



## Policy on Managing Unreasonable Customer Behaviour – External

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1		December 2019	Policy implemented
2		April 2021	Refresh
3	Business Manager – Governance & Risk	21/11/2024	Refreshed and presented to Audit and Governance Committee
4	Assistant Director – Workforce Strategy & Transformation – Governance and Risk	January 2026	Policy name changed and final amendments circulated



## INTRODUCTION

Cotswold District Council (the Council) is committed to providing great services to all their customers. However, they acknowledge that this needs to be balanced against providing a safe working environment for their employees to operate within.

On occasion, customers may behave inappropriately towards our employees. Where this occurs, the Council reserves the right to manage customer contact in an appropriate manner to protect our employees and to maintain the effectiveness of our service to other customers.

The Unreasonable Customer Behaviour Policy (the Policy) sets out the approach of the Council on managing any customers whose actions or behaviours are considered unacceptable and are either having a harmful impact on employees or their ability to provide a consistent level of service to other customers.

This Policy is designed to assist employees in consistently and inclusively addressing unreasonable customer behaviour.

We will record and share information relating to individuals where it is necessary to apply this Policy, so that we can protect our employees, resources, and other members of the public.

For the avoidance of doubt this procedure covers all methods of contact, including face to face, email, telephone, letter and via social media.

This Policy covers all employees undertaking work on behalf of the Council.

This Policy aims to:

- define what we mean by 'unreasonable customer behaviour'
- ensure our employees are protected from harm and abuse
- clarify how unreasonable customer behaviour will be managed in a consistent and constructive manner
- ensure our limited Council resources are applied efficiently and fairly, which is not always possible when a small number of customers unjustifiably take up a disproportionate amount of time

This Policy applies to all contact received across the Council's various channels including:

- telephone
- written correspondence (including emails, online forms, social media, letters)
- face to face contact both on Council's premises and any other locations in the community including resident's homes
- those individuals representing the customer such as family members, advocates
- all services provided by the Council whether delivered directly by us or by contractors or other third parties on our behalf

## **DEFINING UNACCEPTABLE BEHAVIOUR**

The definition of 'unacceptable' and 'unreasonable' customer behaviour may also be understood as 'persistent' and / or 'vexatious' behaviour and this applies to all verbal, physical and written contact with the Council, as described above.

In applying this Policy, we are following best practice guidance from the Local Government and Social Care Ombudsman (LGSCO) and the Information Commission's Office (ICO).

### **What is considered unreasonable or unacceptable customer communication and behaviour**

There are a range of behaviours which have been identified as 'unreasonable' and affect our ability to serve all our different customers fairly and equally.

#### **A. Aggressive or abusive behaviour**

This includes the following behaviours directed towards our employees, in-person, verbally or in writing:

- abusive
- offensive
- discriminatory or threatening language
- threats
- intimidation
- harassment
- physically aggressive
- inflammatory, aggressive, disrespectful statements and unsubstantiated allegations may also be considered abusive
- damage to Council property



## **B. Unreasonable demands and/or extensive contact**

- A demand can be unreasonable when it takes up a disproportionate amount of employee time and resource to resolve (based on the needs of the individual customer), where these could be used to provide or improve Council services for the majority of our customers
- This may involve an individual making repeated contact with us, re-sending extensive communications, contacting multiple employees repeatedly, aggressively and often about the same issue which is ongoing or where we have explained what we can and/or cannot do to resolve it

### **Premise Risk**

Council representatives may be required to undertake visits to the home / community as part of their role, and these homes, premises or location could present a risk to Council representatives.

This could include the potential for a serious incident or the potential to place the individual at risk of harm, injury, disease, illness, loss, or damage.

Examples of potential property / premise risk could include, but is not limited to:

- A dangerous pet, such as a dangerous dog
- Violence or threats from other family members or other adults within the home
- Violence or threats from other residents / neighbours
- Sexual offenders
- Exposure to hazardous substances or severe domestic squalor in the home
- Structurally unsafe property
- Guns and weapons
- Issues relating to mental health
- Substance abuse
- Environmental hazards such as dark alleyways, tower blocks

### **Reporting unacceptable behaviour**

Each case will be reviewed and considered on an individual case by case basis, and any action taken would be appropriate to the circumstances.

## MANAGING UNACCEPTABLE BEHAVIOUR

This Policy may be applied when it is agreed that behaviour and / or communication meeting the description given in this Policy has been displayed.

