

Agenda Item 51.

TITLE	Unreasonably Persistent Complainants Policy (Updated Policy)
FOR CONSIDERATION BY	Overview & Scrutiny Management Committee on 15 November 2023
WARD	(All Wards);
LEAD OFFICER	Lewis Borges Head of Customer Experience & Change

PURPOSE OF REPORT

To share an updated draft copy of the Unreasonably Persistent Complainants Policy with Overview & Scrutiny Committee members for their observations and comments before going through formal sign off.

RECOMMENDATION

That the updated policy, currently in draft, is taken through for formal sign off and adopted by the Council as a formal approach for unreasonably persistent complainants.

Background

The Unreasonably Persistent Complainants Policy (UPCP) is a policy that already exists and has recently been updated to reflect the Council's approach to people that complain in an unreasonable manner about a particular topic or persistently, in line with what is set out by the Local Government and Social Care Ombudsman (LGSCO).

This policy should be read in conjunction with the Corporate Complaints Policy, which explains the steps to take if you have a complaint. You can find further details at this link: [Complaints \(wokingham.gov.uk\)](https://www.wokingham.gov.uk/complaints)

It is very rare that Council Officers need to use the Unreasonably Persistent Complainants Policy (UPCP) when interacting with complainants and we currently do not have any residents or members of community that fall under the unreasonably persistent complainants title.

Most complaints are resolved through the Council's internal complaints process or when needed, through the Local Government and Social Care Ombudsman (LGSCO).

However, there are a small number of customers who, because of the amount, nature, and quality of their contact, are deemed to be unreasonable or unreasonably persistent complainants.

Who is unreasonable or an unreasonably persistent complainant?

They can be:

- a complainant who has been responded to in full but still wishes to pursue the same complaint
- a complainant who is pursuing their complaint through different ways in the hope of getting a different outcome
- a complainant who makes derogatory or disrespectful comments aimed at our staff

The complainant would be told before any decision is made, that their actions are becoming unreasonable or unreasonably persistent. We would offer to discuss this with them before taking any further action.

This policy will set out a clear and transparent approach for officers on how and what circumstances to correctly apply the policy when or if required and as the complainant, what to expect. The policy will also explain to the complainant what they can expect from us and the process and decision-making route.

This policy and approach are only to be used in extreme circumstances and when all options have been appropriately explored with the complaints policy and the LGSCO guidance.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other Financial Information
No Costs or Savings identified

Public Sector Equality Duty
An EQIA has been completed and concluded that there was not any detrimental effects to any particular group.

Climate Emergency
N/A

Reasons for considering the report in Closed Session
None

List of Background Papers
None

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Appendix

[Formal Complaints Process at a Glance.pdf \(sharepoint.com\)](#)

[Complaints \(wokingham.gov.uk\)](#)

[Home - Local Government and Social Care Ombudsman](#)

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