



Unacceptable Customer Actions Policy

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Document Approvals

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Sponsor Approval	Name	Date
Executive		
CMT	Angela Andrews	22/10/2024
SIRO		

**Summary of the Policy for Quick Reference –
Potential actions we can take following a report of unacceptable or vexatious customer actions.**

1. No Action

Where we assess the incident or incidents, and the decision is that the customer's action is not considered to be unacceptable.

2. Log of incident kept – anonymous actions.

We record the date and time of the incident as well as details of what occurred. We may not know the customer's details, or we decide that we will not retain them. The purpose of this is to monitor the numbers of unacceptable incidents that are taking place.

3. Log of incident kept – with customer details & informal notice.

This will usually be as the result of a singular, isolated incident that we consider to be 'low level' (classified as 'blue' in our incident reporting scheme), but that caused distress to a colleague or customer.

4. Log of incident kept – with customer details & send a warning letter.

This may be because of a one-off incident (classified as 'Amber' or 'Red' in our incident reporting scheme.) or as a further incident following an informal notice.

5. Restricting access to Council services – Sanctions and/or inclusion on the Exercise with Caution Register

If the actions of the customer are sufficiently serious that we assess there to be a risk to staff and/or members of the public, we may agree one or more control measures and it may be appropriate to restrict access. This may also apply following a warning where the unacceptable actions continue, or we record a further incident.

Restrictions imposed could include:

- Placing time limits on telephone conversations
- Restricting number of telephone calls (specified times e.g., morning or afternoon per week).
- Limiting the customer to one method of contact e.g., phone, letter, or e-mail.
- Requiring the customer to communicate only with one named member of staff referred to as a single point of contact. (SPOC).
- Requiring any personal contacts to take place in the presence of a witness and/or with the staff member using a safety alarm or device.
- Refusal to register and process further service requests/complaints about the same matter. Where we take this action and inform the customer, any future correspondence that we receive about the same matter, can simply be read, and acknowledged with a response stating that we have noted the correspondence and placed on file. This does not apply to FOI or SAR requests which we will fulfill in line with policy.
- Exclusion from the council housing register.
- Banning a customer from one or more of the authority's premises. This step will need consultation and collaboration with other City Hall tenants to ensure we do not restrict the customer's legitimate access to other services.
- Requiring visits only to take place with more than one officer present.

- We will consider other suitable options, in the light of the customer's circumstances or additional needs.

6. Issuing of a Community Protection Notice and/or reporting the incident to the police.

- A Community Protection Notice (CPN) is a two-stage process and is used to deal with a range of behaviours. (See full ASB policy)
- It may be appropriate to issue a CPN. This can be considered at any time but will be instigated if, following sanctions or being added to the Exercise with Caution Register, the individual persists with unacceptable behaviour.
- This will only be used when we believe that other avenues have been exhausted.

7. Consideration of applying for an injunction.

An injunction is a court order which if granted can impose restrictions on an individual, limiting their contact with the Council. Any application for an injunction will only be requested where all other actions have been considered and implemented or in the most extreme cases.

An injunction can only be sought once legal advice had been obtained and will require supporting evidence to present to the court to show why and an injunction is reasonable in each case.

Introduction and Scope

City of Lincoln Council are committed to dealing with all our customers and interactions to a high standard, including the handling of complaints. As part of this service, the Council does not normally limit the contact that customers have with its Officers and Members. However, a small minority of customers may act in an unacceptable way while dealing with us, and while there may be a number of reasons for such behaviour to reveal itself, we will take all reasonable steps to ensure that staff, Elected Members and partners are supported when they feel they have been subject to acts which make them feel threatened or mistreated. We will ensure that they are protected from foreseeable risks associated with their work activities and people with whom they come into contact.

As an employer, the Council has a legal duty in relation to the Health and Safety at Work act “to ensure, so far as reasonably practicable, the health, safety, and welfare of workers. This includes protecting them from work-related violence.”

This policy seeks to detail:

- What the Council considers to be unacceptable customer actions.
- How staff are supported to raise concerns with their manager about customer actions.
- How customer actions will be categorised to ensure an appropriate level of response.
- The responses available and how customers will be informed that their actions have been considered unacceptable.

