

From

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Dear Sir/Madam

Re: Information Request CRM Ref. iw10-6-28603

Thank you for your information request dated 17 June 2010.

Please find below the information you have requested.

How many other people from the island have been 'blacklisted' or 'blocked' from contacting the council or Council staff via email since 2005?

In a minority of cases the Isle of Wight Council restricts access to services in relation to members of the public making complaints and allows contact with one central point by applying the Complaints Policy-Habitual or Vexatious Complainants. This central point will filter all further complainants' correspondence and distribute to services, as appropriate (i.e. a new issue that has not been previously addressed). It is not current policy to totally 'block' contact with the council.

The decision to apply restrictions is not taken lightly but after careful consideration of complainant's behaviour and the affect this has on council officers and/or service delivery.

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet one or more of the following criteria.

Where complainants:

- a) Refuse to specify the grounds of a complaint, despite offers of assistance with this from Council Staff
- b) Persist in pursuing a complaint where the Council's complaints process has been fully and properly implemented and exhausted.
- c) Refuse to co-operate with the complaints investigation process or insist on the complaint being dealt with in ways which are incompatible with the adopted complaints policy, procedure or good practice.
- d) Make groundless complaints about employees dealing with the complaints or attempting to use the complaints procedure to pursue a personal vendetta against an employee or team
- e) Make unreasonable complaints which impose a significant burden on resources of the Council and where the complaint:
 - Clearly does not have any serious purpose or value,
 - Is designed to cause disruption or annoyance; or
 - Has the effect of harassing the public authority; or
 - Is frequent, lengthy, complicated and stressful for staff
 - Presents contradictory information or views

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- Can otherwise fairly be characterised as obsessive or manifestly unreasonable
- f) Refuse to accept information for no apparent good reason
- g) Introduce trivial or irrelevant new information or raise large numbers of detailed but unimportant questions and insisting they are fully answered
- h) Lodge numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of the complaints procedure
- i) Pursue a complaint or complaints with the Council and at the same time with several of the following; a Member of Parliament, a councillor, the authority's independent auditor, the Ethical Standards Committee, the police or the Local Government Ombudsman in a "scatter gun" approach
- j) Present the same issues repeatedly but never accept the explanation or outcomes. This can take the form of excessive phone calls, visits or written communications
- k) Display aggressive behaviour towards staff or members which may be expressed in verbal abuse or threatening, threatened or actual physical harm
- l) Approach different staff members repeatedly about the same issues

In response to your question:

In 2005 the policy was applied to 1 complainant and the restriction lifted after 11 months

From 2007- 2009 – 4 complainants have had restrictions applied

From 1 January 2010 to now 1 complainant has had restrictions applied therefore we currently have a total of 5 complainants with restrictions to access to Isle of Wight Council services.

What law gives you the right to block a member of public in your constituency from communicating with you electronically?

As explained above correspondence is not blocked electronically as complainants are able to direct their complaint to a nominated central point of contact, in writing this can be either electronically, by fax or letter. These restrictions are applied under council policy.

The Council continues to discharge its duties under the Freedom of Information Act, Data Protection Act and Environmental Information Regulations in relation to any person that has restricted contact with the council.

I hope this information satisfies your request.

Please contact me again if you require any further assistance on this matter and I will do my best to provide relevant help and advice.

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Yours sincerely



Amy Phillips

Departmental Information Guardian