



CABINET – 27TH NOVEMBER 2013

SUBJECT: PROPOSALS TO INTRODUCE A POLICY AND PROCEDURE TO DEAL WITH UNACCEPTABLE PERSISTENT OR UNREASONABLE ACTIONS BY COMPLAINANTS

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

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- 1.1 The attached report was considered by the Audit Committee on 6th November 2013.
 - 1.2 The report sought comments from members of the Committee on the proposal to introduce a policy and procedure (the Policy), which will assist officers when dealing with unacceptable, persistent or unreasonable actions by complainants.
 - 1.3 Details of the unreasonable actions covered by the policy are set out in the draft policy attached as an appendix to the report. The actions are grouped under three main headings viz Abusive Correspondence, Unreasonable Demands and Unreasonable Persistence.
 - 1.4 Following consideration and discussion, Members noted the report and proposed policy and queried whether consideration could be given to their being notified of/involved in the process for any such cases within their wards.
 - 1.5 Whilst highlighting the need for caution in terms of data protection issues, the Interim Monitoring Officer advised the Committee that their comments would be referred back to the Learning from Complaints Group and Cabinet for consideration.
 - 1.6 Following the Audit Committee, the Learning from Complaints Group have met and the issue in relation to the involvement of Members was discussed.
 - 1.6.1 The overall view of the Group was that the direct involvement of Members in the process was fraught with difficulty, particularly with reference to data protection issues. Furthermore it was considered that practically it was very likely that Members would have been involved in the process previously, since persistent complainants will often take a 'scatter-gun' approach to complaints and involve Members, AM's and MP's etc.
 - 1.6.2 In the circumstances the recommendation from the officer Group was that an additional paragraph should be incorporated in the Policy whereby relevant Members are formally notified if any Ward constituent's contact with the Authority has been restricted in any way under the Policy.
 - 1.6.3 Officers can confirm that this approach is consistent with the approach taken by other local authorities in England and Wales.
 - 1.7 Members are therefore asked to consider an addition to the Policy as outlined above.
 - 1.8 The report and proposed Policy is attached for Members' consideration.

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Appendices:
Appendix 1: Report to Audit Committee on 6th November 2013 – Agenda item 5(7)