

Diocese of Chester

Persistent, Unreasonable and/or Vexatious Complaints Policy

Date policy began	October 2025
Author	J Bridgman, EA Geddes
Relevant to	Church House Staff ✓ Clergy ✓ Parishes ✓
Version number	Version 1
Date of last change	n/a
Next review date	October 2028
Approved by	Central Services Committee, Nov 2025

Introduction

The identification and handling of an unreasonably persistent, malicious or vexatious complaint is not an easy task. Difficult or not, it is important that we all do all we can to protect each other from harm. Vexatious complaints are often rooted in the complex history of an individual, such as childhood trauma or longstanding relational difficulties, and this should be kept in mind when considering an appropriate way to set safe boundaries for all involved. This knowledge should help inspire empathy rather than hopelessness.

In adopting this policy, the Chester Diocesan Board of Finance has been committed to a balanced approach to complaints. We acknowledge the need to ensure all complaints are taken seriously and it is our priority to hear real complaints even if expressed in a deficient way. All complaints should be responded to individually. We also seek to offer clergy, church officers and employees robust protection from unnecessary injury by complainants. In summary, our duty is to ensure all are safeguarded and can flourish.

In the first instance, complaints concerning an officer or practices of a parish should be sent to the local Parochial Church Council who, when necessary, may seek the guidance of the local archdeacon. A model parish complaints policy is available for parishes in Appendix 1. This can be individually tailored at PCC level. If either party is dissatisfied with the way the complaint is progressing or it is unable to be resolved locally, the archdeacon can advise how and when to

escalate the complaint. Complaints concerning an employee or officer of the Diocese of Chester should be dealt with via the DBF Complaints Policy.

This policy deals only with the management of abusive, unreasonably persistent, and/or vexatious complainants that cannot be resolved. It sets out how all those affected might deal with complainants that fall within the scope of this definition. Those identified will be treated consistently, honestly and proportionately.

It is acknowledged that all complainants have the right to have their concerns examined in line with PCC and diocesan complaints policies. In most cases, dealing with complaints will be a straightforward process; however, in a minority of cases, the complainant may act in a manner that is deemed unacceptable.

They may act in a way that is considered abusive, unreasonably persistent or vexatious and by doing so may hinder the ability to investigate their complaint or the complaints of others. This behaviour may occur at any time before, during or after a complaint has been investigated.

The time spent on dealing with all complaints should be proportionate to the nature of the complaint and/or the distress of any of the parties involved. It should be consistent with the outcome that is being sought and be realistic and achievable.

This policy is not intended to cover safeguarding concerns. If you are concerned that you or someone you know may be the subject of abuse, or you have a concern regarding any other safeguarding issue, you must contact the Diocesan Safeguarding Team:

safeguarding@chester.anglican.org

1. How is unreasonable complaint behaviour defined?

It should be noted that raising a complaint about a member of the diocesan staff, church officer, lay minister or member of the clergy does not in itself constitute unreasonably persistent behaviour, and neither do complainants who escalate through all stages of the relevant complaints procedure or those who express criticism about the complaints process itself.

If a complaint appears to be complex and there is an extraordinary level of distress or a breakdown in communication, it should be considered very early in the process if additional support needs to be given to either party whilst the complaint is on-going. It may be helpful at this point to set out the expectation of boundaries, behaviour and communications of all parties throughout the process.

