

## **Unreasonable and Unreasonably Persistent Complaints Procedure**

### **Purpose and Scope**

Unreasonable or unreasonably persistent complainants are those that, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other customer's, complaints, and the ability of officers to provide a quality service to customers as a whole. The purpose of this procedure is to ensure that council services are not compromised by having to divert resources away from focussing on the demand from our customers that is valued in order to deal with demand that is not.

This procedure covers all complaints made to the Council about council services including those related to Freedom of Information, Environmental Information and requests made under the Data Protection Act. It covers both Corporate and Statutory complaints and links to all those procedures. It does not apply to complaints about Elected Members.

The principle that underpins this procedure is the belief that the Council is here only to serve our customers. Where the Council has failed to do something, or to do something right for a customer steps must be taken to rectify this situation and prevent it happening again in the future. In handling persistent or unreasonable complaints, the Council must first ensure that any underlying issues are resolved. The best way to achieve this is to engage positively with the customer, face to face where possible, and try to understand the issue from their perspective.

This procedure should be used in conjunction with the attached guidance. Further advice is available from Directorate Complaints Coordinators or the Corporate Complaints Team.

### **Procedure**

The table below details the type of complaints that may be considered unreasonable or persistent, the action that can be taken and who is responsible for this.

It is important that adequate and accurate records are kept of any actions taken and that these are stored on the relevant complaint file. The Subject Access Rights of customers to information we hold about them are not affected by any decisions to restrict contact and so this information may be disclosed to them.

Any restrictions on contact should be for a limited time only, this must be clearly recorded and communicated to the customer (including the reasons with contact is restricted) and reviewed no later than the date stated.

	Triggers	Who	What
Complaints about the same matter	<p>If the customer refuses to progress the complaint to the next stage; or</p> <p>The complaints process has been exhausted (including Ombudsman\ICO) and the customer continues to correspond</p>	Head of Service	<p>Write to the customer to confirm that the Council will not enter into any further correspondence about the matter and clearly state the reasons why</p> <p>Any further correspondence that does not raise any significant new matters or present any new information may be filed with no acknowledgment sent.</p>
Complaints about different matters	<p>If the volume of correspondence starts to adversely impact on council resources even if the staff involved are in different services or directorates; or</p> <p>If the new complaints are about entirely trivial matters, or matters that have clearly not caused the customer or any other person any injustice.</p>	Head of Service	Hold a meeting with the complainant to find if there is a more effective way for the correspondence to be dealt with. This may bring to light an underlying, common cause for the various complaints and therefore a mutually acceptable resolution.
	If informal meeting does not achieve desired result	Executive Director	<p>Consider restrictions on contact that are appropriate and proportionate to the nature of the complainant's contacts with the council at that time.</p> <p>Customer will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements, the length of time that these restrictions will be in place and what they can do to have the decision reviewed.</p>
	In extreme cases where other steps have failed to achieve desired result	Monitoring Officer	Letter advising no direct personal contact (restrict contact with the Council to either written/taped communication or through a third party advocate or representative.) This will be recorded by the Corporate Complaints Team and reviewed within 12 months

Unreasonable and Persistent Complaints Procedure v1 FINAL  
Date Created: 6 January 2012  
Created by: C Teasdale  
Date Approved: 12 January 2012  
Date for Review: January 2013