

## **Cambridge City Council Policy on ‘unreasonable’ and ‘unreasonably persistent’ complainants<sup>1</sup>**

Cambridge City Council values the feedback on our services that we receive through the complaints process and we are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. Our complaints process is summarised for customers in the “How to complain” leaflet.

There are, however, a small number of people who pursue their complaints in a way that can prevent proper investigation of their complaint or other people’s, or that requires us to commit disproportionate levels of resource to investigating the complaint, or who refuse to accept the results of the investigation and determination of their complaint.

Examples of the types of behaviour that may be considered unreasonable or unreasonably persistent include:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

We refer to such complainants as ‘unreasonable’ or ‘unreasonably persistent’ complainants and, exceptionally, will take action to limit their contact with the City Council and its staff. This is consistent with our policies on staff welfare as well as our duty to manage the council’s resources efficiently and effectively.

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<sup>1</sup> This policy has been developed with reference to the Local Government and Social Care Ombudsman’s [“Guidance on managing unreasonable complainant behaviour”](#). Officers should refer to this LGSCO guidance for further advice on how to take decisions and the factors to consider.

The decision to restrict access to the staff and offices of the City Council will be taken by the relevant Corporate Management Team Manager in consultation with their Director and will normally follow a prior warning to the complainant.

Any restrictions imposed will be appropriate and proportionate. They may include the following:

- Limiting the complainant to one means of contacting the Council (e.g. by letter)
- Requiring the complainant to communicate with only one named member of staff (this may involve re-routing emails to a named officer)
- Restricting the number and duration of telephone calls (e.g. one call per week of 20 minutes duration)
- Refusing to log, investigate or reply to further complaints about the same matter
- Where a decision on a complaint has already been made, providing the complainant with acknowledgements only of the receipt of letters, faxes, emails, or, if necessary, informing the complainant that any future correspondence which contains no new evidence, will be read by the Corporate Management Team Manager and placed on file, but not acknowledged
- Referring the complainant to the Local Government Ombudsman's Office

When we decide to treat someone as an 'unreasonable' or 'unreasonably persistent complainant', we will write to tell them why we believe this to be the case, what action we are taking and how long that action will last. We will also advise them that they can appeal to the Monitoring Officer against the decision to invoke the policy and/or any particular restriction applied.

Managers in services likely to be contacted by the complainant, including the Customer Service Centre and Chief Executive's Office, will be informed of the limits applied.

If we are still treating someone as an unreasonable or unreasonably persistent complainant after a year, the decision will be reviewed by the Council's Monitoring Officer, and a decision taken as to whether the restrictions should continue. Limits should be lifted and relationships returned to normal unless there are good grounds to extend them.

The complainant will be informed of the outcome of the review. If limits are to continue, the council will explain its reasons and state when the limits will next be reviewed.

New complaints on other matters from complainants who have come under the unreasonable and unreasonably persistent complainants policy will be treated on their merits.

**Reviewed & updated October 2023**