

Management of Unacceptable Contact Policy



2020

1. Introduction

This policy sets out Potto Parish Council's approach to managing the relatively few customers whose actions or behaviours are considered to be unacceptable. The term 'customer' includes anyone contacting the council on any subject or who is acting on behalf of another person or who contacts our offices in connection with any aspect of the council's services. The principles set out in this Policy apply to the council's dealings with its customers in all circumstances including both the nature of the contact with the council and the behaviour of the person contacting the parish council.

This Policy is not intended to address the behaviour of complainants, which is covered by the parish council's Unreasonable Complainant Behaviour Policy, or Freedom of Information Requests, which are subject to separate regimes.

2. Policy Aims

To provide a service that is accessible to all customers. However, where the parish council considers a customer's actions or behaviour to be unacceptable, the parish council retains the right to restrict or change access to our services.

To make it clear to all customers, both at initial contact and throughout their dealings with the parish council, the types of actions and behaviours the council considers to be inappropriate and to set out how the parish council might manage such actions.

To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions or behaviours the council considers unacceptable. The parish council believes that all customers have the right to be heard, understood and respected. The parish council also considers that our employees have the same rights. This aligns with the council's duty of care to its employees to take all steps which are reasonably possible to ensure their health, safety and wellbeing.

To ensure that other customers and council employees are not disadvantaged by the acts of customers who behave in an unacceptable manner.

3. Defining unacceptable contact

In times of trouble and distress, it is not unusual for people to act out of character. There may have been upsetting or distressing circumstances leading up to a person formally contacting the parish council. The parish council does not view behaviour as unacceptable just because an individual is forceful or determined.

The actions of customers who are angry, demanding or persistent may result in unreasonable demands on the parish council or unacceptable behaviour towards parish council employees. The parish council considers these actions to be unacceptable and aims to manage them under the terms of this Policy.

These actions or behaviours can be grouped under three broad headings:

4. Aggressive or Abusive Behavior

Aggressive or abusive behaviour is not restricted to acts which may result in physical harm to people or property. It also includes behaviour or language whether verbal or

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written, express or implied, direct or indirect (for example through the media or the internet).

Aggressive or abusive behaviours can include:

- ▶ threats
- ▶ physical violence
- ▶ violence to property
- ▶ personal verbal abuse
- ▶ derogatory remarks
- ▶ rudeness
- ▶ inflammatory statements
- ▶ unsubstantiated allegations
- ▶ defamatory or slanderous statements.

The parish council expects its employees to be treated courteously and with respect. Aggressive or abusive behaviour towards employees is unacceptable and should be reported whenever apparent.

5. Unreasonable Demands or Levels of Contact

Customers may make what we consider unreasonable demands on council services through the amount of information they seek, the nature and frequency of questions they ask, 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 customer.

Unreasonable demands or levels of contact can include:

- ▶ repeatedly demanding responses or actions within an unreasonable timescale
- ▶ insisting on seeing or speaking to a particular member of staff when that is not possible
- ▶ repeated phone calls, letters, emails or other forms of contact
- ▶ repeatedly raising the same issues which have already been responded to.

The number of interactions deemed repeated (and therefore unreasonable) will depend on the particular circumstances of the case and will be decided by the Director of the particular service.

The parish council does however consider these demands or levels of contact to be unacceptable and unreasonable if they impact on our ability to deliver services, such as taking up an excessive amount of employee time to the disadvantage of other service users or functions.

6. Unreasonable Persistence

Some customers will not or cannot accept that the council is unable to assist them further or provide a level of service other than that already provided. Unreasonable persistence is continued, incessant or unrelenting conduct that has a disproportionate or unreasonable impact on the council's employees, services, time and/or resources.

Unreasonable persistence can include:

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- ▶ an unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with
- ▶ an unwillingness or inability to accept explanations of what the council can or cannot do
- ▶ continuing to pursue an issue without presenting any significant new information.

Sending multiple emails to many members of staff is also considered to be unacceptable. In the first instance, an individual who sends multiple emails will be advised of a nominated contact within the council. This will be a designated officer who is best placed to deal with the subject the individual wishes to pursue. Where the individual fails to adhere to these arrangements, the actions set out in sections 4 and 5 below may be invoked.

