

REPETITIOUS AND VEXATIOUS COMPLAINANTS

(1) OUR COMPLAINTS POLICY

Camden's Complaint Policy states "We may at any stage of the complaints procedure, review a complaint and give a decision, without a formal investigation, where a Chief Officer or Head of the Central Complaints Unit considers it to be deliberately repetitious or vexatious."

In practice the Chief Officer's authority is delegated through their departmental complaints officer. It is used where complainants have previously had a particular complaint dealt with exhaustively – often up to and including the Review level and by the Local Government Ombudsman. Advice should always be obtained from either

Housing Complaints Team (020 7974 1972 or 5805) or

Peter Swinger, Central Complaints Unit (020 7974 5644)

before applying this provision of the complaints scheme, as care must be exercised to allow any legitimate 'new issues' to be raised by such complainants.

(2) VEXATIOUS LITIGANTS

Some individuals are so persistent and vexatious against society that the High Court has declared them to be vexatious litigants (e.g. Miss. B.B.)

A list is accessible via the Internet:

www.courtservice.gov.uk - Search on 'vexatious' and accept link to mcol2 user guide to see list of vexatious litigants.

With such persons it is possible to take the line that, unless and until a solicitor writes in on their behalf, confirming that they have the leave of Court to raise the matter, the Council is not obliged to deal with it further.

However, in practice 'common sense' will dictate that if the person raises a legitimate new service request (e.g. my central heating has broken down and needs fixing), it should be dealt with

(3) THE THREE STRIKES AND YOU ARE OUT APPROACH

The 'Law Society' approach should be adopted when closing off vexatious correspondence

Letter 1: Polite reply, explaining the complaint policy clause is being applied and saying complaint not to be pursued further

Letter 2: Refer the person back to Letter 1, enclose a copy of Letter 1 with the new reply, and restate politely but firmly why matter is not to be pursued further

Letter 3: Refer back to Letters 1 and 2 and add "Any further communication from you about this matter will not receive the courtesy of consideration or reply"

If they come back again after letter 3 do not reply to any of them. You should just hold them in the file or pass to the Central Complaints Unit for retention there.

Peter Swinger – Head of Central Complaints Unit – LB of Camden – 4/1/11

