



Heybridge Parish Council

UNACCEPTABLE BEHAVIOUR POLICY

1. Introduction

1.1 The Parish Council is committed to providing a fair, consistent and accessible service for all. However, the Parish Council has to balance this by providing a safe working environment for all staff to operate within and to ensure that work is undertaken in an efficient and effective manner.

1.2 On occasions, customers¹ and members of the public may make unreasonable demands that could affect the service that the Council provides, or communicate in a manner which causes offence to staff. Where this occurs, the Parish Council reserves the right to manage customer contact in an appropriate manner to protect staff and to maintain the effectiveness of service.

1.3 This policy sets out the Council's approach to managing those customers whose actions or behaviour are considered unacceptable and are either having a harmful impact on staff or their ability to provide a consistent level of service.

2. Equality and Diversity

2.1 The Parish Council recognises that, in some circumstances, customers may have health problems and/or other disability where it may be difficult for them to either express themselves or communicate clearly and/or appropriately. Where unacceptable behaviour is evidenced under these circumstances, the Parish Council will consider the individual needs and circumstances of the customer and the staff before deciding on how best to manage the situation.

3. Defining unacceptable behaviour

3.1 What is deemed to be unacceptable behaviour will often differ depending upon the individual(s) involved and their particular circumstances. Examples of unacceptable behaviour are grouped under two broad headings, as follows:-

- Aggressive, abusive or offensive language or behaviour
- General unreasonable behaviour

3.2 Aggressive, abusive, intimidating or offensive language or behaviour

All staff have the right not to be subjected to aggressive, abusive, intimidating or offensive language or behaviour, regardless of the circumstances.

Examples of this behaviour include, but are not limited to:-

- Threats of physical violence;
- Swearing;
- Inappropriate cultural, racial or religious references; and
- Rudeness, including derogatory remarks

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (written or spoken) that may cause staff to feel distressed, threatened or abused.

3.3 General unreasonable behaviour

On occasions, customers may make unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make.

Some customers may not, or cannot, accept that the Parish Council is unable to assist beyond the level of service that has already been provided. For example, customers may persist in disagreeing with the action or decision taken in relation to their case, or contact the Parish Council repeatedly about the same issue. The method or tone in which these communications are received may not in itself be unreasonable – it is the persistent behaviour in continuing to do so that is considered to be unacceptable.

What amounts to generally unreasonable behaviour or demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.

Examples of this behaviour include, but are not limited to:-

- Demanding responses within an unreasonable time-scale;
- Repeatedly contacting or insisting on speaking to a particular member of staff who is not directly dealing with the matter;
- Excessive telephone calls, emails or letters (this also includes unsolicited marketing calls, letters and emails that are considered to be 'spam' or 'phishing');
- Sending duplicate correspondence requiring a response to more than one member of staff;
- Persistent refusal to accept a decision;
- Persistent refusal to accept explanations; and
- Continuing to contact the Parish Council without presenting new and relevant information.

4. Available Restrictions

Where a customer continues to communicate in an unacceptable manner, the Parish Council will exercise its right to restrict contact. The precise nature and action will be appropriate and proportionate to the nature of the unacceptable behaviour and the circumstances of staff and the customer.

When making a decision to restrict contact, the Parish Council will take into account of any special requirements of those affected by our decision. For example, where someone cannot read, the Council are unlikely to limit communications to writing only unless we are satisfied there are reasonable adjustments in place to enable the customer to read the response.

The Council may decide to, amongst other considerations:-

- Block telephone calls and/or emails from being received;
- Arrange for a single, named member of staff to deal with all future calls or correspondence from the customer;
- Limit future contact to a particular form and/or frequency – for example, emails or letters only – and these will be reviewed once per week/month;
- Inform the customers that their correspondence will be read to ensure no new issues have been raised, but then filed, without further acknowledgement;
- Refer the matter to the police where a criminal offence has been threatened or committed;
- Take legal action, such as applying for an injunction or court order to prohibit contact/poor behaviour. In this instance, advice must be sought in advance;
- Banning the customer from Council premises for a period to be determined.

5. Dealing with abusive aggressive, abusive or offensive language or behaviour

5.1 Telephone calls

None of the staff has to tolerate unacceptable behaviour over the telephone. Where this occurs, all or our staff have the right to place callers on hold or to end the call. However, before taking such action, it is reasonable to expect that the caller is warned that their conduct is considered to be offensive and to allow them the opportunity to moderate their behaviour.

5.2 Emails and Letters

As with telephone calls, none of the staff has to tolerate unacceptable behaviour communicated via email or letter. Where this is a legitimate request for information contained within the communication, irrespective of the language used, it is reasonable to provide that information. But at the same time the customer will be warned that their conduct is considered to be offensive and will not be tolerated in the future.

Where no legitimate information is being requested, staff do not have to respond to an abusive email or letter. However, it would be good practice to issue a warning that the conduct is considered to be offensive and will not be tolerated in the future.

6. Threats received to our staff

6.1 The Council takes any threat to staff very seriously. In such circumstances, the matter must be immediately reported to the Clerk, who will work with the staff member in question to ensure that all necessary steps to ensure their well-being are taken.

6.2 Any request to supply evidence of the threat (for example, copies of correspondence or voice recordings) to the third party or the police, must be directed to the Clerk to administer in conjunction with the Data Protection Act.

7. Authorising contact restrictions

7.1 Where customers continue to display unacceptable behaviour, the decision to place a temporary or permanent contact restriction can only be authorised by the Council.

8. Letting the customer know about the restriction

8.1 Where contact is being restricted, the customer must be told of the decision. Wherever possible this should be by letter or email but may be done by telephone. The communication does not have to be from the authorising person. However, authorisation to implement the restriction must be obtained before telling the customer.

8.2 The communication should inform the customer of the following:-

- The reason why the Council considers their behaviour to be unacceptable;
- Details of any earlier warning(s) issued about their conduct;
- The restriction(s) the Council are imposing; and, if appropriate
- How long the restriction(s) will last.

8.3 In the event of a complete restriction; the customer must also be informed of their right of appeal and how to do this. Communication of the right of appeal may be done by reference to this policy.

9. Customer Appeals

9.1 A customer may only appeal a decision to restrict contact where all forms of contact have been restricted.

Appeals should be submitted by letter to:

Parish Clerk

Complaints Committee

Plantation Hall, Colchester Road, Heybridge, MALDON CM9 4AL

10. Status of Policy

This policy will be considered for adoption on the 17th September 2015.

Adopted 17th September 2015. Reviewed April 2016.

Clerk

20 August 2015

1 = Customers refer to hirers of Plantation Hall, King George V Playing Field, and other property as well as members of the public.