



Policy for preventing and managing unreasonable customer conduct

Document Control

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1. Introduction

- 1.1 The Council provides services to residents, visitors and businesses. We are committed to delivering accessible, fair and high-quality services and expect all interactions with our employees and councillors to be conducted respectfully.
- 1.2 We recognise that customers may contact us when they are distressed, frustrated or dissatisfied. We will always seek to resolve concerns positively and constructively. However, behaviour that is abusive, aggressive, harassing or places disproportionate demands on our services will not be accepted.
- 1.3 This policy sets out how we prevent and manage unreasonable customer conduct to:
 - protect the health, safety and wellbeing of employees and councillors;
 - ensure services remain accessible to all customers;
 - enable the effective use of public resources; and
 - provide a consistent and lawful organisational response.
- 1.4 Employees and councillors have the right to work in an environment free from harassment, bullying, violence and abuse, in accordance with health and safety legislation and the Council's Dignity at Work Policy.

2. Our approach

- 2.1 Any action taken under this policy will be:
 - lawful, reasonable and proportionate;
 - evidence-based;
 - applied consistently and without discrimination;
 - the least restrictive option necessary to manage risk; and
 - subject to review and appeal.
- 2.2 This policy focuses on behaviour, not individuals. Descriptions such as "persistent" or "unreasonable" relate to conduct only and do not represent a judgement about a person.
- 2.3 Before applying restrictions, we will consider our duties under the Equality Act 2010, including whether reasonable adjustments are required.
- 2.4 Restrictions applied under this policy are intended to manage contact, not prevent access to essential Council services wherever reasonably practicable.

3. Scope

- 3.1 This policy applies to anyone who contacts or interacts with the Council, including through:
 - face-to-face contact;
 - telephone;
 - written correspondence;
 - email or SMS;
 - social media; or
 - third parties acting on an individual's behalf.

4. Definition of unreasonable behaviour

- 4.1 Unreasonable behaviour is conduct which a reasonable person would consider intimidating, abusive, threatening, discriminatory, harassing or disruptive, regardless of intent.
- 4.2 Behaviour may be unreasonable where it causes employees, councillors or others to feel unsafe or prevents the effective delivery of services. It is about what the employee or councillor may feel, not the intention of the customer. Examples include (but are not limited to):

A. Aggressive or abusive behaviour

- threats or acts of violence, abuse or assault;
- verbal abuse, harassment or sexual harassment;
- discriminatory or derogatory remarks related to protected characteristics;
- offensive, inflammatory or intimidating language; or
- physical or non-physical intimidation.

B. Excessive or unreasonable contact, requests and complaints

- repeated contact about the same matter without new information;
- repeated contact whilst we are in the process of looking at a matter;
- submitting repeated enquiries on or about the same matter;
- insisting on responses within unreasonable timescales;
- contacting multiple officers or councillors simultaneously about the same issue (scatter-gunning);
- insisting on speaking only with certain employees or councillors;
- refusing to accept a decision after clear explanation has been provided;
- continually requesting complex or voluminous information without apparent or good reason and without the intention of resolving a query;
- persistently changing the substance of an enquiry during investigation; or
- Sometimes, due to the volume of our work, we may not be able to respond immediately to customer requests. This does not mean that their concerns are any less important to us. If we ask for a customer's patience but they continue to pursue their concerns, we may consider that behaviour to be unreasonable.

C. Misuse of Council processes

- submitting excessive, irrelevant or disorganised information;
- refusing to co-operate with our processes whilst wishing matter to be resolved;
- insisting on complaint being dealt with in an incompatible way to our complaint's procedure, or with good practice;
- pursuing complaints or issues that have been investigated and determined;
- making unsubstantiated allegations against employees or councillors;
- pursuing matters outside the Council's remit after explanation;
- persistently approaching through different routes about the same issue either whilst it is being investigated or after it has been concluded;
- recording meetings without informing the Council in advance; or
- encouraging coordinated contact where individuals are not directly affected.

5. Social media conduct

- 5.1 This policy applies to interactions connected with Council business conducted via social media.