Generally, the Diocese of Chester seeks to adopt the Local Government Ombudsman's definition and the identified characteristics for unreasonable or unreasonably persistent complainants:

For us, unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints.¹

Examples of unreasonable and unreasonably persistent behaviour

This list is not exhaustive, nor does one single characteristic on its own imply that the person will be considered as being in this category:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of either the parish's or Diocese of Chester's jurisdiction or within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about officers and clergy who are trying to deal with the issues and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various members of staff and/or organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to diocesan staff and senior clergy or detailed letters every few days and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations, which the complainant insists are 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

Examples of abusive and/or vexatious behaviour

¹ <https://www.cheshirewestandchester.gov.uk/documents/contact-us/complaints-policies/managed-contact-policy-part-a.pdf>

The Diocese of Chester will take steps to protect its clergy, officers and staff from members of the public who are behaving in a way which is considered abusive and/or vexatious. This may include physical or verbal abuse and could include the following (however this list is not exhaustive):

- Speaking to the individual in a derogatory manner.
- Swearing, either verbally or in writing.
- Using threatening language.
- Repeatedly contacting an individual regarding the same matter which has already been addressed.

Examples of unreasonable behaviour

- Complaining about a wide variety of unrelated issues and people.
- Employing traditional methods of emphasis with high frequency (i.e. underlining, bold).
- Using threats or intimidation, including threats of violence.
- Being overtly offensive.
- Pursuing the complaint for a duration which is not proportionate to the nature of the complaint.
- Focusing on personal vindication or retribution.
- Demanding retribution by prosecution or dismissal.
- Demanding public exposure and humiliation of the respondent or organisation, including involving the press or publishing the complaint whilst the process is ongoing.

2. Record Keeping

This is a vitally important part of being able to address concerns. Individual parishes, the diocesan office, bishops' and archdeacons' offices should keep a record of all complainants who have been treated as being unreasonably persistent, abusive and/or vexatious in accordance with this policy. These records will include details of why the policy was invoked, what restrictions were imposed and for what time-period.

Record keeping needs to be excellent at all levels so that it is easy to identify those who have a history of complaining behaviour. Information sharing may be necessary to be able to identify the kinds of complaining behaviour set out in section 1 and this may be made available to the Director of HR or other nominated officer.

A sample record of harassment form is available as Appendix 4.

3. Managing unreasonable complainant behaviour

This policy may be invoked if the recipient of the complaint considers that a complainant has behaved in a manner which is deemed unreasonable or unresponsive and has not adhered to the expectations set out in our initial response letter. At this stage the initial recipient will escalate the complaint to the diocesan office for action. The Director of HR or other nominated officer will lead the response to this escalation. Once investigated the Diocese of Chester may take any actions against a complainant that it considers to be reasonable and proportionate in the circumstances.

Types of actions the Diocese of Chester may take:

- Where the complainant tries to reopen an issue that has already been considered by other complaints procedures, they will be informed in writing that the procedure has been exhausted and that the matter is now closed.
- Where a decision on the complaint has been made, the complainant should be informed that future correspondence will be read and placed on file, but not acknowledged, unless it contains important new information.
- Limiting the complainant to one type of contact (e.g. telephone, letter, email, etc.)
- Placing limits on the number and duration of contacts with staff per week or month.
- Requiring contact to take place with a named member of staff and informing the complainant that if they do not keep to these arrangements, any further correspondence that does not highlight any significantly new matters will not necessarily be acknowledged and responded to, but will be kept on file.
- Assigning one member of staff to read the complainant's correspondence, in order to ensure appropriate action is taken.
- Offering a restricted time slot for necessary calls to specified dates and times.
- Requiring any face-to-face contacts to take place in the presence of a witness and in a suitable location.

4. Matters to consider before taking action

Before taking a decision to invoke this policy, consideration should be given to whether any further action is necessary, such as:

- Consideration about whether it is appropriate to convene a meeting with the complainant and a senior officer in order to seek a mutually agreeable resolution.
- If it is known or suspected that the complainant has any special needs, then consider offering an independent advocate who may assist the complainant with their communication with officers of the Diocese of Chester.

- Where more than one department/parish is being contacted by the complainant, agree a cross functional approach; and designate a lead officer to co-ordinate the DBF / Diocese of Chester's response.
- Staff must be satisfied before taking any action as defined by this policy that the complainant's individual circumstances have been considered including such issues as age, disability, gender, race and religion or belief. Reference can be made to, and advice taken from, other diocesan groups or officers when required, e.g. the Racial Justice Forum, the Disability Forum.

