

East Renfrewshire Council Unacceptable Actions Policy (June 2025)

1. Introduction

All Council employees aim to positively support each individual who engages with us to provide them with the best possible level of service. If a stakeholder complains about any aspect of our service, our initial focus is to resolve the matter as efficiently as we can. We aim to treat everyone fairly and with respect. In return we expect all stakeholders who engage with us to do the same.

This policy is for managing the very small number of incidences when a stakeholder's actions or behaviour is unreasonable and requires employees and managers to take proportionate and effective action. It aims to ensure our employees, managers and elected members can handle such situations and when such behaviour is encountered, managers can provide support and take proportionate and effective measures.

2. Purpose of the Policy

For the purposes of the policy, the term 'stakeholder' refers to any customer, parent, carer, advocate, community representative, family member, or visitor who engages with council services and establishments (e.g. Council offices, educational establishments.) The policy also applies to all Council employees including temporary employees and casual workers.

Engagement between employees and stakeholders includes all forms of contact, for example, verbal and written. Online comments about any establishment or individual employee, which are shared publicly, in a forum or in a way that means they are not private, would be regarded as engagement for the purposes of this policy regardless of whether the comments are shared directly with the establishment/individual employee in question.

Individual stakeholders may act out of character in times of trouble, stress. There may be upsetting, traumatic or extenuating circumstances leading up to a stakeholder contacting the Council and we will be mindful and take into consideration the specific circumstances leading up to contact which may cause concern. However, the Council will not tolerate behaviour from a stakeholder (physically, verbally or in writing) whereby engagement is perceived to be threatening, unnecessarily antagonistic, abusive or unreasonable. We have a duty of care to protect our employees and elected members' physical, emotional and mental health. In some circumstances, it may be necessary to take action to protect our employees or services from types of engagement which impact on our ability to provide a quality service or on the health and well-being of our staff.

This policy sets out the procedures for identifying and responding to those types of engagement between employees and stakeholders which may cause concern.

3. Supporting Positive Engagement

As a starting point, Council employees across all Council establishments support positive engagement. The Council has accessible means of enabling stakeholders to communicate and engage positively in a range of ways. This includes: face-to face meetings, telephone calls or written correspondence (including email) and accessing the Council website. Each Council service and establishment will have an approach specific to its own environment and stakeholders.

Supporting positive engagement includes encouraging stakeholders to express concerns in a constructive manner and ensuring the complaints process is applied fairly and objectively where individual concerns are raised. When things do go wrong, complaints for all Council services can be submitted directly via <https://www.eastrenfrewshire.gov.uk/make-a-complaint-form>.

Whilst all employees will work to support positive engagement with stakeholders, there are some situations which have a negative impact on the health and wellbeing of employees and our ability to meet other stakeholders' needs. It is recognised that stakeholders may be upset and distressed when contacting establishments. The first response should be to support stakeholders to engage positively and restore the relationship and ensure the needs of all stakeholders can be considered and an amicable outcome agreed.

4. What are unacceptable actions?

There are certain behaviours that employees should not accept within the course of their employment, and the Council and establishments will take positive action to address them when they arise.

The Council prohibits the use of live streaming of any communication or engagement between stakeholders and employees. Audio or visual recording of any communication or engagement should only take place with the prior express agreement of all participants – staff consent to recording will include consideration of the context of the interaction (e.g. to address disability issues).

In cases where recording is permitted, the subsequent use of any such recording should:

- be limited to domestic use (e.g. sharing with family, advocates)
- not alter or distort the recording in any manner
- ensure that it is not shared inappropriately (e.g. on social media platforms, press)

Any breach of the above restrictions will be considered unacceptable actions in their own right.

We do not view behaviour as unacceptable just because someone is being forceful or determined. But the actions of someone who is angry, demanding or offensive may result in unreasonable demands on the Council or unacceptable behaviour towards employees or elected members.

