



OAKHAM TOWN COUNCIL

MANAGING VEXATIOUS OR UNREASONABLE COUNCILLOR CORRESPONDENCE

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Managing Vexatious or Unreasonable Councillor Correspondence

1. Introduction

1.1 Commitment to Professional Working Relationships

The Council is committed to maintaining constructive, respectful and professional working relationships between councillors and officers. Councillors have a legitimate role in scrutinising decisions, raising concerns on behalf of residents, and seeking information necessary to fulfil their duties.

1.2 Purpose of the Policy

This policy sets out how the Council will manage situations where a councillor's pattern of correspondence or conduct towards officers or fellow councillors becomes unreasonable, excessive, or vexatious, such that it disrupts the Council's ability to function effectively or places undue pressure on individuals.

1.3 Scope

This policy applies specifically to the conduct of councillors in their interactions with officers and other members.

It does not apply to:

- members of the public (managed under the Managing Vexatious or Habitual External Complainants Policy)
- employees (governed by contractual, statutory, and HR procedures)

1.4 Recognition of Legitimate Challenge

The Council recognises that councillors may raise robust challenge or express strong views. This, in itself, is not vexatious behaviour. However, persistent or unreasonable conduct can cause significant strain on officer capacity, create an unsafe working environment, and undermine good governance.

1.5 Relationship to Other Frameworks

This policy operates alongside:

- the Code of Conduct
- the Protocol on Councillor/Officer Relationships
- the Health and Safety Policy
- relevant legislation including the Localism Act 2011

1.6 Duty of Care

The Council has a statutory duty of care to its employees and a responsibility to maintain a safe and respectful environment for all councillors. Behaviour that causes distress, mental health harm, or contributes to councillor resignation or recruitment difficulties will be treated as a serious matter. Setting reasonable boundaries to protect staff and councillors does not constitute bullying; it is an essential governance responsibility.

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2. Definition of Unreasonable or Vexatious Councillor Correspondence

2.1 For the purposes of this policy, vexatious or unreasonable correspondence is defined as:

The repeated, excessive, or obsessive pursuit of issues, requests, or complaints in a manner that is unreasonable, disproportionate, or disruptive to the Council's operations, or which places undue pressure on officers or councillors.

Features may include (non-exhaustive):

- submitting an excessive volume of emails or requests, particularly where they duplicate previous correspondence
- sending correspondence at a volume or frequency that is disproportionate, persistent, or unreasonable, such that it impedes officers' ability to carry out their duties or contributes to stress, anxiety, or sickness absence
- repeatedly presenting routine, minor, or resolved matters as serious, urgent, or misconduct-related, including making allegations without evidence, where the act of raising such claims causes distress, reputational harm, or ongoing disruption despite the absence of any substantiated issue
- repeatedly raising issues that have already been addressed or resolved
- refusing to accept information, explanations, or boundaries provided by officers
- demanding outcomes that are unrealistic, unlawful, or outside officer authority
- insisting on responses within unreasonable timescales
- bypassing agreed communication channels or repeatedly contacting multiple officers about the same issue
- copying all councillors or multiple officers into correspondence unnecessarily, particularly where those individuals are not directly involved in the matter, or where wide copying appears intended to apply pressure, create an audience, or generate avoidable email traffic
- making personal accusations or unfounded allegations against officers or councillors
- using language that is intimidating, hostile, or disrespectful
- pursuing personal grievances unrelated to Council business
- refusing to engage with agreed processes or protocols
- repeatedly changing the basis of a concern without justification
- failing to acknowledge factual information or documented evidence
- behaviour that suggests discrimination against officers or councillors based on protected characteristics

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- making public or private statements, including on social media or community forums, that contain unfounded allegations, misleading assertions, or personal attacks on officers or councillors, where such statements undermine wellbeing, damage working relationships, or disrupt Council operations
- publishing or circulating personal commentary, insinuation, or unfounded allegations that are unsupported by evidence and which may reasonably be perceived as intended to discredit, intimidate, or place undue pressure on officers or councillors
- behaviour that creates a hostile, intimidating, or distressing environment for officers or councillors, including conduct that has contributed to staff experiencing mental health difficulties, councillors resigning, or the Council being unable to recruit or retain members
- repeatedly characterising legitimate management of communication, reasonable boundaries, or enforcement of agreed protocols as “bullying”, where such claims are unfounded and appear intended to deflect from or prevent appropriate scrutiny of the councillor’s own behaviour
- targeted criticism, repeated personal remarks, or unfounded allegations directed at any officer, particularly where such behaviour has caused or contributed to stress, anxiety, sickness absence, or an inability to safely perform their duties