5. Imposing restrictions

In the first instance the Director of HR, in consultation with the relevant archdeacon, will communicate to the complainant either by phone or in writing to explain why this behaviour is causing concern and ask them to change this behaviour. The Director of HR will explain what actions it may take if the behaviour does not change.

If the complainant continues with the unreasonable behaviour the Director of HR will consult with the Diocesan Secretary and CEO, and with the Diocesan Registrar, about whether it is necessary to take appropriate action by invoking this policy.

When the decision has been taken to apply this policy to a complainant, the Director of HR will contact the complainant in writing (and/or as appropriate) to explain:

- why this decision has been taken.
- what action the DBF / Diocese of Chester will be taking.
- the duration of that action.
- the review process of this policy.

Any restriction that is imposed on the complainant's contact with the Diocese of Chester will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between three and six months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

If the complainant continues to behave in a way which is deemed unacceptable then the Director of HR, in consultation with the relevant archdeacon and legal services, may decide to refuse all contact with the complainant and cease any investigation into his or her complaint.

Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, officers or clergy, the Director of HR will consider other options, for example reporting the

matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

6. New complaints from those who have been treated as being abusive, vexatious and/or unreasonably persistent complainants

Any new complaints received from complainants who have come under this policy will be treated on their merits.

The Diocese of Chester does not support a blanket ban on genuine complaints simply because restrictions may be imposed upon that complainant.

7. Review

The Director of HR will review any restrictions which are imposed upon the complainant after three months and at the end of every subsequent three months within the period during which the policy is to apply.

Should the decision be taken to extend the period of restriction, the complainant will be advised in writing how the Diocese of Chester plans to go about this and that the decision to restrict contact will be put in place for a further specified period (e.g. six months). The outcome of any subsequent review will be communicated to the complainant, outlining if the restrictions will continue to apply and if so why.

If at the end of the restricted period it is considered that the complainant's behaviour is no longer deemed to be unreasonable, the Director of HR will confirm this in writing, advising that the restrictions have now been lifted.

Appendix 1: Template Parish Policy

Name of Parochial Church Council Complaints Policy and Procedure

The members of **(PCC name)** are committed to their role which primarily involves “cooperation with the minister in promoting in the parish the whole mission of the Church, pastoral, evangelistic, social and ecumenical.” (from the Parochial Church Councils (Powers) Measure 1956).

This policy has been written to ensure, as far as possible, that the Church family is happy, healthy and safe.

There are two different kinds of complaints covered by this policy:

1. Complaints about the wrong behaviour of someone in church. This could be the wrong behaviour of the vicar, staff, PCC members or another church family member.
2. Complaints about an issue for which the PCC is responsible. This could be related to the safety or poor condition of the church buildings, grounds, finances, equipment, policies or practices which have affected you.

This policy is not intended to cover safeguarding concerns. If you are concerned that you or someone you know may be the subject of abuse, or you have a concern regarding any other safeguarding issue, you must contact the Parish Safeguarding Officer

<Contact Details Here>

Or the Diocesan Safeguarding Team: safeguarding@chester.anglican.org

What to do when problems arise with someone’s bad behaviour and who to talk to.

If there is someone who is behaving in a way which you think is wrong, and you want support to address the problem, then you should take that problem to people who have the responsibility listed in the table below.

Bad behaviour of	Talk to	Phone number	Email
The vicar	The wardens and/or leadership team PSO?		
A member of staff, lay minister or church officer	The wardens and vicar		
A member of the church council	The wardens and vicar		
Another church family member	The vicar or other member of clergy		

The people you talk with will make sure that what you say is:

- listened to.
- treated seriously.
- handled fairly without bias or discrimination.
- treated confidentially.

