



## Freshwater Parish Council

### UNREASONABLE, VEXATIOUS, PERSISTENT AND ABUSIVE BEHAVIOUR POLICY

2026



# Freshwater Parish Council

Working For The Community

## **UNREASONABLE, VEXATIOUS, PERSISTENT AND ABUSIVE BEHAVIOUR POLICY**

### **1. Purpose and Scope**

- 1.1 Freshwater Parish Council is committed to handling all complaints, enquiries and requests for information in a manner that is fair, transparent, proportionate and consistent.
- 1.2 This policy sets out how the Council will manage behaviour that is abusive, unreasonably persistent or vexatious. Such behaviour places an unfair burden on Council resources, disrupts the Council's ability to conduct its business, or creates an intimidating or hostile environment for councillors, officers and the public.
- 1.3 This policy applies to all forms of contact with the Council, including but not limited to: complaints, correspondence, FOI requests, data protection requests, telephone calls, emails, letters, social media contact and in-person contact.
- 1.4 This policy does not prevent anyone from raising legitimate concerns, making complaints or requesting information. It addresses behaviour, not the subject matter of the issue raised.
- 1.5 This policy applies to behaviour occurring inside and outside formal Parish Council meetings, including public events, social media, media outlets, websites, blogs, forums, email and messaging services.

## **2. Key Principles**

- 2.1 The Council will act lawfully, reasonably and proportionately; distinguish between behaviour and the merits of issues raised; base decisions on clear evidence; apply restrictions only where necessary; and review restrictions regularly.
- 2.2 Being persistent, passionate or dissatisfied does not automatically make someone vexatious.
- 2.3 Legitimate criticism of the Council does not, in itself, trigger this policy.

## **3. Definitions**

- 3.1 Unreasonably persistent behaviour: repeated or excessive contact that disrupts the Council's ability to deal with the matter or conduct other business.
- 3.2 Vexatious behaviour: behaviour pursued without reasonable grounds or intended to cause disruption, annoyance, distress or reputational harm.
- 3.3 A person may be considered unreasonably persistent or vexatious if they pursue unreasonable outcomes, pursue reasonable issues in an unreasonable manner, or combine multiple forms of disruptive behaviour.

## **4. Indicative Behaviours**

- 4.1 Behaviours apply to conduct within meetings, correspondence and external platforms.
- 4.2 Examples include the manner or frequency of raising issues.

4.3 Indicative behaviours include: unfounded complaints, refusal to specify issues, refusal to co-operate, demanding incompatible processes, unfounded allegations, excessive contact, abusive or racist language, irrelevant or trivial issues, changing complaints without justification, denying previous statements, recording without consent, multi-channel pursuit of the same issue, refusal to accept outcomes, reopening concluded matters, unrealistic expectations, challenging historic decisions, and combinations of these behaviours.

## **5. Decision-Making and Safeguards**

5.1 Before restrictions, the Council ensures the issue has been properly considered, a clear response provided, and escalation routes explained.

5.2 The Clerk consults the Complaints Committee before restrictions.

5.3 Individuals will normally receive a written warning.

## **6. Notification and Application of Restrictions**

6.1 If behaviour does not improve, the Council may designate the individual as unreasonably persistent or vexatious.

6.2 Written notification will include reasons, evidence, restrictions, duration and review arrangements.

6.3 Restrictions will be proportionate and may escalate.

## **7. Possible Restrictions**

7.1 Restrictions may apply to contact and, where lawful, attendance at meetings.

7.2 Restrictions include: limiting contact to one officer, restricting contact methods, restricting frequency, requiring a third party, requiring witnesses, declining responses on concluded matters, temporary exclusion from meetings, and permanent exclusion in extreme cases subject to legal advice.

7.3 Restrictions normally apply for 3–6 months.

## **8. Application to Meetings and External Behaviour**

8.1 Applies to behaviour inside and outside meetings.

8.2 External behaviour includes social media, media outlets, websites, blogs, forums, email and public events.

8.3 Abusive, harassing, misleading or intimidating behaviour may trigger restrictions.

8.4 Temporary exclusion may be imposed to protect business or safety.

8.5 Permanent exclusion requires reference to Standing Orders, legal advice and written notification.

8.6 Chair's powers to manage disorder remain unaffected.

## **9. Extreme, Abusive or Disruptive Behaviour**

9.1 External Behaviour may be treated as seriously as behaviour within meetings.

## **10. New Complaints or Requests**

10.1 New complaints will be considered on their merits.

10.2 Restrictions do not prevent consideration of legitimate issues.

## **11. Review of Status**

11.1 Designations reviewed after three months or at the end of the restriction period.

11.2 Individuals will be informed of changes.

## **12. Record Keeping and Data Protection**

12.1 Clerk maintains confidential records of details, reasons, restrictions and reviews.

12.2 Records held in accordance with data protection law.

12.3 An anonymised summary may be provided annually.

**Approved and Adopted 7<sup>th</sup> April 2026**