them.

- 1.1 In this policy, the term vexatious means: "denoting an action or the bringer of an action that is brought without sufficient grounds for success and purely to cause annoyance or disruption." This includes complaints and requests that are obsessive, harassing, or which impose an undue burden on Council resources.
- 1.2 The term complaint includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018.
- 1.3 Vexatious complaints can cause problems for Council staff and members by consuming time, wasting resources, and sometimes causing distress. All complaints will be considered on their merits. However, in rare cases where a complaint becomes vexatious or unreasonably persistent, this Policy will apply.
- 1.4 The Council recognises the importance of distinguishing between individuals who make multiple complaints due to genuine concerns and those whose intent is to undermine the Council's legitimate business. Sound judgement will be required to separate genuine complaints from unreasonable behaviour.
- 1.5 This Policy should be read in conjunction with the Todmorden Town Council Complaints Policy and Procedure.

2. Definition of a vexatious complainant/requester

2.1 This definition applies equally to those making complaints and those submitting information requests.

2.2 A complainant may be deemed vexatious where their conduct displays one or more of the following characteristics (this list is not exhaustive, and no single feature necessarily indicates vexatiousness):

- Having insufficient or no grounds for their complaint.
- Refusing to specify the grounds of a complaint despite reasonable efforts by the Council.
- Making persistent and/or unreasonable demands or expectations of staff or the complaints process (e.g. insisting on immediate responses, frequent calls, emails, or letters).
- Making complaints about issues outside the Council's powers, where the complainant refuses to accept this.
- Persisting in complaints/requests where the Council's complaints or FOI procedures have been fully followed and concluded.
- Harassing, verbally abusing, or intimidating staff through foul, offensive, or inappropriate language.
- Frequently changing the substance of the complaint or request without valid justification.
- Persistently introducing new issues during an ongoing complaint.
- Repeatedly denying receipt of responses or refusing to accept evidence as factual.
- Submitting repeated complaints or requests with minor variations following prior resolution.
- Denying earlier statements made during the complaint process.
- Threatening or using physical violence toward Council staff or Councillors.
- Refusing to accept documented evidence as factual.
- Secretly recording meetings or conversations without the knowledge or consent of other parties.

3. Action

3.1 Before applying this Policy, the Council will ensure the Complaints Policy and Procedure has been properly followed.

3.2 The Town Clerk will issue a written warning (letter or email) to the complainant explaining why their behaviour is being considered vexatious. The complainant will be given an opportunity to modify their behaviour. A copy of this Policy will be included, along with potential consequences of non-compliance.

3.3 If the behaviour persists, the Clerk may implement one or more of the following actions:

- Restrict methods of contact (e.g. written correspondence only).
- Designate a single point of contact at the Council.
- Limit communication to specific days, times, or durations.
- Notify the complainant that the Council will not acknowledge further contact regarding the specific issue.

3.4 The Town Clerk will make an initial decision to apply this Policy and implement appropriate restrictions. This decision will be reported to the next available Full Council meeting for formal noting. The complainant will be informed of their right to appeal the Town Clerk's decision.

3.5 Once a decision has been made to apply this Policy, the Town Clerk will notify the complainant in writing. The notification will outline:

- The reasons for the decision
- The restrictions being imposed
- The duration of those restrictions
- The review process
- The internal appeal process
- The complainant's right to contact the Local Government Ombudsman

3.6 Appeals Process:

If the complainant disagrees with the Town Clerk's decision, they may submit a written appeal within 14 calendar days of receiving the decision. The appeal will be reviewed by the next suitable Full Council meeting, which will consider the matter afresh and may uphold, amend, or revoke the decision. The Council's decision on appeal is final.

3.7 Where behaviour is extreme or poses an immediate risk to staff welfare or safety, the Council will consider reporting the matter to the police or taking legal action.

3.8 A decision to restrict contact may be reviewed if the complainant shows improved conduct over time.

4. New complaints

4.1 New complaints from individuals previously subject to this Policy will be assessed on their own merits. The Town Clerk will determine whether existing restrictions remain appropriate in light of the new matter. The Council will not apply a blanket ban on service requests or complaints.

5. Record keeping

5.1 The Town Clerk will maintain adequate records of any decisions made under this Policy. Records will include:

- The name of each person deemed vexatious
- Dates when restrictions were imposed and lifted
- The nature of the restrictions
- Dates on which both the individual and Council were notified

5.2 All records will be kept in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. A privacy notice will be provided where applicable.