You will be asked to talk with, or write to, one or more people listed. After you have made a verbal or written complaint, the people responsible for handling your complaint will aim to get back to you usually within 10 working days (annual vacations or sickness permitting).

The problem will be addressed by the responsible people you have talked to; they will seek to establish the facts of the matter and, depending on the kind of behaviour, will either seek to bring peace by a process of reconciliation OR protection for you (and others) from that bad behaviour.

A confidential record of conversations or communications will be kept for an appropriate period of time, either until the matter is resolved or for a specified period afterwards.

If anyone responsible for bad behaviour apologises, seeks forgiveness or makes redress and then asks for help to change, then forgiveness and peace should follow, though this process might be difficult and take time.

If the matter is of a sufficiently serious nature the wardens, clergy, lay minister or other church officer will inform the relevant safeguarding officers, diocesan staff or statutory authorities, social services or police, and let due process be followed.

Making a complaint to the PCC

If your complaint is focused on an issue which the PCC is responsible for, such as the buildings, grounds, finances, equipment, policies or practices, and this has affected you, then complaints should be made in writing or by email to the PCC Secretary whose name and contact details are set out below. The PCC Secretary will ensure that your complaint is:

- treated seriously.
- handled fairly without bias or discrimination.
- treated confidentially.

You should complain within 3 months of the event that you are complaining about. You need to set out:

- your full name and address
- what you think went wrong and how it has affected you including enough details to show why you are aggrieved
- what (if anything) you think the PCC should do to put it right.

If someone else complains on your behalf, the PCC will need written confirmation from you saying that you agree for that person to act for you.

The PCC Secretary should immediately record receipt of a complaint in a log.

How your complaint will be dealt with

The PCC Secretary will write to you or send you an email to confirm receipt of your complaint usually within 10 working days of its receipt (vacations and sickness permitting) and arrange for it to be considered by the PCC. This may be delegated to a smaller group of PCC representatives known as the or Complaints Committee. If your complaint refers to particular individuals who are members of the PCC or Complaints Committee, then it will meet without them being present.

The PCC will look fairly into your complaint including seeking the views on the matter from any individuals, whether members of the PCC or otherwise, to which your complaint refers. The PCC may appoint one or more persons to look into the matter on its behalf but it will be the PCC

that makes any decisions. The PCC and any such appointed persons will treat the matter confidentially.

Representatives of the PCC may invite you to present your complaint to them. If so, you may attend with a friend / representative if you wish. The meeting should be held as informally as possible. The Chair will explain the purpose of the meeting, introduce the members and emphasise confidentiality. The meeting will be minuted.

The PCC Secretary will write to you with the conclusions from the PCC's review and reasons for that outcome. The PCC Secretary will aim to respond to you in this way as soon as possible, and no longer than 6 weeks after the receipt of your complaint (holidays and sickness permitting).

This will be the PCC's final response to your complaint.

Vexatious Complaints

The presumption will be that a complaint is made in good faith. If the PCC becomes aware that the complaint is made with vexatious or malicious intent, they may make a decision and recommendations for further action on this basis.

Every complaint will be considered on its merits and, even if someone has made a vexatious or malicious complaint in the past, it must not be assumed that any other complaint they make will also be vexatious or malicious.

If the complainant fails to agree with the resolution suggested and continues to persist in a querulous or vexatious manner, the PCC should refer the complainant to the DBF who will consider the complaint and if necessary refer to its vexatious complaints policy.