- 5.2 Users are expected to communicate respectfully. Content that is abusive, discriminatory, threatening, harassing or unlawful may be removed where possible. Inappropriate content can include:
- Pornography;
 - slurs against someone's race, religion or another protected characteristic;
 - gender-specific derogatory comments;
 - information encouraging criminal or terrorism activity;
 - threats, abuse or personal comments which may be regarded as defamatory; or
 - harassment, including sexual harassment.
- 5.3 Where inappropriate use occurs, the Council may take steps including removing content, blocking accounts, or referring matters to relevant authorities.
- 5.4 Further guidance is available in the Council's [External social media policy](#).

6. Recognition of vulnerability and capacity

- 6.1 The Council recognises that challenging behaviour may sometimes arise from:
- mental or physical health conditions;
 - disability or neurodivergence;
 - distressing personal circumstances;
 - being under the influence of drugs and / or alcohol; or
 - temporary impairment.
- 6.2 Where appropriate, managers will consider reasonable adjustments and may consult relevant services or professionals.
- 6.3 While such factors will inform a proportionate response, they do not justify behaviour that places employees, councillors or others at risk.
- 6.4 The Council works within the Community Safety Partnership North and West Devon, to provide joint responses and action(s) where necessary.
- 6.5 The Council are committed and agree to UNISON's End Violence at Work Charter.

7. Managing unreasonable behaviour

- 7.1 **Decision-making authority**
Contact restrictions may only be authorised by a Head of Service (or nominated deputy) following review of evidence.
- 7.2 **Incident reporting**
- 7.3 All incidents involving aggression, threats, harassment or abuse will be recorded and handled in accordance with internal incident reporting procedures. The relevant line manager will take initial steps to put controls in place as soon as practical.
- 7.4 Criminal matters, such as any personal assault against an employee, councillor or member of the public within our premises, may be referred to the police.

Employees and councillors who feel in immediate danger should contact emergency services. The line manager will be informed and details recorded on the internal reporting form. Examples of reportable incidents are included in appendix one.

7.5 Escalation process

The Council will normally apply the following staged approach to initially review an individual's behaviour and decide on whether contact restrictions are required to be put in place;

1. **Initial management-** concerns about persistent and / or unreasonable behaviour are to be raised to the relevant line manager, who will decide whether to escalate. If they escalate, they need to inform the Head of Customer Focus and the Communications and Feedback Manager (or other relevant Head of Service). The evidence will be reviewed and, where applicable, a timeline of contact received from the customer will be compiled. The reviewing manager and / or relevant Head of Service will suggest a course of action and recommend any potential sanction options(s) to the appropriate service manager and Head of Service.
2. **Written warning-** sent to the individual explaining concerns and expected standards. This will be sent by the Communications and Feedback Manager, a Head of Service, or the Community Safety Partnership North and West Devon (see appendix two, for example warning). The warning will politely ask the individual to moderate their behaviour and explain possible actions should the behaviour not change. A copy of this policy is included.

In some cases, a second warning letter may be sent.

3. **Implementation of contact restrictions-** where behaviour continues or risk is significant. All available information is considered, and the appropriate course of action / sanction(s) is decided by the Head of Customer Focus and the Communications and Feedback Manager (or other relevant Head of Service) and the relevant service manager and Head of Service.

Written notification is sent to the individual from the Communications and Feedback Manager, a Head of Service, or the Community Safety Partnership North and West Devon. The notification will explain:

- the reasons for the decision;
- what restrictions apply;
- how services remain accessible;
- review arrangements; and
- appeal rights.

Restrictions can be in place for a minimum of three months and are reviewed in three, six or twelve months (see appendix three, for example notification).

All Heads of Service, relevant employees, councillors and partner agencies are notified of this. Where a high risk is determined, a 'warning alert' is placed against the individual on relevant Council systems.

Serious incidents may result in immediate restrictions without warning. Where practical, notification of the implemented restrictions will be provided to the individual.

Where a customer, or anyone on their behalf, fails to comply with the terms outlined in our contact restrictions, we may consider alternative procedural, civil or criminal actions.

8. Data retention

- 8.1 Case records will be maintained throughout the process and kept in line with the Council's data retention policy.
- 8.2 The case records may be shared with appropriate officers, including:
 - customer details;
 - nature of concerns;
 - timeline of contact;
 - decisions and authorisations
 - copies of warning and restriction letters;
 - review dates and outcomes.
- 8.3 The case file is closed after the initial monitoring stage where no restrictions are implemented, or after the review date where any contact restrictions are lifted. The file may be re-opened if there is an appeal or if further concerns are raised about the individual's behaviour.
- 8.4 The Communications and Feedback Manager provides periodic reports to the Senior Management Team to ensure oversight and consistency.