This policy will be used along with other appropriate control measures (such as CCTV, a safe working environment, effective security, lone worker devices and appropriate training and our powers under the Anti-Social Crime and Policing Act 2014) to protect colleagues from work-related violence and distress.

This policy does not cover the behaviour or conduct of staff or Elected Members; these will be dealt with under existing Human Resource procedures and Elected Member Standards.

Stakeholders

In terms of key contacts for the management of this policy, the expertise and professional knowledge of the following officers may be involved in determining the final decision in respect of actions taken.

- The Customer Services Manager
- Human Resources Manager
- Corporate Health and Safety Adviser
- Tenancy Services Manager
- Housing Solutions Manager
- Housing Maintenance Manager
- PPASB
- Legal Services

Other appropriate Managers & colleagues have been consulted in the development of this policy and will be asked to join discussions about individual cases when appropriate.

This policy seeks to benefit all colleagues & elected Members of City of Lincoln Council as well as partners & contractors who work with our customers on our behalf. These include but are not limited to: · LiNK – the Revenues and Benefits partnership; Lincoln Job Centre+; Citizens Advice Lincoln and Lindsey and Lincoln Voluntary Centre Services. Any information shared as a result of this policy will be in line with existing data sharing agreements.

Roles and Responsibilities

Senior Management Team

- To support the Unacceptable Customer Actions Policy and ensure sufficient resources are allocated to facilitate its effective implementation.
- To receive information about incidents occurring within their service.
- To satisfy themselves that incidents have been investigated and appropriate measures have been implemented.

Line Managers, Supervisors and Team Leaders

Line Managers and Supervisors are responsible for ensuring that everyone they are responsible for (including partners, contractors, temporary staff, visitors, and agency staff)

- Knows how to report and record unacceptable customer actions.
- Understands the definitions and scope of the Unacceptable Customer Actions Policy
- Provide support, in conjunction with HR where appropriate, to the affected colleague.
- Investigate reports of unacceptable actions

Staff

Staff who experience unacceptable customer actions must discuss the issue with their line manager or supervisor and:

- Report it using the Council's electronic form found on the Hub (Intranet).
- Cooperate fully in the investigation process and, if required to do so, provide written statements to enforcing officers such as the Police or ASB Team.

Corporate Health and Safety

Corporate Health and Safety are responsible for:

- Supporting investigations into offensive incidents.
- Updating the Exercise with Caution Register and ensuring the contents are relevant, reviewed and communicated.
- Supporting and assisting line managers regarding risk assessment of tasks and locations following an offensive incident.
- Providing the Corporate Management Team with information about incidents through Quarterly Reports.
- Notifying Managers, Members and Partners of any updates to the Exercise with Caution Register

Defining Unacceptable Actions

For the purposes of this policy, a customer is any individual that staff may interact with because of their work who is not an employee or Elected Member of the Council or any of its partners. The customer may be accessing a Council service either in an individual or business capacity.

Customers may act out of character in times of trouble or distress and there may have been upsetting or distressing circumstances leading up to a customer contacting the Council. The Council does not view actions as unacceptable just because a customer is forceful or determined, however, the actions of customers who are unpleasant or disagreeable, demanding or unreasonably persistent, and/or, aggressive or threatening may result in unacceptable actions towards Council colleagues that will fall under this policy.

For the purposes of this policy the Council defines unacceptable actions under three specific headings, which reflects a scale of the severity of the behaviour:

Category 1 Actions: Aggressive language, tone, or body language.

This may include, but is not limited to:

- The use of a raised voice or shouting directed at the colleague.
- Name calling towards a colleague (that is not linked to a protected characteristic)
- passive aggressive behaviour, for example in an attempt to be derisory or belittle a colleague and/or their actions.

Further details are in Appendix 2

Category 2: Persistent & Unreasonable behaviour.

This may include but is not limited to:

- Requests for excessive amounts of information.
- Repeated requests for level of service or types of service that are beyond the Council's capacity to deliver.
- Continual and/or repeated phone calls, letters, emails or visits to the Council.