3. Managing Unreasonable or Vexatious Behaviour

3.1 Principles

Any decision to impose restrictions on a councillor’s communication is a serious matter and must be handled with care, fairness, and transparency.

3.2 Stage 1 — Clerk

Concerns will normally be managed by the Clerk.

3.3 Stage 2 — Deputy Clerk / Office Manager

Where the Clerk is:

- the subject of the behaviour
- absent
- otherwise unable to act

responsibility passes to the Deputy Clerk, Office Manager, or another designated officer.

3.4 Stage 3 — Staffing Committee Oversight

The Staffing Committee will:

- confirm the designated officer handling the matter
- oversee protective measures
- ensure staff welfare is prioritised
- ensure the process is fair, impartial, and consistent
- authorise escalation where needed

3.5 Notification to the Councillor

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The councillor will be contacted in writing, outlining:

- behaviours causing concern
- impact on officers or operations
- expectations for improvement
- potential actions if behaviour does not change

3.6 Proportionate Restrictions

Restrictions may include:

- directing all correspondence through a single officer
- limiting frequency or volume of correspondence
- requiring consolidation of queries
- restricting contact to written communication
- requiring meetings to take place with an officer and Chair present
- declining to respond to repeated or previously answered queries
- limiting distribution lists

3.7 Immediate Protective Measures

Where behaviour has caused:

- staff sickness
- mental health harm
- councillor resignation
- operational disruption

the Council may impose immediate restrictions.

Officers experiencing stress, anxiety, sickness absence, or inability to safely perform duties will be removed from direct contact with the councillor.

3.8 Referral to the Monitoring Officer

Referral may occur at any stage where:

- behaviour may breach the Code of Conduct
- restrictions are ignored
- allegations are serious or repeated
- staff wellbeing is significantly affected

3.9 Social Media Behaviour

Unreasonable behaviour on public platforms may also be addressed under this policy.

3.10 Recording and Communication

Any restrictions will be recorded and communicated to relevant officers and members.

4. Review

4.1 Review Period

Restrictions will normally be imposed for up to three months, after which they will be reviewed by:

- the Clerk or designated officer
- the Staffing Committee

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- the Chair of Finance & Governance
- the Monitoring Officer (where appropriate)

4.2 Review Considerations

Reviews will consider:

- whether behaviour has improved
- whether restrictions remain necessary
- whether adjustments are appropriate

4.3 Reporting

The Staffing Committee will record outcomes and ensure recommendations are implemented or referred to Full Council where required.

5. Record Keeping

5.1 Responsibility

Records will be maintained by the most appropriate senior officer, normally the Clerk. Where the Clerk is the subject of the behaviour, record keeping will be undertaken by the Deputy Clerk, Office Manager, or another designated officer, with Staffing Committee oversight.

5.2 Records Will Include:

- correspondence giving rise to concern
- actions taken
- decisions made
- imposition, amendment, or lifting of restrictions (reported to Full Council in confidential session where appropriate)

6. Escalation to Full Council

6.1 Purpose of Escalation

Where a councillor's behaviour continues to be unreasonable, vexatious, or disruptive despite proportionate interventions, the matter may require collective consideration by Full Council.

6.2 Trigger for Escalation

A referral may occur where:

- previous restrictions have not resulted in improvement
- behaviour presents ongoing risk to officer or councillor wellbeing
- behaviour has caused or contributed to staff distress, sickness absence, or councillor resignation
- behaviour undermines the Council's ability to function
- the matter exceeds officer-led management

6.3 Referral Process

A referral to Full Council may be initiated by:

- the Clerk or designated officer
- the Chair of the Council
- any committee with governance or standards responsibility

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6.4 Staffing Committee Gateway (Mandatory)

Before any referral is made to Full Council, the Staffing Committee will consider the matter and determine whether escalation is proportionate and necessary.

