

## Appendix 2 – Definitions and examples of unacceptable behaviour

### Category 1 Aggressive language, tone or body language

- the use of raised voice or shouting directed at the colleague
- use of 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 & Vexatious 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 use of resources.

Some customers may have justified reasons for their interaction but may pursue them in inappropriate ways. Others may pursue interactions which appear to have no substance, or which have already been investigated and determined. Their contacts with North Kesteven District Council 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 is 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 substance 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 Customer Feedback Policy has already been followed

What amounts to unreasonable demands will always depend on the circumstances

surrounding the behaviour and the seriousness of the issues raised by the complainant.

We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the Council, such as taking up an excessive amount 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 is deemed to be unreasonable, advice should be sought from the Corporate Information Team.

Examples of unreasonable persistence include but is not limited to:

- Persistent refusal to accept a decision made
- 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 Feedback 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 Feedback 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 customer feedback procedure (though this should be carefully considered as to 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 vendetta 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 process goes on and/or denying statements he/she made at an earlier stage.
- Raising at a late stage in the process, significant new information which was in their possession when he/she first submitted a complaint.
- 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 Ombudsman.
- 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
- threats against the Council as an organisation and its property

We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.