Further details are in Appendix 2

Category 3: Offensive incidents

This may include (but not be limited to)

- Name calling or verbal assault towards a colleague that is linked to a protected characteristic.
- Verbal threats towards Council colleagues, Members or Council property – even if the customer does not act on the threat.
- Verbal threats towards other individuals or organisations even if the customer does not act on the threat.
- Physical assaults to colleagues or Members
- Intentional physical damage to Council property

Further details in Appendix 2

Any staff or Elected Member that suffers stress, distress or fear due to the actions or behaviour of a customer should report the issue so that a decision can be taken as to whether they are unacceptable actions, in line with this policy's definitions. At the point that behaviour is taking place, they have the right to end the transaction, in a professional way and then report the matter immediately to their line manager,

regardless of how 'severe' the interaction may or may not have been. Through this reporting mechanism, the Council will have the opportunity to:

- Have an overall view of the level of unacceptable actions and behaviour being experienced by its colleagues, regardless of the level of severity.
- Take an appropriate level of action (as defined by this policy) in respect of the perpetrator.
- Identify repeated unacceptable actions that may have taken place over a period of time across multiple departments.
- Support colleagues and empower them to deliver their roles in a safe working environment, free from abuse and threat.

Process followed in cases of Unreasonable Customer Actions

If any member of staff is subject to actions or communication from a customer that caused stress, distress, or fear, the first and most crucial step is to take action to end the interaction in a professional and safe way.

Step 1 - Ending interactions where the customer is acting in an unreasonable way.

We do not deal with contact from a customer where staff feel that the customer is being abusive, shouting, swearing, threatening, or making derogatory personal comments directly to the staff member or about other staff.

When this happens, colleagues are empowered to advise the customer that they consider the customer's actions to be unacceptable, explain exactly what they consider unacceptable and ask them to stop. If this is happening over the telephone, the colleague has the right to end the telephone call if the customer does not change their behaviour after the colleague has made it clear that they consider it unacceptable.

An incident report (see step 2) should be completed without delay.

In cases where it is considered that a criminal offence has been committed (e.g., assault on staff or criminal damage), where assault is threatened, or where the complainant refuses repeated requests to leave the authority's premises, the Police must be called without delay.

Step 2 –Completing an Incident Report

After an incident staff should use the 'Report Unacceptable Behaviour' form found on the Reporting section of the Hub to log it. This should be done regardless of how 'serious' the individual may feel the incident was or whether they have all the customer's details; the added purpose of this process is to start to collate overall numbers of incidents over a period, regardless of severity.

This will start the process to allow for the appropriate action to be taken and formally notify the line manager that an incident has taken place. The details will be assessed by the manager, discussed with the staff member affected, and they will classify whether they consider the incident to be Blue, Amber or Red.

It is also essential at this point that if the colleague is distressed by the incident that they are offered support by their supervisor or manager. If staff feel unable to

continue working – even for a brief time, their line manager should ensure that they take an appropriate break.

As a result of the completion of the report, the appropriate action will be decided by the line manager or the line manager with advice from the Corporate Health and Safety team or other appropriate colleagues.

Step 3 – Processing the incident.

All reported incidents will be managed internally by following the Unacceptable Behaviour Procedures (Revised July 2023) which sets out in detail how each category of incident is handled.

Review

We will not keep information recorded on the Exercise with Caution Register for any longer than is detailed in the Council's retention policy.

Corporate health and Safety is responsible for conducting annual reviews of all customers registered on the Exercise with Caution Register to ensure the information remains relevant and appropriate.

Relevant Legislation - Glossary

General Data Protection Regulations (GDPR)

The General Data Protection Regulation and Data Protection Act 2018 requires that data protection principles be followed in the handling and storing of personal and special category (sensitive) data.

These are the data that must: -

- Be processed lawfully, fairly, and transparently
- Be obtained for a specified, explicit and legitimate purpose
- Be adequate, relevant, and limited to what is necessary
- Be accurate and, where necessary, kept up to date
- Not be kept for longer than is necessary
- Have appropriate security measures in place.

Further information on how customer data will be processed in relation to this policy can be found in Appendix 1 – Unacceptable Behaviour Privacy Notice.

Health and Safety Legislation

The Health and Safety at Work Act 1974 places duties and responsibilities on organisations to ensure the health, safety and welfare of their employees and others including, but not limited to visitors, contractors, partner agencies and Elected Members as far as is reasonably practicable. This includes protecting them from work-related violence. The arrangements for ensuring health and safety includes providing safe systems, a safe place of work, providing information, instruction and supervision and suitable arrangements for employee's welfare.