Unacceptable situations may occur via the following means of communication:

- Verbally, either by phone or face-to-face

- Written or email correspondence
- Online, web and social media platforms

We identify unacceptable actions under three broad headings outlined below with some key examples, although they are not exhaustive lists. It is these types of actions that we consider unacceptable and which we manage under this policy.

4.1 Violent, aggressive or abusive behaviour

The Council has a zero-tolerance policy of violence towards employees and elected members. However, aggressive or violent behaviour is not restricted to acts that may result in physical harm. It can also include behaviour or language (whether verbal or written) that may cause employees and elected members to feel afraid, threatened, humiliated, psychologically unsafe, or abused.

This may include:

- violence or threats of violence
- harassment
- personal abuse, derogatory, slanderous, offensive or libellous remarks (verbal or written)
- inflammatory statements (remarks which are intended to cause or provoke anger)
- unsubstantiated allegations
- language which makes unfounded allegations about an individual's professionalism or seeks to belittle or denigrate them personally

4.2 Unreasonable demands

Unreasonable demands can come in a variety of forms. We consider demands to be unreasonable if they start to impact substantially on our work and take up an excessive amount of time to the disadvantage of other stakeholders or functions. A request may be deemed unreasonable if, in the opinion of a reasonable person (manager/head of service/establishment), it would appear to be manifestly unreasonable or disproportionate.

This may include:

- demanding responses within an unreasonable timescale
- insisting on dealing with a particular member or employee, even when it is not possible
- Insisting on a particular outcome, even though that outcome cannot be delivered (e.g. for legal reasons)
- changing the substance of the complaint or raising unrelated concerns

4.3 Unreasonable levels of contact

On occasion, a stakeholder will contact us repeatedly about the same or closely related issues. The manner of the interaction may be reasonable in itself; however, the volume and frequency of their contact may become problematic. We consider levels of contact to be unreasonable when the amount of time responding to, and dealing with the phone calls, visits, correspondence disrupts employees' ability to effectively handle the enquiry and negatively impinges upon their ability to perform other duties and support other stakeholders. This may include:

- excessive numbers of phone calls or emails over a short period
- continually visiting offices and educational establishments requesting face to face meetings
- repeatedly raising the same matters with multiple employees with the expectation of a different response
- Provision of excessive formation relating to their concern which is not relevant to the original complaint or has already been provided in a different format

5. Managing unacceptable actions

How unacceptable actions are managed is based on the individual circumstances of each situation. All employees will be supported by their managers/Head of Establishment/Head of Service in responding to or disengaging with stakeholders where it is perceived that the behaviour of the stakeholder has become unacceptable to the employee involved. There are a variety of ways in which the Council can respond to an unacceptable action, from initial requests to alter behaviour and actions through to a manager/ Head of Establishment/Head of Service taking a decision to restrict a stakeholder's contact with the employees and/or establishments. Examples of actions that may be taken, based on the means of communication, are contained in section 5d.

5a. Stakeholders' Statutory Rights

Even when restrictions are applied the stakeholder still has certain statutory rights and that these may be unaffected by the restrictions applied under this policy. If a decision is taken to put in place any restrictions this will not restrict an individual's rights to request information (e.g., under the Freedom of Information (Scotland) Act 2002 (FOISA)). These requests will be dealt under the Council's existing FOI procedures, although consideration may be given to the "vexatious requests" provision under S14 of the Act. It will also not restrict the stakeholder's rights under the Data Protection Act 2018 (UK GDPR) including a Subject Access Request.

5b. Warning stakeholders of potential actions

Before taking any action such as restricting contact we will explain to the stakeholder: why we perceive their behaviour to be unacceptable and the impact it is causing, and give them due warning that if they are unable to modify their behaviour we will have to put some restrictions in place. This may be part of initial verbal discussion. In the event that the unacceptable behaviour continues and we have to take action this will be via written correspondence. Employees will be mindful of communicating in an accessible way. We will specify in the correspondence what action we are taking and why, across the range of responses to the situation. The exception is where a stakeholder is violent, aggressive or abusive. In these circumstances we will immediately cease contact with the stakeholder and if necessary, contact the police.