9. Contact restrictions / sanctions

- 9.1 Restrictions will be proportionate and tailored to the circumstances. Essential statutory services will not normally be withdrawn.
- 9.2 Measures may include one or more of the following:
 - Ending abusive telephone calls or meetings.
 - Limiting contact to a single point of contact. This may involve redirecting an individual's emails or phone calls to the single point of contact.
 - Restricting frequency or method of communication. This may involve:
 - limiting contact to one method only (for example only accepting contact via email);
 - restricting the number of telephone calls, emails or visits (for example, one call, email or visit on a specified morning or afternoon of any week) and / or;
 - blocking an individual's email address or phone number.
 - Excluding individuals from Council premises.
 - Setting time limits for telephone calls or meetings.
 - Requiring appointments for face-to-face contact.
 - Requiring meetings to take place with a witness present (for example, another employee, a police officer or a member of the Community Safety Partnership North and West Devon).
 - Declining to respond to abusive or repetitive correspondence.
 - Refusing to reopen matters or complaint already fully considered.
 - Returning or securely disposing of unsolicited irrelevant or large volumes of material.
 - Blocking or moderating social media interaction.
 - Placing safety warning markers on internal system.

- Requesting communication through an advocate or representative where appropriate (for example through the Citizens Advice Bureau, a legal representative or an independent advocate).
- Referring matters to the police or pursuing legal remedies where appropriate.
- If a pseudonym is suspected of being used, seeking to confirm the individual's true identity may be pursued.

10. Monitoring of contact and review

- 10.1 Monitoring of contact and restrictions will normally apply for a minimum period of three months and will be reviewed at appropriate intervals (for example three, six or twelve months).
- 10.2 Reviews will be completed by the Communications and Feedback Manager and / or the Head of Customer Focus.
- 10.3 Restrictions will be removed where behaviour improves and risks reduce. Where appropriate, a notification letter will be sent to the individual advising of the lifted restrictions. This letter advises that their contact may continue to be monitored and if future concerns are raised, further restrictions may be imposed.
- 10.4 Where there has been a continuation or escalation of behaviour during the review period, further action may be considered. Where appropriate, a notification letter will be sent to the individual explaining the outcome and whether further contact restrictions will be imposed. A further restriction period is provided and details of how to appeal.

11. Appeals

- 11.1 Individuals may appeal restrictions in writing to monitoringofficer@northdevon.gov.uk.
- 11.2 Appeals will be considered by the Monitoring Officer (or deputy) and a Head of Service not previously involved in the decision.
- 11.3 The decision will consider whether the restrictions should remain in place or be cancelled.
- 11.4 The outcome of the appeal will be confirmed in writing and recorded.

12. Legal and policy framework

- 12.1 This policy supports the Council's obligations under:
- Health and Safety at Work etc. Act 1974
 - Equality Act 2010
 - Local Government and Social Care Ombudsman guidance on managing unreasonable complaint behaviour
 - Dignity at Work Policy
 - External Social Media Policy
 - UNISON's End Violence at Work Charter

Appendix 1: Examples of incidents which require reporting

Employees must report any incident or behaviour that causes them to feel unsafe, threatened, harassed, or at risk.

Employees should report incidents even if they appear minor or isolated. Early reporting enables risks to be identified and managed appropriately.

Employees must follow the appropriate internal reporting procedures based on the type of incident.

Incidents that require reporting include (but not limited to):

- offensive language, verbal abuse or swearing;
- unwanted, abusive or derogatory remarks;
- discriminatory, malicious or stereotyping comments;
- threats of harm, including implied or indirect threats;
- invasion of personal space or intimidating physical proximity;
- aggressive or threatening body language or behaviour;
- any form of harassment, including sexual harassment;
- bullying, victimisation or intimidation;
- offensive gestures;
- refusal to follow reasonable instructions, including requests to leave Council premises;
- obstructive behaviour, including blocking exits or preventing staff from disengaging;
- persistent or excessive unwanted contact causing distress or disruption;
- abusive or threatening emails, messages or social media contact;
- stalking behaviours, including repeated unwanted attendance, waiting for or monitoring of staff;
- recording, photographing or filming staff in a manner that causes intimidation or distress;
- attempts to obtain or share employees' personal information inappropriately;
- damage or attempted damage to property;
- throwing objects or reckless actions creating risk;
- behaviour suggesting intoxication where safety may be affected. Applicable in a public space and includes council customer facing offices;
- physical assault, including using force used without consent, sexual or otherwise; and
- near-miss incidents, where violence, aggression or harm could reasonably have occurred even if no injury resulted.