[The Management of Health and Safety Regulations](#)

The Regulations require that a suitable and sufficient assessment of risks arising out of, or in connection with a work activity be assessed. The Council has a range of generic job-based risk-assessments, which will, on the whole satisfy this requirement. It is the responsibility of managers to ensure that risk assessments are appropriate to the work activities of their team members. If the generic job risk assessments are not suitable line managers should arrange to conduct a job or activity specific risk assessment.

[The Human Rights Act](#)

This Act requires the Council not to act in a manner, which contravenes a person's human rights except 'in the interest of national security, public safety, or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.' Any such action must be clearly justifiable, and records kept demonstrating the need for action.

[Protection from Harassment Act](#)

Harassment is a term used to describe unwanted and unwarranted behaviour, which affects the dignity of an individual or a group of individuals and relates to causing harm or distress. Harassment can include repeated attempts to impose unwanted attention, communications and contact upon a victim in a manner that could be expected to cause distress or fear

[The Equality Act 2010 \(including Worker Protection \(Amendment of Equality Act 2010\) Act 2023\)](#)

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The 2023 amendment highlights an employers' duty to prevent sexual harassment of employees, defined as unwanted conduct of a sexual nature. It also places a duty on public authorities known as the Public Sector Equality Duty to ensure that they do not discriminate in how they make decisions, provide services and implement policies.

[Anti-Social Behaviour Crime and Policy Act 2014](#)

This act gives local authorities the power to tackle and address anti-social behaviour. It allows the local authorities to issue Community Protection Notices, take out anti-social behaviour injunctions, apply for Criminal Behaviour orders and make Public Space Protection Orders.

Appendix 1: Unacceptable Behaviour Privacy Notice

Our Commitment to Your Privacy

As part of our commitment to protecting your information, we have updated our Privacy Notices to explain how we collect, store and handle your personal data.

We have always been careful to protect your information, but this is part of our ongoing commitment to be transparent about how we use your information and keep it safe. This will also give you more clarity over how your information is being managed.

Through our revised privacy notice, we have addressed the new standards introduced by the European data protection law, known as the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

How we use your data

City of Lincoln Council is what is known as the 'controller' of the data you provide to us and is registered with the Information Commissioner's Office.

Under our Unreasonable Customer Actions Policy, we retain certain information. This means we will process and hold your personal data because you have been in contact with the Council and your actions have been considered unacceptable whilst undertaking the interaction. We will take all reasonable steps to ensure colleagues, elected Members and partners are supported when they feel they have been subject to unacceptable customer actions and, when that behaviour is at its most extreme, are protected from foreseeable risks associated with their work activities and people with whom they come into contact.

We are keeping a record of your behaviour for the purpose of protecting our colleagues, elected Members and partners and by reducing incidents of unacceptable behaviour, ensuring you receive the best possible service from us, and managing contact you have with us, if necessary. However, no such data shall be recorded unless it is necessary to protect the health, safety and welfare of the Council's colleagues, partners, elected Members, contractors or other third parties.

What information do we collect?

We may collect and process the following personal information:

- Your name and contact details (which may include your postal address, email address and telephone number)
- Reason for contacting the Council.
- Recordings of your telephone calls to us, as calls to our contact centre are recorded for training and monitoring purposes, so we can ensure we are delivering a good service and also it allows us to manage the contact with us, if necessary
- Visual images
- Sound recordings
- Records of your behaviour
- Notes about any relevant circumstances that you have told us about
- We may also process additional information, which may contain special category (sensitive) personal data, for example, health information, particularly if this is relevant regarding the interactions you may have with us
- We may also store further information, for example, offences (including alleged offences), criminal proceedings and outcomes.

Why we can collect your data

The lawful basis under the GDPR that we rely on for processing your personal information is:

GDPR Article 6(1)(e) – Performance of a task in the public interest (which allows us to process personal data when this is necessary to perform our public tasks carried out in the public interest).

GDPR Article 9(2)(g) – this is processed for reasons of substantial public in order to comply with UK legislation and where it is necessary for us to fulfil our legal obligations and regulatory requirements. This also relates to our public task and the safeguarding of your fundamental rights (Data Protection Act Schedule 1 Part 2 Substantial Public Interest Conditions: Paragraph 6, which relates to statutory and government purposes).