The decision to manage a person's contact in an alternative way with a Council service must be reviewed and approved by the relevant business manager/Head of Service. This decision will consider all factors including exceptional circumstances or barriers faced by yourself due to any known or advised protected characteristics, at risk factors, or other relevant reasons.

### **Step 1 - A Verbal Warning**

If we consider that your behaviour or communication has been unacceptable and / or unreasonable, then we will tell you why and ask that you stop.

### **Step 2 - An Informal Written Warning**

Following a verbal warning, if the behaviour continues to be unacceptable, an informal written warning letter will be sent to remind you of our expected behaviours.

**Please note that in the case of violence or serious threats, the warning stages (1 and 2) will be bypassed.**

### **Step 3 - A Formal Written Warning with restrictions**

For repeated or more serious offences, a formal written warning letter will be issued to ask that you cease the unacceptable behaviour and / or communication and will advise you of the action we will take to address this.

Restrictions may be as follows, but not limited to:

- specific method of communication only, such as e-mail or writing
- requesting that contact is only made at a particular day or time or to a specified e-mail address
- persistent offenders may be banned from accessing the Council premises for a specified period or indefinitely
- restricting correspondence to a designated person, a Single Point of Contact (SPOC)

If the behaviour continues after warnings letters are issued, we may refuse further contact and refuse further responses.



## UNACCEPTABLE CUSTOMER BEHAVIOUR REGISTER (UCBR)

Where you are the subject of a contact restriction, it will be recorded in the UCBR.

The UCBR will provide your personal details and the nature and duration of the restriction in place, together with when this is to be reviewed.

All details on the UCBR are strictly confidential. Viewable access to the register is restricted to those who require it for business need and requests for access will be made via a Business or Service Manager or Head of Service. Access will be available to Council representatives who have regular contact with service users.

**Restrictions on properties** can be added to the UCBR **without notifying the owner of the property**. This is because we are not restricting your access to services, we are instead highlighting risks at the property and providing guidance for attendance.

Restrictions on properties do not require defined timescales as they can be left on indefinitely if the risk continues to exist e.g., relating to the resident, family, dangerous pet etc.

### Appeal

You have the right to appeal the decision to be added to the UCBR, including an external review by the Local Government and Social Care Ombudsman (LGSCO), within one month of the decision made and it will be considered by an Officer who was not involved in the original decision to restrict access.

The UCBR entry and restrictions remain in place until the outcome of the appeal is decided. A note is added to the register entry to denote that the appeal is in progress

### Monitoring and Review

All restrictions will be reviewed on a **six-monthly basis** or sooner if there are reasonable grounds to do so.

Where it is appropriate, we will notify you that the restriction has been reviewed and the outcome of that review.

Restrictions will only be removed if there has been significant change in your communication and / or behaviour or if there is a change in circumstances which impacts on the way that we must deal with you and / or your representative.

Restrictions will stay in place where there is no evident change in the behaviours described within this Policy OR where further contact with you may unnecessarily restart a cycle of negative interaction.

## **EQUALITY OF ACCESS**

Council representatives meet a diverse population, including vulnerable individuals. Any restrictions imposed will take into account your individual circumstances and ensure that you are not prevented from accessing essential services.

## **DATA PROTECTION**

The Council will comply with the Data Protection legislation at all times when administering the UCBR. The quantity of personal data added to the UCBR will be limited to what the Council considers necessary to meet the stated purposes of the UCBR.

The Council limits representatives that have access to the UCBR, giving access only to those who need the information to safely carry out their job.

This data processing could result in a high risk to the rights and freedoms of natural persons. To mitigate this risk, we have undertaken a Data Protection Impact Assessment (DPIA). This describes our process designed to identify risks arising out of the processing of personal data and to minimise these risks as far and as early as possible.

A Privacy Notice is available on our website [www.cotswold.gov.uk/support/privacy-and-data/service-privacy-notices/](http://www.cotswold.gov.uk/support/privacy-and-data/service-privacy-notices/). Our privacy notice is a statement that transparently tells individuals what personal data the Council collects, why it is collected, how it's used, stored, shared, and their rights regarding that data, fulfilling requirements of Data Protection legislation.

## **FREEDOM OF INFORMATION**

The Council may apply the principles of the Freedom of Information Act 2000, section 14 vexatious or repeated requests to enquiries where it can be shown they meet the same thresholds as detailed in the Information Commission Office (ICO's) guidance. Further information on Section 14 can be found on the ICO's website.