

PERSISTENT COMPLAINANTS POLICY

To: **Cabinet**

Date: **6 January 2004**

From: **Director of Resources**

Electoral division(s): **All**

Forward Plan ref: **None** *Key decision:* **No**

Purpose: **The purpose of this report is to seek Cabinet agreement to the adoption of a policy on persistent complainants, as an extension to the existing policy and procedures on complaints.**

Recommendation: **Cabinet is recommended to approve the adoption of the policy on persistent complaints.**

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1.0 BACKGROUND

1.1 Although Cambridgeshire County Council has a well established policy and procedures for responding to complaints (as well as compliments and suggestions) it does not have a policy for dealing with persistent complainants. A Persistent Complainant is a member of the public who complains about issues that they believe to be within the remit of the Council and whose behaviour is characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b) an insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason and/or
- c) an insistence upon pursuing meritorious complaints in an unreasonable manner.

2.0 PERSISTENT COMPLAINANTS POLICY

2.1 At present, persistent complainants are known to the County Council and there are informal arrangements in place to deal with new contacts from them. However, without the benefit of a policy, officers may continue to respond to these complainants about “closed” complaints.

2.2 Other authorities have adopted policies for dealing with persistent complainants in order that they do not expend resources in repetitive correspondence to no avail.

2.3 The Social Services Client Satisfaction Panel recently considered, and expressed support for, a draft policy on persistent complaints (attached an Appendix A). This policy is modelled on other local authorities’ similar policies.

2.4 Appendix B, attached, details the procedures to be followed to determine whether someone is a persistent complainant. Whilst they might appear onerous, it should be noted that there are only a handful of complainants each year who might be deemed persistent. In addition, the Council needs to safeguard itself against frivolous determination of a persistent complainant and to ensure it keeps full records as the complainant may well continue to challenge the decision.

2.5 In the first instance, it is proposed that the Head of Customer Contact, who is also responsible for the corporate management of complaints, and the appropriate Departmental Representative, determine whether a complainant is persistent. This will ensure consistency across the Council and pick up whether a complainant is pursuing more than one complaint simultaneously.

The appropriate local member(s) would also be notified where a person has been deemed a persistent complainant. As part of the routine reporting to Resources Spokes, updates will be provided on the corporate position regarding persistent complainants.

2.6 The adoption of such a policy would bring the following advantages

- information about persistent complaints would be confidentially shared with senior Departmental complaints representatives, to ensure consistency and continuity
- persistent complainants would receive a clear message that the Council will not prolong correspondence/contact on the same matter, after the complaint has been fully investigated and responded to
- officer and elected Member time will not be spent on complaints which are effectively closed

Nevertheless, the complainant retains the right to raise new complaints.

2.7 The principles behind this policy and procedures have been shared with the office of the Local Government Ombudsman who has offered no reason why they should not be adopted, provided that they are fully observed and that any new contact from a person deemed to be a persistent complainant is scrutinised to ensure that no new complaint or additional information about a previous complaint has been put forward. The policy and procedures provide for this to happen.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no additional financial implications in adopting this policy; there is a modest efficiency saving in officer time in dealing with persistent complainants.

Source Documents	Location
List Source documents here NIL	