

Guidance 7 – Unacceptable Behaviour

1. Introduction

- 1.1 All members of the public have the right to be heard, understood and respected. However, this same courtesy also needs to be extended to Community Councillors who are representing their Community as a volunteer.
- 1.2 It is understood that emotion and distress are sometimes felt by residents when an issue has had a significant impact on their lives, but this does not excuse or justify the mistreatment of other parties. In circumstances where unacceptable behaviour is experienced by any Member of the Community Council, the Community Council should take appropriate action to protect its members.

2. Defining Unacceptable Actions

- 2.1 Unacceptable actions can fall into the following categories:-
- 2.2 **Aggressive or abusive behaviour** in person either within or outwith the Community Council meeting. This includes language and the tone or manner in which it is delivered and can be verbal or written. It includes anything that may cause members to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness. Inflammatory statements, remarks of a racial or discriminatory nature and false allegations are also considered to be abusive behaviour.
- 2.3 **Unreasonable demands or levels of contact**
- 2.3.1 A demand becomes unreasonable when it starts to impact excessively on the work of members dealing with the matter, especially if this impacts on other members of the public. It can include:-
- Repeatedly demanding responses within an unreasonable timescale;
 - Demanding responses from several members on the same subject;
 - Insisting on seeing, meeting or speaking to a particular member when that is either not possible or it is inappropriate;
 - Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns;
 - Repeatedly posing a question, when a response has already been given, because the individual may not like the answer they have received.
- 2.3.2 The level of contact is unacceptable when the amount of time spent talking to a member of the public on the telephone, or reviewing and responding to written or electronic communication, impacts on the ability to deal with the relevant matter or on the ability of members to deal with other items of business and statutory responsibilities.

3. Responding to Aggressive or Abusive Actions

- 3.1 If any individual is persistently aggressive or abusive to any member of the Community Council within a meeting the Chair will ask the party to leave the meeting and if they refuse to do so, may call the Police for assistance. This would be the matter concluded unless there was any kind of recurrence from the same party.
- 3.2 Where correspondence is received by any means, including social media, which is abusive to a member or the Community Council as a whole or contains inflammatory or malicious allegations that are unfounded, the Community Council should inform the individual that their language or the content of the message is considered offensive, unnecessary and unhelpful. Where possible such language should be removed and in other cases the individual should be asked to revise their correspondence to remove any offensive text and resend it, or it will not be responded to. Should this be complied with the matter would be concluded unless there was a recurrence of the behaviour.
- 3.2.1 Under section 127 of the Communications Act 2003, it is a criminal offence to use electronic communications networks to send or (cause to be sent) offensive, obscene messages or messages that the sender/instigator knows to be false. The individual to whom these messages relate would be within their rights to refer the matter to the Police.
- 3.3 If the issue arises to a Community Councillor outwith a meeting the Community Councillor will bring it to the attention of the Chair who will report the behaviour to the Community Council to consider appropriate action.

4. Responding to unreasonable demands or levels on contact

- 4.1 Where an individual unreasonably and repeatedly phones, raises the same issue, or sends excessive written or electronic communication about which the relevance is not clear, the Community Council may decide to:
- Limit contact by phone or written communication;
 - Restrict contact to written correspondence only;
 - Refuse to deal with further calls, written or electronic communication;
 - Advise the individual that further irrelevant documentation will not be considered by the Community Council;
 - Take any other action that is considered appropriate to the circumstances.
- 4.2 Any decision to restrict contact should be taken by the Community Council at a meeting and properly minuted.

5. Response to Recurring and persistent unacceptable behaviours

- 5.1 Where there are repeated incidents of aggressive or abusive behaviour, longer term decisions to restrict an individual's contact with the Community Council may be taken. The Chair should report the circumstances to the Community Council for consideration providing detailed information about the nature and frequency of the issues. Consideration should be given to the individual getting the opportunity to change their behaviour before a decision to restrict contact is taken.
- 5.2 If the Community Council considers that the behaviour has continued for too long or no improvement in behaviour has been witnessed, it should consider restricting the access the individual has to the Community Council. The Community Council should consider the type of access that is being restricted and the period of time this restriction will be in place.
- 5.3 Any decision to restrict access needs to be a decision of the Community Council at a formal meeting and should be clearly minuted. Following any restriction of access, the Community Council should inform:-
- The party concerned
 - The Area Manager

within 7 days of the decision being taken detailing the party concerned, the type of restriction and the duration of the restriction.