How we collect your data

The information we hold will have been provided by you during telephone calls, emails or online enquiry forms, face to face conversations, social media or when we communicate with you. We may also hold information provided by other Council departments through relevant systems (where this is relevant).

Telephone calls made to the Council, and subsequently transferred, are recorded. Recording contact centre telephone calls allows us to have access to a verbal record of information in the event of a subsequent complaint and enables us to review the behaviour.

When we'll share your data

Sometimes we have a legal duty to provide personal information to other organisations or if there is a good reason that is more important than protecting your privacy. For example, we may share your information with other Council Departments and the Police Authority for the prevention and detection of crime, for example. If we are concerned about an individual's mental health, or if an individual's behaviour is dangerous or has potential to impact on other organisations.

It may be necessary for us to share the data we hold about you in relation to your actions when dealing with our staff, with the following organisations and partners.

- Lincolnshire Police
- NHS/Clinical Commissioning Groups
- District Councils in Lincolnshire and Lincolnshire County Council
- Job Centre Plus and other DWP staff based in City Hall
- Citizen's Advice
- Voluntary Services

We may also share information about you and your behaviour within the organisation in order to ensure we are able to manage your contact as effectively as possible.

In addition, canvassing staff will be provided with information via Democratic Services about details contained on the Register to ensure they are informed and protected from foreseeable risks associated with the people with whom they come into contact.

Only the Corporate Health and Safety Team shall enter or delete entries on the Exercise with Caution Register. Only those colleagues who are likely to encounter a potentially violent individual, through visits or meetings for example, shall have access to the Register.

We do not sell your personal information to anyone and will never share your information for marketing purposes.

Know your Rights.

You have many rights regarding your personal data, which include seeing what personal information we hold about you. In addition, you can ask us to correct inaccuracies, object to the Council processing your data and restrict the personal information we hold. Where possible we will seek to comply with your request, but we may be required to continue to hold and process information to comply with a legal requirement. In those instances, we will explain why it is appropriate for us to continue processing your personal data.

If you want to contact us with regards to your rights, please contact dpo@lincoln.gov.uk

How We Keep Your Information Secure and How Long We Keep it.

The information we collect is recorded and stored on our secure system. We will keep your information for up to 6 years, after which it will be securely deleted. This will allow us to monitor the numbers of unacceptable incidents that are taking place and to allow monitoring of any future related incidents regarding an individual.

Where to get Advice or Make a Complaint.

If you have any concerns or questions, or would like to make a complaint, regarding data protection matters, please contact our Data Protection Officer at dpo@lincoln.gov.uk or by calling 01522 881188

For independent advice and/or to make a complaint about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Tel: 0303 123 1113 (local rate) or 01625 545 745

Alternatively, visit ico.org.uk or email icocasework@ico.org.uk

Appendix 2: Our Definition of Unacceptable Customer Actions

Category 1 - Aggressive language, tone or body language

- Using a raised voice or shouting directed at staff,
- Repeated use of expletives
- Using inappropriate language on social media – both by direct message and in response to posts made by the Council
- Name calling towards a colleague (that is not linked to a protected characteristic)
- Passive aggressive behaviour, for example in an attempt to be derisory or belittle a colleague and/or their actions.
- Seeking to coerce, intimidate or threaten staff or other people involved, whether by use of language, tone of voice or behaviour including body language.

Category 2 - Persistent & unreasonable behaviour

In a minority of cases people may pursue their service requests or complaints in a way that is unreasonable. This can impede how the Council handles the interaction and also have a negative impact on the Council's capacity to deal with other customers due to the unreasonable demand on resources.

Some customers may have justified reasons for their complaint or interaction but may pursue them in inappropriate ways. Others may pursue complaints which appear to have no substance, or which have already been investigated and determined.

Their contacts with council staff may be amicable but still place heavy demands on staff time, or they may be emotionally charged and distressing for all involved. Examples of unreasonable demands include, but are not limited to:

- Requests for excessive amounts of information
- Repeated requests for levels of service or types of service that are beyond the Council's capacity to deliver.
- Making repeated approaches in a 'piecemeal' way, which could have been presented as a singular request.
- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular person
- Continual phone calls, letters, emails, or visits
- Repeatedly changing the subject of the contact or raising unrelated concerns
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.
- Further demands relating to a specific issue where the Corporate Complaints Policy has already been followed.

