

Unreasonably Persistent or Vexatious Contact Policy

Introduction

Every day, Swale Borough Council receives a high volume of contacts from customers by telephone, email, letter, and in person. As a Council, we are committed to dealing with all customer contacts fairly and impartially. We acknowledge that certain queries and/or complaints can be difficult to resolve, which in turn can cause anxiety and distress to customers, employees, and councillors.

Whilst we always endeavour to resolve such matters, there are times that due to the nature or frequency of their contact with the Council, a small number of customers hinder the consideration of their own, or other customers' cases. This may be due to unacceptable behaviour in their dealings with us, or because they become unreasonably persistent in their quest to obtain the outcome they want, or because their request is vexatious.

This Policy is designed to set out the Council's approach in such cases. It does not cover deceitful, abusive, offensive, threatening, or other forms of unacceptable behaviour from customers which the Council does not and will not tolerate. If this occurs, we will take proportionate action in line with our policies relating to potentially violent and unacceptable behaviour, in order to protect the wellbeing of our staff and the integrity of our processes.

Unreasonably persistent or vexatious contact

Whilst not an exhaustive list, examples of what we deem to be unreasonably persistent or vexatious contacts include those contacts which in the view of the decision maker are:

- unfounded accusations;
- personal grudges;
- repeated demands for action or information;
- refusal to accept documented evidence as being factual;
- persistent pursuit of a complaint where the complaints procedure has been fully implemented and exhausted; and
- repeatedly contacting the Council with letters of complaint or telephone calls, placing disproportionate demands on staff.

Council officers manage a number of matters at any one time, utilising their time and resources to best effect. They cannot do so if a customer acts in a way which dominates their attention with:

- frequent contact;
- lengthy contact; and
- repetitive requests for information.

When necessary we will take appropriate action as follows:

Process where a contact is considered unreasonably persistent or vexatious

Where a decision is made that a customer has become unreasonably persistent or their request is vexatious, the relevant Head of Service will, in the first instance, give the customer a warning that if their behaviour continues we may take action or apply restrictions which may include; but are not limited to:

- requesting contact in a particular form and/or with a named officer;
- restricting the number of telephone calls the customer can make to the Council and/or imposing time limits for such calls; or
- banning the customer from entering Council premises.

Other options may be considered depending upon the customer's particular circumstances and behaviours. The relevant Head of Service will inform the customer in writing if any such restrictions are imposed.

Termination of contact

In cases where the customer persists in communicating with us about a particular matter or a complaint that has exhausted all stages of the Council's complaints process, we may decide to terminate contact with them. In such cases the relevant Head of Service will inform the customer in writing that we will not respond to any further communication regarding their complaint or the specific matter being pursued.

Where restrictions are imposed or a decision is made to terminate communication, the customer has the right to request a review within 10 working days of being notified of the decision. Any such review will be carried out by the relevant Director of the service.

Other relevant matters

New contacts or complaints from a customer who has had such restrictions placed upon them will be considered on their own merits, and previous restrictions will not automatically apply to a new matter.

The Council reserves the right to take further action as appropriate.