YARNTON PARISH COUNCIL

These regulations were adopted on 14.10.26 (Minute reference 116/2026-27.19.13)
and will be reviewed annually or sooner should legislation dictate.

PERSISTENT, VEXATIOUS AND UNREASONABLE CORRESPONDENCE POLICY

1. Introduction

Yarnton Parish Council ("the Council") is committed to providing an open, accessible and responsive service to residents, members of the public and other organisations.

The Council recognises that people have the right to raise concerns, make complaints, challenge decisions and ask questions about matters within the Council's responsibilities. The Council will not regard correspondence as unreasonable simply because it is persistent, critical or because the correspondent disagrees with the Council's position.

However, there may be occasions when the nature or frequency of correspondence becomes unreasonable and places excessive or disproportionate demands on the Council, its Clerk, employees or councillors, or prevents the Council from properly dealing with other correspondence and its statutory functions.

This policy sets out how the Council will deal with such correspondence fairly, consistently and proportionately.

The policy is based on the principles and guidance of the Local Government and Social Care Ombudsman ("LGSCO") concerning the management of unreasonable actions by complainants.

The LGSCO describes unreasonable actions as those which, because of the nature or frequency of contact with an organisation, hinder the organisation's delivery of services or consideration of complaints.

2. Scope

This policy applies to correspondence and communications received by or on behalf of the Council, including:

- emails;
- letters;
- telephone calls;
- communications through the Council's website or social media;

- requests for meetings;
- face-to-face approaches to councillors or Council staff;
- complaints;
- repeated enquiries;
- requests for information; and
- correspondence sent simultaneously to multiple councillors, officers or other organisations concerning the same matter.

The policy applies to correspondence from individuals, groups, organisations and representatives acting on behalf of others.

3. Principles

The Council will:

1. treat people fairly, courteously and with respect;
2. consider legitimate concerns and complaints properly;
3. distinguish between persistence and unreasonable persistence;
4. consider each matter on its merits;
5. avoid restricting communication unless this is necessary and proportionate;
6. take account of relevant equality and accessibility considerations;
7. protect the welfare and safety of Council staff and councillors;
8. ensure that genuine new information or a genuinely new matter is not disregarded merely because the correspondent has previously been subject to this policy; and
9. keep appropriate records of decisions made under this policy.

The Council will not use this policy simply because someone:

- disagrees with a Council decision;
- makes a complaint;
- asks difficult or challenging questions;
- criticises the Council or an individual councillor;
- exercises their legal rights; or
- makes a legitimate request for information.

The substance of the matter remains important. A correspondent's behaviour should not determine whether a legitimate issue is considered.

4. Definitions

4.1 Persistent correspondence

Persistent correspondence is correspondence that continues after the Council has provided a reasonable response or explanation.

Persistence alone does not make correspondence unreasonable.

4.2 Unreasonably persistent correspondence

Correspondence may be considered unreasonably persistent where its nature or frequency:

- places unreasonable demands on the Council's limited resources;
- repeatedly requires the Council to reconsider matters that have already been properly considered;
- prevents the Clerk or councillors from dealing effectively with other Council business; or
- continues without providing any significant new information or evidence.

4.3 Vexatious correspondence

Correspondence may be considered vexatious where it is pursued in a manner which appears intended primarily to cause disruption, annoyance or unnecessary work, or where its nature or frequency is such that it unreasonably interferes with the Council's ability to carry out its functions.

The Council will not assume that correspondence is vexatious merely because it is lengthy, critical, persistent or unwelcome.

4.4 Unreasonable behaviour

Unreasonable behaviour includes abusive, threatening, intimidating, discriminatory or otherwise unacceptable behaviour towards Council employees, councillors or others acting on behalf of the Council.

5. Examples of unreasonable or vexatious correspondence

The following examples are illustrative and are not exhaustive. One incident will not necessarily be sufficient to invoke this policy.

Examples may include:

- repeatedly raising the same issue after it has been fully considered and responded to, without providing significant new information;

- repeatedly demanding a different answer to a question that has already been answered;
- making an excessive number of contacts about the same matter;
- sending lengthy or highly detailed correspondence containing numerous questions where the volume makes a proportionate response impractical;
- repeatedly changing the basis of a complaint or introducing new allegations without allowing the previous matter to be concluded;
- refusing to accept factual information or explanations provided by the Council and repeatedly requiring the same matter to be reconsidered;
- contacting several councillors and/or the Clerk separately about the same matter in an attempt to obtain a different response;
- making repeated demands for immediate responses where there is no reasonable justification for doing so;
- submitting multiple substantially identical complaints or enquiries;
- repeatedly seeking to reopen a matter after the Council's complaints procedure has been exhausted;
- making unreasonable demands regarding the manner, timing or method of response;
- using correspondence primarily to harass, intimidate or cause unnecessary disruption to a councillor or member of staff; or
- using abusive, offensive, threatening, discriminatory or intimidating language.

The list is not intended to prevent legitimate persistence. The LGSCO specifically recognises that people may legitimately pursue matters persistently and that there is an important distinction between persistence and unreasonable persistence.

6. Abusive, threatening or discriminatory correspondence

The Council will not tolerate:

- threats of violence;
- threatening or intimidating behaviour;
- abusive or personally offensive language;
- discriminatory or hateful language;
- harassment of Council staff or councillors; or
- behaviour which causes a genuine concern for the safety or wellbeing of those involved.

Where necessary, the Council may:

- terminate a telephone call or face-to-face discussion;

- require future communication to be in writing;
- require correspondence to be directed to the Clerk;
- restrict direct contact with individual councillors or employees;
- report threats or potentially criminal behaviour to the Police; or
- take other appropriate legal or protective action.

