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## **Access To Council Services and Vexatious Correspondence Policy**

### **1. RIGHTS OF PUBLIC ACCESS**

Shipdham Parish Council recognises that in the absence of good reasons to the contrary, members of the public have a right of access to the Council to seek advice, help or services the Council offers.

Criticism of and complaints against the Council are a legitimate and necessary part of the relationship between the Council and its local community. They are a valuable means of reflecting on the operations of the Council and improving both those operations and the quality of the Council's relationship with its local community.

Nobody, no matter how much time and effort is taken up in responding to their complaints or concerns, shall be unconditionally deprived of the right to have those complaints or concerns addressed.

However, the Council also has an obligation to use its resources efficiently and effectively and has obligations to its staff and members as an employer. Accordingly, the Council has decided that there are circumstances in which it will limit the nature and scope of its responses to difficult persons.

### **2. GUIDING PRINCIPLES ON LIMITING ACCESS**

The Council, upon a resolution, may limit the nature and scope of access in the following circumstances:

- where full access would be likely to compromise the Council's obligations as an employer;
- where full access would be likely to compromise any statutory obligations to which the Council is subject;
- where full access would be likely to be wasteful of the Council's resources whether through excessive contact or use of services;
- where full access would be likely to encourage or allow rude or abusive behaviour.

### **3. BEHAVIOUR LIKELY TO LEAD TO LIMITED ACCESS**

There are various types of behaviour that may lead to a decision by the Council to limit the access of an individual or group:

- making excessive phone calls; seeking to exercise excessive personal contact; or engaging in lengthy or repetitious correspondence;
- inability to accept the Council is unable to assist them; inability to accept the Council is unable to provide any further level of service other than that provided already; or

inability to accept action the Council has taken in relation to a complaint or concerns raised;

- making excessive or unreasonable demands on the Council, whether by the amount of information sought, the value and scale of services sought, or by the number of approaches made;
- engaging in personal abuse; making inflammatory statements or comments; making false or malicious or unsubstantiated statements or allegations regarding councillors, council employees or volunteers; or making statements or comments clearly intended to intimidate;
- violent or aggressive behaviour;
- making unreasonable demands, such as insisting on responses being made more urgently than the Council's stated response time or dictating that responses should or should not come from a particular named councillor or member of staff.

#### **4. VIOLENT OR AGGRESSIVE BEHAVIOUR**

Shipdham Parish Council has a zero tolerance policy regarding violence and aggressive behaviour towards its members, staff and volunteers. The Council has a duty to ensure that, as far as is practically possible, it reduces the risk of violent, aggressive, or threatening behaviour towards its employees during the course of their work. The Council affords the same protection to its members.

#### **LIMITING ACCESS IN PARTICULAR CIRCUMSTANCES**

##### **5. Not Replying To Written Communications**

Where the Council receives a written communication that contains substantial and clearly inappropriate content such as is described above, a written notification shall be sent to the author of the written communication asking that they reframe the communication so as to exclude the inappropriate content. They will be advised in writing that in the event that a further substantial and clearly inappropriate communication is received by the Council, the Council will not give a substantive reply.

##### **6. Terminating Telephone Calls**

Where a caller makes comments containing substantial and clearly inappropriate content such as is described above, the caller will be warned that unless the caller is prepared to speak in a different way, the call will be terminated. If the caller then continues to use inappropriate language, the call will be terminated.

In cases of persistent callers using inappropriate language, a written notification will be sent to the caller advising that in the event that any further telephone call is received where the caller uses inappropriate language, not only will the call be terminated but also for a specified period of time all future business with the caller will only be transacted in writing or through a nominated and agreed intermediary. Any written notification shall be given in accordance with the procedure set out above.

##### **7. EXCESSIVE ACCESS**

Where a person or a group makes excessive telephone calls, engages in excessive written communications, or raises the same issues with different councillors or members of staff, the Council may nominate a councillor to deal with all contact with the person or group for a specified period of time and shall inform the person/group in writing accordingly.

Where a person or a group contacts the Council on a wide range of issues, all at once or in a selective way or in a constant stream, the Council may notify the person or group in writing either that only significant and serious issues will be addressed by the Council or that only a certain number of issues will be addressed by the Council in any given period, provided that such arrangements shall not prevent the exercise of any statutory right of an individual to access the Council's services.

## **8. Abusing The Right To Information**

Individuals or groups may place excessive demands on the limited resources of the Council by making continual and extensive demands for information (such as sending large numbers of letters, each containing detailed requests for information, or by being unwilling to accept documented evidence to support an adequate response).

If the Council is satisfied that the resource demands from responding to such contacts are excessive, it may place limits on the manner and/or degree to which the Council will respond to such demands (but not so as to prevent the exercise of any statutory rights of the public to information).

## **9. Declining To Further Investigate Complaints**

Where having exhausted the Council's complaints procedure, a complainant remains dissatisfied with the outcome of a complaint, the Council will inform the complainant, in writing, that the Council will not respond to any further attempted contact or communications concerning the issues raised by the complainant unless significant new information or new issues are raised which in the opinion of the Council warrant action.

If the Council believes a complainant is deliberately providing fresh information in a selective way, the complainant will be advised in writing to immediately pass on all relevant material to the Council and will also be advised that if such material is raised later on the Council will require a satisfactory explanation as to why the material was not supplied earlier before agreeing to consider that material.

## **REVIEW**

A review of this policy shall be undertaken as appropriate and necessary amendments shall be undertaken by the Parish Clerk and reported to the full Council for approval. The Council will undertake to ensure its councillors and employees are trained in the processes required by this policy, as deemed appropriate.

**Adopted by Shipdham Parish Council on 10<sup>th</sup> September 2019**  
**Reviewed on 9<sup>th</sup> May and adopted on 13<sup>th</sup> June 2022**