The Committee will:

- review the evidence
- assess the impact on officer welfare and Council operations
- ensure the process is fair, impartial, and collectively owned
- make a formal recommendation to Full Council

This safeguard ensures that no individual officer is required to act unilaterally in circumstances involving unreasonable or vexatious behaviour.

6.5 Consideration by Full Council

Full Council will consider the matter in accordance with Standing Orders and natural justice. The councillor will have the opportunity to respond in writing and, where appropriate, address the meeting.

Full Council may determine any lawful governance response, including:

- formal resolution of censure
- removal from committees, working groups, or representative roles
- confirming or extending communication restrictions
- requiring all contact to be routed through a designated officer
- referral to the principal authority's standards process
- considering a motion of no confidence in the councillor's conduct

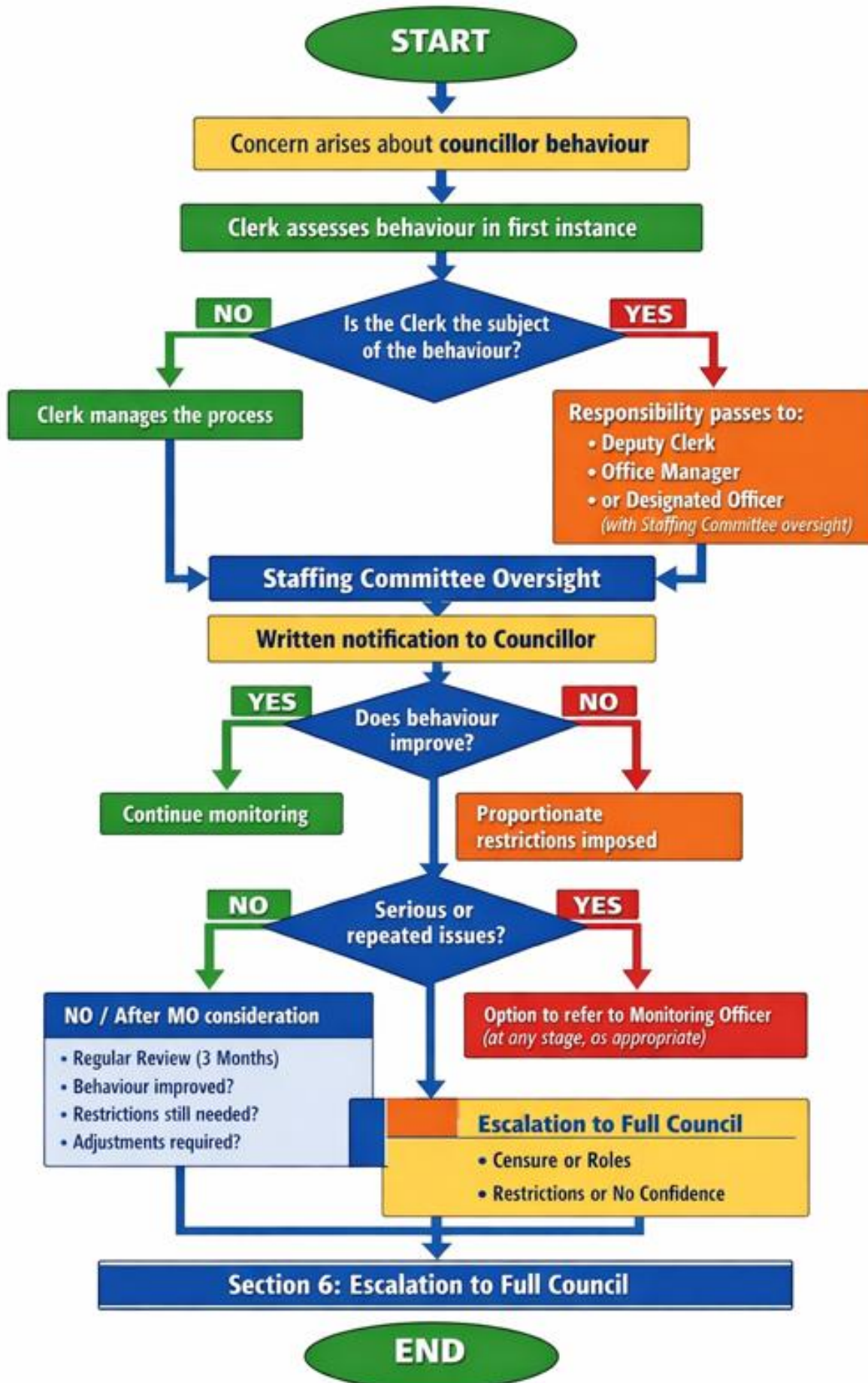
6.6 Principles Governing Decisions

- collective responsibility
- proportionality
- transparency
- officer protection
- fairness and natural justice
- time-limited measures

6.7 Review of Governance Measures

Measures imposed by Full Council will be reviewed at intervals determined by the Council, normally not exceeding six months.

APPENDIX A - FLOW CHART



APPENDIX B – ONE-PAGE SUMMARY FOR COUNCILLORS

Purpose

To protect officers, councillors, and the Council's ability to function by setting clear expectations for communication and behaviour.

What the policy covers

- Excessive or unreasonable correspondence
- Repeated issues already addressed
- Unfounded allegations or insinuations
- Misuse of "urgent" or "serious concern" labels
- Intimidating, hostile, or disrespectful communication
- Public or social-media attacks on officers or councillors
- Behaviour causing stress, anxiety, or sickness absence

What the policy does *not* do

- Restrict lawful access to information
- Prevent scrutiny or challenge
- Target any individual councillor

How concerns are handled

1. Clerk manages concerns initially.
2. If the Clerk is the subject, the Deputy Clerk/Office Manager handles it.
3. Staffing Committee oversees the process.
4. Councillor is notified in writing.
5. If behaviour continues, proportionate restrictions may be applied.
6. Serious or repeated issues may be referred to the Monitoring Officer.
