



# WOOLFARDISWORTH PARISH COUNCIL

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## **UNREASONABLE BEHAVIOUR POLICY & GUIDELINES**

The following Unreasonable Behaviour Policy & Guidelines was adopted by Woolfardisworthy Parish Council on the 19<sup>th</sup> October 2021, with the following revisions:

Reviewed	Date	Reviewed (every 3 years)	Date
Adopted	19/10/2021	Reviewed	
Reviewed		Reviewed	

### **Introduction**

Woolsery Parish Council is committed to putting parishioners at the heart of service delivery where everyone is treated fairly and impartially, providing a high quality service. However, there are occasions when people can act in a way that the Parish Council considers unacceptable.

Woolsery Parish Council expects its staff to be treated in a respectful manner, and whilst we understand that some people may get frustrated at times, the Parish Council will not tolerate behaviour which we consider is unacceptable, threatening, abusive or unreasonably persistent

The Parish Council believes unacceptable behaviour is when a person(s) is abusive, either verbally or physically. However, there are other behaviours, which unreasonably affect our business and how we deliver our services to others. For example, parishioners may make constant requests for complex information without apparent good reason, or they may act in a manner that causes annoyance without the intention of resolving their query. This causes the Parish Council to spend additional resources on one person(s) to the detriment of others. This policy provides guidelines for the Parish Council when faced with difficult situations involving parishioners.

## **Scope of Policy**

This policy relates to unacceptable behaviour by person(s) (which includes any member of the public). This policy does not apply to employees or requests under the Freedom of Information Act which are vexatious, a separate procedure set out by the Information Commissioner’s Office covers this.

## **Definition**

The Parish Council defines unacceptable behaviour as “behaviour which shows characteristics of discrimination, harassment, bullying, unreasonableness or a combination of these”. The following table offers guidance on behaviours that we may construe as unacceptable.

<b><u>Behavior</u></b>	<b><u>Definition</u></b>
Discrimination	Treating someone less favourable than another person(s) because of their age, disability, gender, gender identity, sexual orientation, religion/belief or race (including colour, nationality and ethnic or national origins). Discriminating against someone because they may have a “reputation”.
Harassment	Unwanted conduct which has the purpose or effect of violating an person(s)’s dignity or creating an intimidating, hostile, degrading, humiliation or offensive environment for that person(s). Third party harassment occurs where, for example, a customer or service user harasses an person(s) in the course of their employment.
Unreasonable Behaviour	<ul style="list-style-type: none"><li>• Continually requesting complex information without apparent or good reason and without the intention or resolving their query.</li><li>• Continually placing heavy demands on staff time when dealing with an enquiry. (Telephoning, emailing or writing constantly, expecting immediate responses).</li><li>• Recording meetings electronically without prior knowledge or consent of the other person(s) involved.</li><li>• Adopting a “scattergun” approach whilst their enquiry is being investigated; pursuing the enquiry with several services or agencies, making excessive use of officer time to resolve the enquiry to the detriment of other customers.</li></ul>

	<ul style="list-style-type: none"> <li>• Refusing to accept the explanation or outcome of their enquiry, changing the context of their enquiry mid investigation or submitting repeated enquiries on the same subject.</li> </ul>
Bullying	A type of harassment which consists of persistent actions, criticism or person(s)al abuse in public or private which humiliates, intimidates, frightens or demeans the person(s).

### **Equality Statement**

Our Equalities Policy is available on our website

<https://www.woolseryparishcouncil.org.uk/policies> we are committed to the principle of equal opportunities in employment and service delivery regardless of a person(s)'s age, gender, gender identity, sexual orientation, religion/belief, disability, race or pregnancy or marital status or marital/civil partnership status.

### **Procedure on Unacceptable Behaviour**

#### **Introduction**

This procedure provides a point of reference for discussion about specific cases of unacceptable or unreasonably persistent behaviour from person(s)s. It enables those and staff to establish guidelines when we are discussing our decisions regarding the nature of person(s) contact. We use a staged process for dealing with allegations of unacceptable behaviour to ensure we deal with such allegations in a consistent and sympathetic manner to both the person(s) and Council.

#### **Application**

We provide public services and recognise that sometimes our staff and councillors deal with people who exhibit certain behaviours and difficult life circumstances, and may feel frustrated with our systems or processes. Some people exhibit aggressive behaviour where they have a mental health disability. Any sanction we apply that limits or denies access to our services should be a last resort. We should make all possible efforts to find a resolution, which does not deprive service, especially to those who have a mental health disability.

#### **Types of Contact**

Below highlights different types of contact and the procedures to ensure we make decisions affecting access to our services at an appropriate seniority level.