The definition of Unreasonable Demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

We consider demands as unacceptable and unreasonable if they start to impact substantially on the work of the Council, such as taking up excessive amounts of staff time to the disadvantage of other customers or functions.

Where the customer has submitted a request under the Freedom of Information Act, the Data Protection Act or the Environmental Regulations that raises concerns, advice should be sought from the council's Data Protection Officer, who will be responsible for deciding if any request is unreasonable.

Examples of unreasonable persistence include but is not limited to:

- Persistent refusal to accept a decision made without following the designated route to challenge it.
- Persistent refusal to accept explanations as to what the Council can and cannot do.
- Repeatedly making contact about the same issue
- Continuing to pursue a matter without providing new information.
- Further demands relating to a specific issue where the corporate Customer Complaint Policy has already been followed.

The Council considers the actions of customers who may be considered persistent to be unacceptable when they take up what is regarded as being a disproportionate amount of time and resources. Unreasonable and/or persistent behaviour can relate to any service interaction. It can also occur when a customer is pursuing a complaint formally through the Customer Complaints Policy process.

Examples of unreasonable and/or persistent behaviour when pursuing a formal complaint includes, but is not limited to:

- Refusal to specify the grounds of a complaint, despite offers of assistance from Council staff.
- Refusal to co-operate with the complaint's investigation process or insistence on the complaint being dealt with in ways which are incompatible with the Corporate Complaints Policy (Note that we will carefully consider whether the request is a reasonable adjustment to accommodate the needs of the customer due to protected characteristics)
- Making what appear to be groundless complaints about colleagues dealing with the complaints or attempting to use the complaints procedure to pursue a personal quarrel against a colleague or team.
- Making unnecessarily excessive demands on the time and resources of Council staff whilst a complaint is being looked into.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements made at an earlier stage.
- Raising at a late stage in the process, significant new information which was in their possession when the complaint was submitted.
- Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Lodging numbers of complaints/requests for information in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure.
- Refusal to accept that issues are not within the remit of a complaints procedure or demanding outcomes which the complaints procedure cannot in itself provide such as that overturning of court decisions, dismissal or criminal

prosecution of staff or decisions of the Local Government and Social Care Ombudsman or the Housing Ombudsman Service.

- Submitting repeat complaints essentially about the same issue, which have already been addressed under the Council's complaints procedure.
- Persistence in contacting the Council and demanding responses or action long after the Council has closed the enquiry/investigation into a complaint and all rights of review and appeal have been exhausted.

Category 3 - Offensive incidents

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.

Harassment may also include unwanted conduct related to a relevant protected characteristic. Examples of behaviours grouped under this heading include:

- Threats
- Physical violence
- Personal verbal abuse
- Derogatory remarks and rudeness, including reference to staff appearance.
- Threats against the council as an organisation and its property

We also consider that inflammatory statements and unsubstantiated allegations such as referring to staff as 'stupid' or 'liars' is abusive behaviour.

Appendix 3 - Procedures and Guidance for Reporting and Investigating Unacceptable Customer Actions.

Quick Reference - Potential actions we can take following a report of unacceptable or vexatious customer actions.

1. No Action

Where we assess the incident or incidents, and the decision is that the customer's action is not considered to be unacceptable.

2. Log of incident kept – anonymous actions.

We record the date and time of the incident as well as details of what occurred. We may not know the customer's details, or we decide that we will not retain them. The purpose of this is to monitor the number of unacceptable incidents that are taking place.

3. Log of incident kept – with customer details & informal notice.

This will usually be as the result of a singular, isolated incident that we consider to be 'low level' (classified as 'blue' in our incident reporting scheme), but that caused distress to a colleague or customer.

4. Log of incident kept – with customer details & send a warning letter.

This may be because of a one-off incident (classified as 'Amber' or 'Red' in our incident reporting scheme.) or as a further incident following informal notice.

5. Restricting access to Council services – Sanctions and/or inclusion on the Exercise with Caution Register

If the actions of the customer are sufficiently serious that we assess there to be a risk to staff and/or members of the public, we may agree to one or more control measures, and it may be appropriate to restrict access. This may also apply following a warning where the unacceptable actions continue, or we record a further incident.