The parish council considers the actions of persistent enquirers to be unacceptable when they take up what the council considers to be a disproportionate amount of time and resources. The actions of serial enquirers who raise a range of issues with the council will be monitored. The actions set out in sections 4 and 5 below may be invoked.

7. Managing unacceptable contact

How the parish council manages unacceptable contact will depend on its nature and extent and may include the actions set out below.

If it adversely affects our ability to do our job and provide a service to others, the council may need to restrict an individual's contact with and/or attendance at our offices in order to manage the unacceptable action.

The parish council may restrict contact or cease contact altogether in person, by telephone, textphone, letter, email or by any other means or any combination of these. The council will try to maintain at least one form of contact but will reserve the right in extreme cases to withdraw all contact.

In extreme cases, the parish council will advise the individual in writing or where applicable their chosen form of communication, that their name has been placed on a 'no personal contact' list. This limits how they contact the council.

The threat or use of physical violence, verbal abuse or harassment towards any Potto Parish Council employee is likely to result in the termination of all direct contact with the individual concerned. Incidents in which physical violence is used or threatened will be reported to the Police.

The parish council will not respond to correspondence that is abusive to employees or which contains allegations lacking substantive evidence. In these circumstances the council will advise the individual that the parish council considers their language to be unacceptably offensive, abusive or distressing. The parish council will ask them to

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refrain from using such language and advise that the council will not respond to their correspondence unless they do so.

Employees will terminate telephone calls if the caller is considered aggressive, abusive or offensive. The employee taking the call should tell the caller that the behaviour is unacceptable and if the behaviour does not stop after two warnings, the call will be terminated.

Where an individual repeatedly phones, visits our offices, sends irrelevant correspondence/ documents or raises the same issues, the council may decide to:

- ▶ only accept telephone calls from the individual at certain times/set days or arrange for only one member of staff to respond to calls or correspondence from that individual;
- ▶ ask the individual to make an appointment to see a named member of staff before visiting our offices or request that the individual contacts the parish council in writing only, or where written English is not their first language of communication, their agreed form of communication;
- ▶ return the correspondence to the individual or, in extreme cases, advise them that further irrelevant correspondence will be destroyed;
- ▶ take other action that the parish council considers appropriate, which may include legal action in extreme cases. However, the council will always let the individual know what action is being taken and why.

Where an individual continues to correspond on a wide range of issues which are considered excessive, the parish council will advise them that only a certain number of issues will be considered in any given period and ask them to limit or focus their requests accordingly.

An individual with an enquiry about the parish council or its services may be considered unreasonably persistent if, after all internal review mechanisms have been exhausted, the individual persists in disputing the responses/decisions relating to their enquiry. In such circumstances, the enquirer will be advised that future phone calls and/or correspondence may not be accepted, nor interviews granted in relation to the same enquiry.

8. Who can decide to restrict customer contact?

Employees who directly experience aggressive or abusive behaviour from an individual have the authority to manage that behaviour immediately in a manner they consider appropriate to the situation and which is consistent with this Policy. Employees in this situation should note the incident and pass it to the Chairman, who will engage with Councillors to agree a restriction.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the parish council will only be taken after careful consideration of the situation. In respect of unacceptable actions and/or behaviour

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directed towards employees, this decision will only be made by members of the parish council. Wherever possible, the individual will be given the opportunity to modify their behaviour or actions before a final decision is taken, although the parish council reserves the right to take immediate action in extreme cases. Individuals will be advised in writing why a decision has been made to restrict future contact, the future contact arrangements if appropriate and, if relevant, the length of time that these restrictions will remain in place.

9. Appealing a decision to restrict contact

Decisions to restrict future contact can be appealed against and will be reviewed by Councillors. The individual will be advised of the outcome of the appeal in writing, or their agreed form of communication where English is not their first language. Councillors may decide that the restricted arrangements remain in place and for how long, or that a different course of action has been agreed.

10. Reviewing a decision to restrict contact

A decision to restrict contact may be reconsidered if the individual demonstrates a more acceptable approach. Councillors will review the status of all individuals with restricted contact arrangements periodically, either every six months or such other reasonable period as they consider appropriate (depending on the nature and reasons for the restriction), but in any event not more than 12 months after the restriction was initially imposed or continuance upheld.

Potto Parish Council

Signed: _____
Andy Wilde

Date: _____
20/02/2020