Police reporting

In certain circumstances, any of these may also be reported to the police.

All urgent incidents are to be reported on 999.

All non-urgent incidents are to be reported on 101 or online reporting directly to the police.

Any manager, the Communications and Feedback Manager and members of the Community Safety Partnership North and West Devon can assist in reporting incidents.

Appendix 2: Example template warning letter

Dear [Name],

Your contact with us

Colleagues in [service area] have raised concerns regarding recent contact from you. I have reviewed the information available, including the following examples:

- [date] - [brief factual description]

We recognise you may feel strongly about the matters you have raised, however, the concerns relate to the way contact has taken place, rather than the issues themselves.

Following review, I consider aspects of your behaviour to be unacceptable under the Council's Policy for Preventing and managing unreasonable customer conduct, for the following reasons:

- [link behaviour clearly to policy examples]

Our employees and councillors have the right to carry out their duties without experiencing behaviour that is abusive, intimidating or unreasonable. We therefore ask that future contact with the Council remains respectful and constructive.

What we ask going forward

When contacting us, we ask that you: [relate to unreasonable behaviour displayed. i.e.

- communicate respectfully and without abusive or offensive language;
- avoid repeated contact about the same matter unless providing new information; and
- allow reasonable time for responses.]

We want to continue working with you to address your concerns and hope this matter can now proceed positively.

If there are personal circumstances or support needs affecting how you communicate with us, please let us know so we can consider any reasonable adjustments.

What may happen next

This letter is a formal warning. If the behaviour described above continues, we may review the situation in line with our policy and consider measures that may limit or manage how you contact us. Any such decision would be explained to you in writing.

A copy of the policy is enclosed for your information.

We recognise that interactions with the Council can sometimes be frustrating, particularly where matters are important or ongoing. This letter is intended to reset expectations so that communication can continue in a way that allows us to assist you effectively while ensuring our employees are treated with respect.

We hope that, following this letter, contact between yourself and the Council can continue constructively without the need for any further action.

Yours sincerely

Appendix 3: Example template decision letter

Dear [Name],

Continued unreasonable behaviour and imposed contact restrictions

I am writing further to our letter dated [date], in which you were asked to moderate how you contact us in line with the Council's Policy for Preventing and Managing Unreasonable Customer Conduct.

Since that time, I have continued to review your contact with [service area]. Unfortunately, this contact has remained at a level and nature that we consider unacceptable under the policy for the following reasons:

- [list specific behaviours with brief examples and/or dates]

In reaching this decision, I have considered the frequency, tone and content of your contact, and the fact that concerns previously raised with you have not resulted in a sufficient change in behaviour.

This behaviour has caused concern for staff and impacts our ability to provide services effectively and safely. The Council has a duty to ensure employees can carry out their roles without experiencing abuse, intimidation or distress.

Contact restrictions

In accordance with the Council's Policy for Preventing and Managing Unreasonable Customer Conduct, and having considered proportionate options, we have decided to place restrictions on how you may contact us. These measures are intended to manage contact appropriately while ensuring you can continue to access Council services.

All future contact must be:

- [List option(s) chosen]

[Add any practical details — email address, frequency limits, subject limitations, emergency exceptions if relevant.]

These restrictions do not prevent you from accessing Council services or raising legitimate enquiries or complaints. However, contact must take place in accordance with the arrangements set out above.

Review period

These arrangements will remain in place for an initial period of [three, six, nine, twelve] months and will be reviewed on [date]. We will write to you following this review to confirm whether the restrictions will be lifted, amended or extended based on your contact during this period.

Restrictions may be removed where contact remains respectful, proportionate and in line with the expectations set out in our policy.

Right to appeal

You may appeal this decision by writing to the Monitoring Officer by emailing monitoringofficer@northdevon.gov.uk or to North Devon Council, PO Box 379, Barnstaple Devon EX32 2GR

A copy of the policy is enclosed for your information.

Yours sincerely