



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Unacceptable and unreasonable behaviour procedure

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Date of last review	
Next review Date	

Introduction

We expect our staff and councillors (elected members) to treat all individuals with respect, fairness and courtesy and we expect to be treated the same way.

We also have a duty to keep our staff and councillors safe and to protect their welfare when they are carrying out their roles.

Where individuals behave in an unacceptable or unreasonable way towards our staff or councillors, we will use this policy.

What this policy covers

This policy applies to all areas of our work. It applies to anyone who contacts us and the various channels they contact us through.

Privacy

We have a duty to protect your personal data and keep it secure. To view a copy of our Privacy Notice, please visit www.cherwell-dc.gov.uk/privacy

Unacceptable behaviour

Our staff and councillors have a right to conduct their work free from abuse and aggression.

We understand that people may act out of character when they are upset or frustrated, but when that escalates to become abuse or aggression towards our staff, we will not accept that.

Unacceptable behaviour could include, but is not limited to:

- ◆ any form of discrimination,
- ◆ shouting, making threats, making derogatory or obscene remarks and being rude,
- ◆ recording telephone conversations and/or meetings without consent,
- ◆ repeatedly demanding that we take disciplinary action against staff or councillors.

Abusive or aggressive behaviour could include, but is not limited to:

- ◆ threatening physical violence or actual physical violence,
- ◆ behaving or using language (verbal or written) that may cause staff or councillors to feel offended, afraid, threatened or abused,
- ◆ insulting, inflammatory or degrading language or statements
- ◆ holding personal grudges toward certain staff or councillors
- ◆ making serious allegations against staff or councillors without any evidence

Unreasonable behaviour

Unreasonable demands

We are a publicly funded organisation, with limited resources to deliver vital services to our communities. Therefore, there comes a point when a complaint that takes an excessive amount of time to deal with starts to affect the services we provide to others.

Unreasonable demands could include, but are not limited to:

- ◆ insisting on speaking to a more senior member of staff or a particular person when that is not possible,
- ◆ demanding to speak to someone that day and they are not available,
- ◆ demanding responses within an unreasonable deadline,
- ◆ demanding to speak to the CEO or a manager without first speaking to a more junior member of staff who can resolve your query or complaint,
- ◆ refusing to speak to someone based on any characteristic protected under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation),
- ◆ threatening to take action unless we meet a demand that is not possible for us to meet,
- ◆ persistently raising new or unrelated concerns or altering previous complaints,
- ◆ refusing to raise your concern through the proper channel. For example, if you've been advised to use the complaints process or a specific appeals process.

Unreasonable levels of contact

We understand that you may need to contact us to clarify or provide further information so that we can resolve your query or complaints.

How often you contact us, how many people you involve, and the duration of each contact can become unacceptable when it impacts our ability to do our job for those, including you, that need our support.

Unreasonable levels of contact could include, but are not limited to:

- ◆ making the same request to multiple members of staff and/or councillors without good reason,
- ◆ when you make the same request in multiple different ways without good reason
- ◆ repeatedly contacting us when we've already provided a response, or we've set expectations about when a response will be given,
- ◆ repeatedly making very long calls to us,
- ◆ making lots of contact in one day without giving us time to resolve your query or complaint,
- ◆ repeatedly asking us to look at the same issue that we have already addressed/responded to,
- ◆ changing or submitting new complaints before we can address those already submitted.

How we manage unacceptable and unreasonable behaviour

If we feel that behaviour is unacceptable or unreasonable, we will consider whether we need to take more formal action.

In making our decision about any proposed action or actions, we may consider:

- ◆ how the behaviour affects our staff,
- ◆ how the proposed action or actions may affect you (including your personal circumstances and any reasonable adjustments),
- ◆ the extent to which we can engage or assist with the complaint,
- ◆ the extent to which the process or subject matter has been exhausted,

The actions we may consider include, but are not limited to:

- ◆ explaining why we think the behaviour is unacceptable or unreasonable and the action we might take if it continues,
- ◆ restricting or ending all contact on a particular issue if we feel the matter has been dealt with or resolved,
- ◆ communicating with us through a third-party advocate only or a particular channel (by email only for example)
- ◆ appointing a single point of contact within the council that you can only contact about a particular matter,
- ◆ if necessary, notifying relevant public authorities (for example the police concerning threats or acts of violence),
- ◆ including you on our client of concern register to ensure that council staff are aware of any restrictions and actions.

We will set a review date for any action we take, when we will consider whether it needs to continue, end, or be amended.

Where we consider it necessary to take action for unacceptable or unreasonable behaviour, we will notify you of the action and the review date we have set.

We may bring the review date forward if a commitment is made to behave in an acceptable way, and:

- ◆ some time has passed,
- ◆ there is a more suitable alternative available,
- ◆ we receive evidence that there were exceptional reasons for the behaviour.