In circumstances involving an immediate threat to safety, the Council may take action without first issuing a warning.

7. Procedure before restrictions are imposed

Where correspondence appears to be becoming unreasonable, the Clerk should, where appropriate, attempt to resolve the matter informally.

This may include:

- explaining the Council's position;
- identifying what information is required to progress the matter;
- asking the correspondent to identify the specific issue requiring consideration;
- explaining the appropriate complaints or information procedure;
- asking the correspondent to consolidate correspondence; or
- arranging a meeting where this may reasonably assist in resolving the matter.

Where appropriate, the correspondent should be warned that continued unreasonable correspondence may result in restrictions being placed on future contact.

The Council should consider whether there are any circumstances which may explain the correspondent's behaviour and whether reasonable adjustments or alternative methods of communication are appropriate.

8. Deciding to apply restrictions

Where unreasonable or vexatious correspondence continues, the Clerk may recommend that restrictions are imposed.

Any decision to impose significant restrictions should normally be made by the Council, or by the appropriate committee, unless an urgent decision is required to protect staff or councillors.

The decision should consider:

- the nature and frequency of the correspondence;

- the impact on the Council's resources;
- whether the matter has already been properly considered;
- whether significant new information has been provided;
- whether the correspondent has been warned;
- whether alternative methods of communication have been offered;
- whether there are relevant equality or accessibility considerations; and
- whether the proposed restriction is reasonable and proportionate.

The reasons for the decision should be recorded.

9. Possible restrictions

Depending on the circumstances, the Council may:

1. require all future correspondence about a particular matter to be sent to the Parish Clerk;
2. nominate a single point of contact;
3. require correspondence to be made by email or post rather than telephone or in person;
4. limit the frequency of contact;
5. ask the correspondent to consolidate multiple enquiries into a single communication;
6. limit the length or number of meetings or telephone calls;
7. arrange communication during specified times;
8. require face-to-face meetings to take place with two representatives of the Council present;
9. advise that further correspondence concerning a matter that has already been fully considered will be noted and filed but will not receive a further substantive response unless it contains significant new information; or
10. in exceptional circumstances, restrict or cease direct contact with a particular member of staff or councillor.

Any restriction should be proportionate to the circumstances.

The Council will not normally impose a blanket ban on all communication. Any genuinely new matter or significant new information will continue to be considered.

10. Time limits and review

Restrictions imposed under this policy will normally be time-limited.

The Council will normally review restrictions after three months, and in any event no later than six months after they are imposed.

The review will consider whether:

- the unreasonable behaviour has ceased;
- the restriction remains necessary;
- the restriction should be amended;
- the restriction should be removed; or
- a further review period is appropriate.

Restrictions may be lifted earlier where circumstances justify this.

11. Complaints and new matters

The Council will continue to consider any genuinely new complaint, issue or significant new evidence on its merits.

This policy will not be used to prevent a person from exercising a legitimate statutory or legal right.

Where the Council's complaints procedure has been exhausted, the correspondent may be advised that the matter is closed and, where appropriate, signposted to the Local Government and Social Care Ombudsman.

The Council may decline to reconsider a matter where it has already been properly investigated and responded to and no significant new information has been provided.

12. Freedom of Information and other statutory requests

This policy does not override statutory rights.

Freedom of Information requests will be dealt with in accordance with the Freedom of Information Act 2000. In particular, section 14 of the Act provides specific provisions concerning vexatious or repeated requests.

Subject Access Requests and other rights under data protection legislation will be dealt with in accordance with the UK GDPR and Data Protection Act 2018.

Where a statutory regime contains its own provisions for dealing with unreasonable, vexatious or repeated requests, those provisions will be applied rather than relying solely on this policy.

13. Correspondence addressed directly to councillors

Councillors may receive correspondence from members of the public in their capacity as elected representatives.

Where correspondence concerns Council business, councillors should normally forward it to the Parish Clerk where a formal Council response is required.

Where an individual repeatedly contacts several councillors about the same matter, the Clerk may coordinate the Council's response and request that future correspondence is directed through the Clerk.

Councillors should not normally enter into prolonged individual correspondence where the matter is properly one for consideration by the Council.

This does not prevent councillors from communicating with residents or exercising their democratic role.

14. Record keeping

The Council will maintain appropriate records where this policy is invoked.

Records should include:

- the nature of the correspondence or behaviour;
- the reasons why the correspondence is considered unreasonable;
- any warning given;
- the decision taken;
- any restrictions imposed;
- the date on which the restriction will be reviewed; and
- the outcome of any review.

Records will be handled in accordance with the Council's data protection policies and applicable legislation.

15. Equality and accessibility

The Council will have regard to its obligations under the Equality Act 2010.

Before imposing restrictions, consideration should be given to whether a person's communication style or behaviour may be connected with a disability or other relevant circumstance.

Where appropriate, the Council will consider reasonable adjustments or alternative methods of communication.

This does not mean that abusive, threatening or unacceptable behaviour must be tolerated, but the Council will seek to manage such circumstances fairly and proportionately.

16. Responsibilities

Parish Clerk

The Parish Clerk is responsible for:

- administering this policy;
- maintaining appropriate records;
- identifying potentially unreasonable correspondence;
- seeking to resolve matters informally where appropriate;
- advising the Council where restrictions may be necessary; and
- coordinating responses to persistent or complex correspondence.

Councillors

Councillors should:

- treat correspondents respectfully;
- avoid unnecessary duplication of responses;
- refer matters requiring a formal Council response to the Clerk; and
- inform the Clerk where they believe correspondence may fall within this policy.

Parish Council

The Council is responsible for ensuring that the policy is applied fairly, proportionately and consistently.