The sort of restrictions imposed could include:

- Placing time limits on telephone conversations
- Restricting the number of telephone calls (specified times e.g., morning or afternoon per week).
- Limiting the customer to one method of contact e.g., phone, letter, or e-mail.
- Requiring the customer to communicate with one named member of staff referred to as a single point of contact. (SPOC).
- Requiring any personal contacts to take place in the presence of a witness and/or with the staff member using a safety alarm or device.
- Refusal to register and process further service requests/complaints about the same matter. Where we take this action and inform the customer, any future correspondence that we receive can simply be read and acknowledged with a response stating that we have noted the correspondence and placed on file.
- Banning a customer from some, or all the authority's premises.
- Requiring visits only to take place with more than one officer present
- Other suitable options will be considered depending on the customer's circumstances or additional needs.

6. Issuing of a Community Protection Notice and/or reporting the incident to the police.

- A Community Protection Notice (CPN) is a two-stage process and is used to deal with a range of behaviours. (See full ASB policy)

- If following sanctions or being added to the Exercise with Caution Register, the individual persists with unacceptable behaviour it may be appropriate to issue a CPN.
 - This will only be used when we believe that other avenues have been exhausted.
-

If any member of staff is subject to actions or communication from a customer that caused stress, distress, or fear, the first and most crucial step is to end the interaction in a professional and safe way.

Step 1 - Ending unacceptable customer interactions

We do not deal with contact from a customer where staff feel that the customer is being abusive, shouting, swearing, threatening, or making derogatory personal comments directly to the staff member or about other staff.

When this happens, colleagues are empowered to advise the customer that they consider the customer's actions to be unacceptable, explain exactly what they consider unacceptable and ask them to stop.

If this is happening over the telephone, the colleague has the right to end the telephone call if the customer does not change their behaviour after the colleague has made it clear that they consider it unacceptable. An incident report (see step 2) should be completed without delay.

In cases where it is considered that a criminal offence has been committed (e.g., assault on staff or criminal damage), where assault is threatened, or where the complainant refuses repeated requests to leave the authority's premises, the Police must be called without delay.

Step 2 – Logging the Incident

After an incident staff should use the 'Report Unacceptable Behaviour' form found on the Reporting section of the Hub to log it. This should be done regardless of how 'serious' the colleague may feel the incident was or whether they have all the customer's details; the added purpose of this process is to start to collate overall numbers of incidents over a period, regardless of severity.

This will start the process to allow for the appropriate action to be taken and formally notify the line manager that an incident has taken place. The details will be assessed by the manager, discussed with the staff member affected, and they will classify whether they consider the incident to be Blue, Amber or Red.

It is also essential at this point that if the colleague is distressed by the incident that they are offered support by their supervisor or manager. Line managers should ensure that staff take an appropriate break if required.

As a result of the completion of the report, the appropriate action will be decided by the line manager or the line manager with advice from the Corporate Health and Safety team (CHS) or other appropriate colleagues.

Step 3 – Processing the incident.

Category 1

If the colleague self-categorised the incident as category 1, the line manager and the colleague should meet to agree the next steps

- It may be that it is agreed that on reflection, the customer's behaviour was not unacceptable – if this is the case, no further action should be taken. Any record of the customer's details should be removed in relation to the incident.
- If the incident is considered to be of a low level (e.g., category 1) and the customer cannot be identified then the date and time of the incident will be retained/recorded as well as some detail of what occurred.
- If the incident is considered to be of a low level (e.g., category 1) and there are contact details available to the Council, an informal notice may be issued to the customer. No further action will be taken at this time.
 - The date and time of the incident is recorded as well as some detail of what occurred. In this case the incident is also logged with the available customer details by CHS. The purpose of this is to monitor the numbers of unacceptable incidents that are taking place and to allow monitoring of any future related incidents.
 - The informal notice will advise them that their behaviour (including the date & time of the incident) caused distress to a staff member and to remind them to be considerate of their behaviour in the future.
 - If the customer is identified as having already received contact as a result of a previous unacceptable behaviour incident, CHS will decide whether a higher level of response should be taken.
- If, following assessment it is decided that the incident should be re-categorised as category 2 or 3 further investigation will be needed.

Categories 2 & 3

If the team member has self-categorised the incident as category 2 or 3, (or following review, a category 1 incident is re-categorised as category 2 or 3) the line manager should meet with the colleague to explore the incident further.