## **Telephone, Email or Face to Face (Outside Parish Council Meetings)**

If a member of staff or councillors believes someone is behaving in a manner that they feel is unacceptable, either on the telephone, face to face or via email they can:

- a) Politely explain that we expect our staff/councillors to be treated with respect and ask them to moderate their behaviour.
- b) (if the behaviour continues) follow a), give a warning of further action appropriate to the contact, for example warn the person(s) that the telephone call will be terminated or ask the person(s)/s to leave the premises. The member of staff/councillor should clearly explain to them why they are terminating contact such as “I am no longer prepared to continue our conversation, as I consider that your behaviour has been inappropriate”. The person(s) must be told which aspect of their behaviour was unacceptable; i.e. their language, aggression, use of body language or refusal to follow a request.
- c) If the person(s) does not moderate their behaviour after b) the member of staff/councillor should follow through on their action.

The member of staff/councillor should record circumstances of the incident, including date and time and report the incident to the Clerk and/or Chairman of the Council. If the member of staff/councillor can record the call, we should be retaining this evidence as soon as possible for us to use, should we escalate the case to the next stage.

If the person(s) is acting in a discriminatory way (see definition on page 2), the member of staff/councillor should terminate contact immediately and alert the Clerk and/or Chairman of the Council, who will deal with the incident under Stage 2 of this process.

If those persist in their unacceptable behaviour it may be necessary for the Parish Council to consider additional measures. The member of staff/councillors should report the incident(s) to the Clerk who will undertake an investigation into the case. Following discussions with the Chairman of the Council and the person(s), the Clerk and/or Chairman if appropriate will write and advise why their behaviour was considered to be unacceptable, explaining any future incidents may result in the Parish Council applying restrictions on the person(s)s contact.

If their behaviour continues the Clerk will refer the case to the Parish Council who will review the case and consider whether further action is required, the Parish Council’s decision will be final.

Further action may include:

- Placing time limits on telephone conversations, person(s)al visits and replying to emails.
- Restricting the number of telephone calls, visits or emails we will accept (for example, one call or visiting on one specified morning/afternoon of any week).

- Limiting the person(s) to one form of contact (for example, telephone, letter or email) and/or requiring the person(s) to communicate with one named member of staff or councillor only.
- Requiring any face to face contact to take place in the presence of a witness (another member of the council).
- Refusing to discuss, register or process further complaints about the same matter.
- Where we have made any final decisions, providing the person(s) with acknowledgements only of their correspondence; or informing them their future correspondence will be read and placed on the file, but not acknowledged. A designated member of the council should be appointed to read all future correspondence; this will usually be the Clerk.
- Asking the person(s) to enter into an agreement about their future conduct.

The Clerk and/or Chairman if appropriate will notify the customer, in writing, of the council's decision, attaching a copy of the "Unacceptable Behaviour Policy Statement".

### **Stage 3 - Disorderly conduct at Parish Council Meetings**

To follow Standing Orders, Section 2 Disorderly Conduct at Meetings (as detailed below)

- a No person(s) shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person(s) be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

Should disorderly conduct at meetings continue post the above, the following procedure will be instigated:

2. To prohibit the person(s) who obstruct the transaction business at a meeting or behave offensively or improperly for a period of three months. With the endorsement from Torridge District Council, including District & County Councillor.

3. After the above period of three months, Should the person(s)(s) continue to obstruct the transaction business at a meeting or behave offensively or improperly, they will be prohibited to attend meetings indefinitely, with the endorsement from Torridge District Council, including District & County Councillor. Any decision will be put in writing, attaching a copy of the “Unreasonable Customer Behaviour Policy.”

### **Unacceptable Behaviour Involving Violent or Aggressive Behaviour**

If the person(s)(s) has behaved in a manner, which is judged to be violent or aggressive towards staff/councillors the staff and/or councillor should:

- Terminate their interaction with the customer
- Take actions to ensure their own safety and the safety of others
- (if the behaviour is perceived to be so threatening that the safety of others may be at risk), the member of staff/councillor should contact the Police.
- Complete an incident report
- Report the incident to the Council, and/or any necessary authorities.

### **Violent Incident Markers**

We have a duty of care to members of staff and councillors to protect them in the workplace and when carrying out their duties. By us placing restrictions and conditions of contact we are able to provide that protection. We can also place “Violent Incident Markers” on a customer’s file. These markers identify and record person(s)s who pose, or could possibly pose, a risk to the members of staff/councillors who come into contact with them. However, we need to apply these markers with care to ensure we are compliant with the Data Protection Act and General Data Protection Regulations.

**This policy will be reviewed every three years. Adopted 19<sup>th</sup> October 2021.**