

PERFORMANCE PORTFOLIO DECISION RECORD

25th January 2008

The meeting commenced at 3pm in the Avondale Centre, Dyke House, Hartlepool

Present:

Councillor Pamela Hargreaves (Performance Portfolio Holder)

Officers: Andrew Atkins, Assistant Chief Executive
Joanne Machers, Chief Personnel Services Officer
Stuart Langston, Health, Safety & Wellbeing Manager
Sarah Bird, Democratic Services Officer

36. Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour Policy *(Assistant Chief Executive)*

Type of Decision

Non-key

Purpose of report

To report to the Portfolio Holder on a proposed addition to the Corporate Complaints procedure.

Issue(s) considered by the Portfolio Holder

The Local Government Ombudsman had recommended that all authorities should have a policy and procedure for dealing with unreasonably persistent complainants and unreasonable complainant behaviour. As such, a draft policy had been drawn up in consultation with the Corporate Complaints Officer Group and the Chief Solicitor, using the guidance provided by the Local Government Ombudsman's office on good practice in dealing with these complainants. If a complainant continued to behave unreasonably, it could be decided by the appropriate departmental director in consultation with the Chief Solicitor and Corporate Complaints Officer to restrict the complainant's contact with the Council. In the case of dispute about the classification of a complainant as unreasonable, the matter would be referred to the Performance Portfolio Holder for a final decision but it was hoped that this was a policy which would not need to be used very often. The draft policy was attached to the report for the Portfolio Holder's attention.

The Portfolio Holder referred to the list of actions and behaviours of unreasonable and unreasonably persistent complainants, and asked that it be amended to read, 'introducing information not substantive to the initial complaint which the complainant expects to be taken into account....'

It was clarified that any decision by the Portfolio Holder when dealing with an unreasonably persistent complainant would be subject to guidance from an Officer and that the complainant would then be able to refer their case to the Ombudsman if he/she was unsatisfied with the outcome.

Decision

The Portfolio Holder approved the draft policy for inclusion in the Corporate Complaints Procedure with the proviso of the aforementioned revision.

J A BROWN

CHIEF SOLICITOR

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