- It may be that it is agreed that on reflection, the customer's behaviour was not unacceptable – if this is the case, no further action should be taken. Any record of the customers details should be removed in relation to the incident.
- If the incident is considered to be of a low level (e.g. category 1) then the line manager should follow the steps as detailed above
- If the incident is considered to be category 2 and there are contact details available to the Council, a warning should be issued to the customer.
 - The date and time of the incident is recorded as well as some detail of what

occurred. CHS will monitor the numbers of unacceptable incidents that are taking place and ensure related incidents are identified as such.

- The warning letter will advise them that their behaviour (including the date & time of the incident) caused distress to a member of staff and to remind them to be considerate of their behaviour in the future. It will also warn them that, if the behaviour continues, we may take action to restrict their contact with officers, Council buildings or services.
- If the customer is identified as having already received a warning, a letter should be issued advising the customer that they have failed to follow the warning and set out any sanctions that are put in place for future contact.
 - The letter will advise them that their behaviour has been considered unacceptable. The written communication will explain:
 - the date & time of the incident or incidents
 - how long any restriction will apply for before it is reconsidered.
 - what they can do to have the decision reviewed
- It may be appropriate to notify other departments of the sanctions, depending on the nature of the persistent and/or vexatious nature of the contact or whether they are a Council tenant
- It may also be appropriate to consider the wider issues that the customer may be experiencing. In some cases, there may be underlying social, health or disability related issues and some individuals might have difficulty expressing themselves because of disability or language issues. In these cases, it may be necessary to create a small working group to monitor the ongoing contact from the customer and link them to additional support where needed.
- If the customer is identified as having already received sanctions as a result of the unacceptable behaviour process, the Customer Impact Panel should convene to discuss whether a higher level of response should be taken
- If the incident is considered to be category 3 then further investigation is required.

Investigation of a category 3 unacceptable behaviour – offensive incident

Line managers are responsible for investigating proportionate to the level of threat and nature of the incident. The Customer Impact Panel should be consulted throughout.

The purpose of the investigation is to find out:

- What happened
- Why it happened
- What can be done to prevent a recurrence
- What risk is there in the future to colleagues, Elected Members & partners

Particular attention needs to be paid to trigger actions, contributory factors or critical sequences of events leading up to the incident. In some cases, there may be

underlying social, health or disability related issues and some individuals might have difficulty expressing themselves because of disability or language issues.

The actions as a result of the investigation should be agreed with the Customer Impact Panel. In conjunction with the line manager, the panel should also

- Agree actions to prevent a recurrence of a similar incident
- Provide appropriate support to the affected victim
- Consider appropriate sanctions to accessing Council services where appropriate
- Request inclusion on the Exercise with Caution Register where appropriate
- In certain circumstances, the Council may consider obtaining a Community Protection Notice (CPN). In addition, incidents may be reported to the Police. (This will always be the case if physical violence is used or threatened.)
- The customer will be contacted by letter to advise them that their behaviour has been considered unacceptable. The written communication will explain:
 - The date & time of the incident or incidents.
 - How long any restriction or inclusion on the Exercise with Caution Register will apply for before it is reconsidered.
 - What they can do to have the decision reviewed.

NB: If advising the individual that they have been placed on the Exercise with Caution Register is likely to further exacerbate the behaviour or increase the likelihood of harm to others, then the individual will not be advised unless they make a Subject Access Request.

Where CHS update the Exercise with Caution Register with new details the following groups will be notified:

- Exercise with Caution Group Email recipients
- Relevant Elected Member
- Job Centre Plus Partners
- Citizen's Advice
- Other tenants of City Hall if appropriate
- Housing colleagues, if the customer is a Council tenant

If it is foreseeable that the individual may seek services from neighbouring local authorities, then these may also receive information necessary and relevant to ensure the safety of their employees.

Annual review

When the incident is finalised and recorded, it will be reviewed one calendar year later.

Corporate Health and Safety will check the Unacceptable Behaviour logs monthly to identify any that are approaching one year. At this point they will engage with the service that originated the incident report and any other service that the individual may have had contact with over the year since the incident. The purpose of this contact is to identify whether the unacceptable behaviour has continued, lessened, or ceased altogether. A decision will be made to either remove the individual from the Exercise with Caution Register or retain them on the list. If they remain on the list, they will be informed of the reasons for this decision in writing.