5c. Empowering Employees

All employees have the authority to end an engagement or interaction with a stakeholder which they find personally intimidating, distressing or difficult to manage. Employees should not feel they need to continue with any engagement or interaction if it is having a negative impact on them or which is making them feel uncomfortable regardless of whether at the time, they feel the behaviour of the stakeholder meets the zero tolerance criteria.

5d. Actions prompted by stakeholders' methods of communication

The following are examples of the action that employees and managers may take in response to action or behaviours deemed to be unacceptable.

For written correspondence, including direct and indirect communication with the Council via social media and external websites, we will:

- tell the stakeholder that we consider their language offensive, unnecessary and unhelpful;
- ask them to stop using such language and confirm that we will not respond to their correspondence if the action or behaviour continues;
- request information is removed from external websites.

For telephone calls, we will:

- end a call if we consider the caller to be aggressive, abusive or offensive;
- end a call, if we suspect a call is being recorded without permission.

For face to face contact

If we have to meet a stakeholder who is in breach of this policy, we will take appropriate steps to ensure employees' safety. If a stakeholder's unreasonable behaviour persists a manager/Head of Establishment/Head of Service can decide to put in place some actions to handle further interaction with the stakeholder. These may include:

- allowing employees to take telephone calls from the stakeholder only at set times on set days or arrange for a named employee to deal with all contact from the stakeholder in future;
- ask the stakeholder to make an appointment to see a named employee before visiting the office or that the stakeholder contacts the office in writing only;
- returning documents to the stakeholder or in extreme cases advise the stakeholder that we will destroy further irrelevant documents;
- managing the stakeholder's communication with the Council through a single point of contact, including a dedicated mailbox; and
- taking any other action that we consider appropriate, which may include blocking emails or in extreme cases, raising legal action.

For social media interaction

Where social media and content on external websites is used to abuse, humiliate or threaten employees in public forums, we will request that the author/moderator stop the abuse and remove the comments and take action to ensure that unacceptable comments are not posted in future. If this is not done, we will support employees or elected members of their legal rights to take action.

We will remove any inappropriate comments by the public from our own website and social media platform. We may, if appropriate, support and assist employees with any defamation case they may want to pursue.

6. Stakeholder's right of appeal - Council

A stakeholder can appeal a decision to invoke restrictions under the terms of this policy. We will only consider information that relates to the restriction and not to either the complaint made or our decision to close the complaint.

A senior employee, who was not involved in the original decision to apply restrictions, will carry out the review and will consider, based on the information available, whether the decision to restrict contact was an appropriate response. The timescales of the review process are:

- Requests to appeal a decision to restrict contact should be made in writing to the Chief Executive within **5 working days** of the original restriction.
- We will acknowledge the appeal request in writing within **3 working days**.
- We aim to complete a review and respond in writing within **20 working days** of receipt of the appeal request and if this is not possible inform the stakeholder of the reasons for the delay and revised response time.

7. Stakeholder's right of appeal – Scottish Public Services Ombudsman.

If a stakeholder remains dissatisfied with the appeal decision or the way we have dealt with the appeal, under the terms of this policy, the stakeholder can ask the Scottish Public Services Ombudsman (SPSO) to look at the case. The SPSO can be contacted at www.spsso.org.uk or via Freephone on 0800 377 7330.

8. National Policy Links

This policy takes account of the Scottish Public Services Ombudsman's (SPSO) [Engagement Policy](#) and the Scottish Information Commissioner's Guidance on [Vexatious or Repeated Requests](#).

8. Policy Review and Monitoring

The policy will be monitored and reviewed as required.

Please contact us on 0141 577 3000 if you would like this policy in another language or format (e.g. large print, audio or Braille)

East Renfrewshire Council, June 2025