Appendix 2: Expectations and responsibilities of complainants and respondents

The Parish/Diocese of Chester as respondent will:

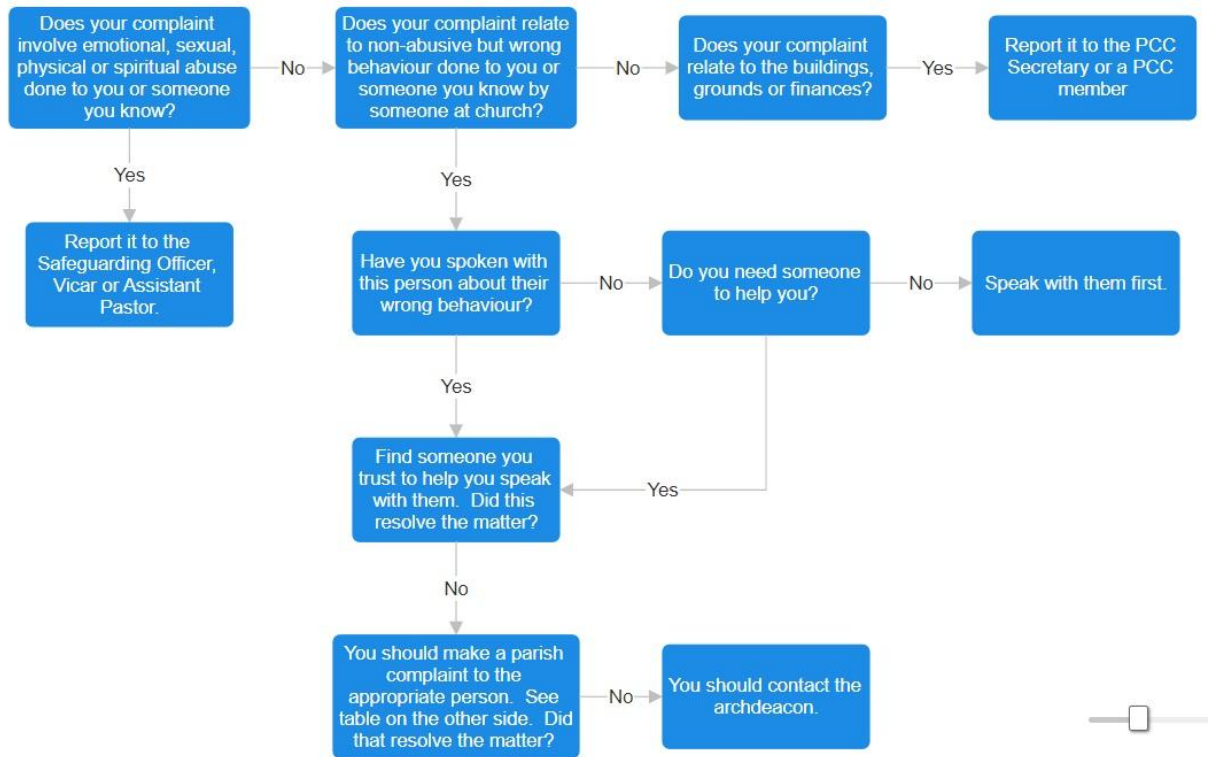
- ensure unacceptable behaviour is never tolerated in any form.
- develop an organizational culture where people's differences are actively valued and included.
- ensure those experiencing or witnessing bullying, harassment, unlawful discrimination or victimisation know how to report it and are aware of the support available to them.
- ensure when cases are reported that we respond promptly, sensitively and appropriately.
- acknowledge complaints usually within 48 hours.
- keep a formal record and outline our process of investigation thoroughly and adhere to the process and where reasonably possible to the timelines laid down.
- take every complaint seriously.
- treat complainants with courtesy.
- maintain record keeping in line with GDPR best practice.

The complainant will:

- engage in the process and do all they can to make the attempts at resolution succeed at the lowest possible level.
- explain or document the matter accurately and in sufficient detail, stating clearly what redress or outcome they are seeking and ensuring this is reasonable and practicable.
- give adequate notice to respondents if they wish to discuss the matter face-to-face and provide at least five working days' notice if they wish a companion to be present.
- behave with courtesy and not subject any staff to abuse or harassment.

Appendix 3: Flow Charts

a) for parishes



b) for the Diocese of Chester



Appendix 4: Record of Harassment

Date	Time	Location	Incident (factual record)	Witnesses	How this made you feel