7. If behaviour remains unreasonable, the Staffing Committee may recommend escalation to Full Council under Section 6, ensuring collective oversight and officer protection.

Possible restrictions

- Routing all correspondence through one officer
- Limiting frequency or volume of emails
- Requiring consolidation of queries
- Restricting contact to written communication
- Declining to respond to repeated issues

Review

Restrictions are normally reviewed after three months.

If escalated under Section 6, Full Council reviews governance measures at intervals it sets.

Why this matters

The Council has a duty of care to staff and must ensure a safe, respectful working environment. Section 6 provides a collective, transparent route for addressing persistent or serious behaviour while maintaining effective Council function.

APPENDIX C – STAFF-FACING GUIDANCE NOTE

How officers should use the policy in practice

1. When to raise a concern

You do not need to wait until behaviour escalates. Raise a concern if you experience:

- excessive or repeated emails
- unfounded allegations
- pressure tactics (e.g., “urgent” labels without basis)
- personal remarks or insinuations
- behaviour causing stress, anxiety, or distress
- attempts to undermine your professional role

2. Who to report to

- Normally: The Clerk
- If the Clerk is the subject: Deputy Clerk or Office Manager
- If unsure: Chair of the Staffing Committee

3. What happens next

The officer handling the matter will:

- log the behaviour
- assess whether it meets the policy threshold
- consult the Staffing Committee
- notify the councillor if needed
- apply protective measures where appropriate
- consider whether the behaviour may require escalation under Section 6 (Escalation to Full Council) if it is persistent, serious, or disruptive

4. Protective measures

These measures are not punitive; they protect your wellbeing. They may include:

- removing you from direct contact with the councillor
- directing correspondence through another officer
- limiting the councillor’s contact
- restricting meeting attendance

5. Confidentiality

All concerns are handled confidentially and sensitively.

6. Your wellbeing matters

The Council has a duty of care to you. If behaviour affects your mental health, tell:

- the Clerk or Deputy Clerk
- the Staffing Committee
- or your GP/Occupational Health

If behaviour continues despite protective measures, the Staffing Committee may recommend escalation under Section 6, ensuring collective oversight and safeguarding officer welfare.