

## **Unacceptable Behaviour Policy**

### **1. Introduction**

This Policy sets out the approach of Kington Town Council to the few individuals whose actions or behaviour are considered unacceptable.

### **2. Policy Aims**

2.1 To make it clear to all individuals, both at initial contact and throughout their dealings with the Council or office, what Kington Town Council can or cannot do in relation to their request. In doing so, the aim is to be open and not raise hopes or expectations that cannot be met.

2.2 To deal fairly, honestly, consistently and appropriately with all individuals, including those whose actions are considered unacceptable. The Council believes that all persons have the right to be heard, understood and respected. It also considers that Councillors and Council staff have the same rights.

2.3 To provide a service that is accessible to all individuals. However, where it is considered that individual actions are unacceptable, the right to restrict or change access to the Council service will be retained.

2.4 To ensure that other members of the public, Kington Town Council or its staff do not suffer any disadvantage from persons who act in an unacceptable manner.

### **3. Defining Unacceptable Actions by Individuals**

3.1 Kington Town Council accepts that people may act out of character in times of trouble or distress and the Council does not view behaviour as unacceptable just because an individual is forceful or determined. However, the actions of individuals who are angry, demanding or persistent may result in unreasonable demands on the office or unacceptable behaviour towards Councillors and Council staff. It is these actions that are considered unacceptable and ones that this policy aims to manage. The Council has grouped these actions under three broad headings:

#### **3.1.1 Aggressive or Abusive Behaviour**

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

(ii) Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. It is also considered that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

(iii) We expect Councillors and staff to be treated courteously and with respect at all times.

Violence or abuse towards staff is always unacceptable. It is not acceptable when actions escalate into aggression directed towards Council staff.

### 3.1.2 Unreasonable Demands

a. Individuals may make what are considered to be unreasonable demands on the Council office through the amount of information they seek which is outside the terms of the Council's Information Publication Scheme, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the individual.

b. Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular Councillor or member of staff, continual phone calls or letters, repeatedly changing the substance of the request or raising unrelated matters.

c. These demands are considered unacceptable and unreasonable if they start to impact substantially on the work of the office, such as taking up an excessive amount of staff time to the disadvantage of other individuals or functions.

### 3.1.3 Unreasonable Persistence

(i) It is recognised that some individuals will not or cannot accept that the Council is unable to assist them further or provide a level of service other than that provided already. They may persist in disagreeing with the action or decision taken in relation to their request or contact the office persistently about the same issue.

(ii) Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a request, persistent refusal to accept explanations relating to what this office can or cannot do and continuing to pursue information. The way in which these individuals approach the Council may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

(iii) The actions of persistent individuals are considered to be unacceptable when they take up what the Council regards as being a disproportionate amount of time and resources.

## **4. Dealing With Unacceptable Actions by Individuals**

4.1 The way in which unacceptable actions will be managed depends on their nature and extent. If they adversely affect the Council's efficient functioning individual contact with the office may need to be restricted in order to manage the unacceptable action. Contact in person, by telephone, fax, letter or electronically or by any combination of these may be restricted. Effort will be made to try to maintain at least one form of contact. In extreme situations, the individual will be told in writing that

their name is on a 'no personal contact' list. This means that they must restrict contact with the Clerk or Councillors Council either in written communication or through a third party.

4.2 The threat or use of physical violence, verbal abuse or harassment towards Councillors or staff may result in the ending of all direct contact with the individual. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

4.3 The Council will not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence.

Should the occur the individual will be told that their language is considered offensive, unnecessary and unhelpful. They will be asked to stop using such language and the Council will clearly state that there will be no response to their correspondence if they do not stop. However the Council may accept future contact to be through a third party.

4.4 The Clerk will end telephone calls if the caller is considered aggressive, abusive or offensive and has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.

4.5 Where an individual repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, the Council may decide to:

- a. only take telephone calls from the individual at set times on set days or put an arrangement in place for only one nominated person to deal with calls or correspondence from the individual in the future.
- b. require the individual to make an appointment to see a named Councillor or member of staff before visiting the office or that the individual contacts the office or Councillor in writing only.
- c. take other action considered appropriate. The Council will, however, always tell the individual what action is being taken and why.
- d. should the Council decide to take action the member of the Scrutiny Committee, with the exception of the ex-officio members, should withdraw so as to enable them to consider any appeal.

## **5. Restriction of Contact**

5.1 Councillors or staff who directly experience aggressive or abusive behaviour from an individual have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Council will only be taken after careful consideration of the situation by a more senior member of staff or by a Councillor. Wherever possible, an individual will be given the opportunity to modify their

behaviour or action before a decision is taken. Individuals will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

## **6. Appealing a Decision to Restrict Contact**

6.1 The Clerk or a Councillor who was not involved in the original decision will consider the appeal. They will advise the individual in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

## **7. Recording and Reviewing a Decision to Restrict Contact**

7.1 The Council will record all incidents of unacceptable actions by individuals. Where it is decided to restrict individual contact, an entry noting this will be made in the relevant file and on any appropriate computer record.

7.2. A decision to restrict individual contact will be reconsidered if the individual demonstrates a more acceptable approach. The Clerk will review the status of all individuals with restricted contact arrangements on a regular basis.