



Northumberland

County Council

CABINET

DATE: 13TH JULY 2021

Unreasonably Persistent and Vexatious Contact Policy

Report of Julie Dennitts-Seal, Corporate Complaints Manager

Cabinet Member: Richard Wearmouth

Purpose of report

1. The purpose of this report is to propose the adoption of an updated Unreasonably Persistent and Vexatious Contact Policy, which is necessary to allow Northumberland County Council to operate a fair, effective, and efficient complaints process, and also to reflect good practice advocated by the Local Government and Social Care Ombudsman.
2. Following review of existing arrangements, it has been identified that the current policy in place to manage challenging behaviour exhibited by a small minority of customers (the Habitual or Vexatious Complainants Policy 2010) has been in place for some time and would benefit from updating. The changes proposed are set out in a newly updated 'Unreasonably Persistent and Vexatious Contact Policy', which if adopted will allow the Authority to deliver its complaints processes as effectively as possible to all users of our services.

Recommendations

Cabinet is recommended to consider and approve the updated Unreasonably Persistent and Vexatious Contact Policy attached as **Appendix A** to this report.

Link to Corporate Plan

The Council is committed to dealing with all complaints equitably, comprehensively and in a timely manner. The proposed Unreasonably Persistent and Vexatious Contact Policy is aligned to all the priorities outlined in the Corporate Plan 2018-21 "A Council that Works for Everyone".

Key issues

1. Dealing with a complaint is generally a straightforward process. However in a small number of cases, complainants can sometimes pursue their complaints in a way which can either impede the investigation of the complaint or can have significant (and disproportionate) resource issues for the Council - to the point where conduct can be described as vexatious or unreasonably persistent. This can happen while the complaint is being investigated, or once the Council has finished dealing with the complaint.
2. The existing policy to manage these matters, adopted by the County Council in 2010, no longer meets the needs of the organisation or reflects good practice guidance issued by the Local Government and Social Care Ombudsman. To operate our complaints processes as efficiently as possible, adoption of an updated Unreasonably Persistent and Vexatious Contact Policy is therefore recommended.

Background

1. The Corporate Complaints Team has reviewed all aspects of the current complaint and feedback handling practice against six themes of good practice, derived mainly from the requirements of Local Government Ombudsman's Model Complaints Handling Procedure (CHP). The themes help organisations identify the extent to which they effectively manage complaints.
2. This has helped us to understand and clearly demonstrate the effectiveness of the current corporate complaints and feedback handling in different key areas, and also to identify areas in which improvements would be beneficial. A key outcome from this work is identifying that our current policy relating to vexatious complaint management would benefit from being refreshed, in particular to ensure that the Local Government Ombudsman's guidance on vexatious and unreasonably persistent complainants is reflected. This will also allow the County Council to demonstrate delivery of best practice principles of Good Complaint Handling.
3. The existing policy (Habitual or Vexatious Complainants Policy 2010) is outdated and does not place an emphasis on getting the most appropriate outcome for our customers. We want to ensure that when our customers are telling us that they have an issue regarding our service we respond in a timely and sensitive way which takes account of the customer's experience of dealing with us. However, there is also a need to ensure that in the small number of cases when a customer's conduct around their complaint becomes unreasonably persistent or vexatious, and impedes the effective functioning of the complaints procedure, that the Council can act appropriately to manage this.

4. An updated Unreasonably Persistent and Vexatious Contact Policy has therefore been prepared, and is attached for Cabinet's consideration at **Appendix A**. The updates within the policy are based on good practice advocated by the Local Government and Social Care Ombudsman.

5. It is recommended that the revised Unreasonably Persistent and Vexatious Contact Policy is adopted forthwith, to help the County Council better manage its approach to all complaints, including those in which unreasonably persistent or vexatious behaviour is demonstrated.

Implications

Policy	This report recommends adoption of a new policy on vexatious and unreasonably persistent contact regarding complaints. Adoption of the policy will enable the better use of County Council resources, and allow a more customer focused approach across all complaints received.
Finance and value for money	There are no specific Finance implications within this report.
Legal	There are no specific implications within this report.
Procurement	There are no specific implications within this report.
Human Resources	Whilst there are no specific HR implications, it could help when dealing with broader behaviour or engagement issues.
Property	There are no specific implications within this report.
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	There are no specific Equalities implications within this report.
Risk Assessment	Whilst there are no implications arising directly from this Policy, it could help when dealing with broader behaviour or engagement issues.
Crime Disorder &	Whilst there are no implications arising directly from this Policy, it could help when dealing with broader behaviour or engagement issues.
Customer Consideration	Adoption of the Unreasonably Persistent and Vexatious Contact Policy will allow the Authority to provide a fairer and more

	customer focused approach to the managements of all complaints received, and an appropriate deployment of resource to those complaints.
Carbon reduction	There are no specific Carbon Reduction implications within this report.
Health and Wellbeing	Whilst there are no Health & Wellbeing implications arising directly from this Policy, it could help when dealing with broader behaviour or engagement issues.
Wards	All wards

Background papers:

Habitual or Vexatious Complainants Policy 2010

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

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