Sandy Lane Nursery and Forest School
"Nurturing curiosity and inspiring imagination"



2026-27

Health & Safety Policy

Violence and Aggression Policy

Part 1 of 3

Unacceptable Actions

DOCUMENT STATUS

Produced By	Version	Date	Action
Warrington Borough Council	2	22.11.22	Adopted by Resources Committee
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Legislation
This policy should be read with due regard to the UK Data Protection Act 2018 and the EU General Data Protection Regulation 2018

Review Frequency
Annually

Approval
Governing body free to delegate to a committee of the governing body, an individual governor or the headteacher

WARRINGTON
Borough Council

Unacceptable Actions Policy

Version 2

Prepared by

Gareth Hopkins Deputy Director, Corporate Service & Sharon Clancy Contact Centre Manager.
(Version 1)

Updated by Amanda Amesbury, Director Children's Social Care, February 2021 and agreed on 10 June 2021 (Central Health and Safety Committee)
(Version 2)

Introduction

We at Warrington Borough Council believe that our customers and service users have a right to be heard, understood and respected.

Occasionally, certain actions by people using our services can make it very difficult for us to deal with their enquiry or concern.

In a small number of cases the actions of some individuals become unacceptable because they involve abuse of our staff or our processes. When this happens we have to take appropriate steps and have to consider whether this action or behaviour impacts on our ability to do our work and to provide a service to others.

People may act out of character in times of trouble or distress: we do not view an action as unacceptable, just because a person is forceful or determined. However, we do consider actions that result in unreasonable demands on our staff to be unacceptable. It is these actions that we aim to manage under this policy.

There is a range of actions we consider to be unacceptable. These are:

- Aggressive or abusive behaviour
- Unreasonable demands
- Unreasonable levels of contact

Aggressive or abusive behaviour

We understand that people can become angry when matters about which they feel strongly are not being dealt with as they wish. If that anger escalates into aggression towards our staff, we consider that unacceptable.

Any aggression or abuse directed towards our staff will not be tolerated.

Aggressive or abusive behaviour includes language (whether verbal, written or threatening behaviour) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness.

We also consider inflammatory statements, remarks of a racial or discriminatory nature and unsubstantiated allegations, to be abusive behaviour.

Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact excessively on the work of our staff, or when dealing with the matter takes up an excessive amount of staff time and in so doing, disadvantages other customers or service users.

For example:

- Repeatedly demanding responses within an unreasonable timescale
- Demanding responses from several members of staff on the same subject
- Insisting on seeing or speaking to a particular member of staff when that is not possible
- Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns

- Repeatedly posing a question time and again, when a response has already been given, because the individual may not like the answer they have received

Unreasonable levels of contact

Sometimes the volume and duration of contact made to our staff by an individual causes problems.

This can occur over a short period, for example, when a large consistent number of contacts are received from the same person in one day. When we are dealing with a complaint or enquiry, this may occur when a person repeatedly makes long telephone calls to us or inundates us with emails, faxes or copies of information that have been already sent or that are irrelevant to the substance of the complaint or enquiry.

We consider that the level of contact has become unacceptable when the amount of time spent talking to an individual on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts on our ability to deal with the matter or on our responsibility for carrying out tasks relating to other members of the public.

How we manage aggressive or abusive behaviour

The threat or use of physical violence, verbal abuse or harassment towards our staff is likely to result in a termination of all direct contact with the customer or service user. Such incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

Where correspondence (either letter, fax, social media or electronic) that is abusive to staff or contains allegations that lack substantive evidence is received, we will inform the sender that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will ask that the sender edit their correspondence to remove any offensive text and resend it, otherwise it will not be responded to.

Staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour then persists.

In extreme situations, we will tell the person in writing that we will not permit any personal contact from them. This means that we will limit contact with them to either written communication or through a third party.

How we deal with other categories of unreasonable behaviour

Where a member of the public repeatedly contacts us by phone, website, email, social media visits our offices, raises the same issue continuously, or sends us large numbers of documents about which the relevance is not clear, we may decide to:

- Staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Staff have the right to make this decision, to tell the caller that their behavior is unacceptable and end the call if the behavior persists.
- Limit contact to telephone calls from the person at set times on set days
- Restrict contact to a nominated member of staff who will deal with future calls or correspondence
- See the person by appointment only
- Restrict contact to written correspondence only

- Refuse to deal with further correspondence and return any documents or (in extreme cases) advise the person that further irrelevant documentation will be destroyed
- Take any other action that we consider appropriate to the circumstances

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the person that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.

Where someone repeatedly demands a response on an issue on which they have already been a given a clear answer by the Council, we may refuse to respond to further enquiries from the person or refer the customer to the complaints policy as the correct course of action if a customer is not happy.

We will always tell the person in writing what action we are taking and why.

The process we follow to make decisions about unreasonable behaviour

Any member of staff who directly experiences aggressive or abusive behaviour from a member of the public, has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and which is in line with this policy.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the council are only taken after careful consideration of the circumstances by a senior member of staff. Wherever possible, we will give the individual the opportunity to change their behaviour before such a decision is taken, a manager will usually attempt to meet with the individual to discuss the concerns about their behaviours and actions and to agree a way to work together informally before resorting to more formal responses as outlined in this policy.

How we let people know we have made this decision

When a member of staff makes an immediate decision in response to aggressive or abusive behaviour, the individual concerned will be advised at the time of the incident and a letter will be sent to the individual to confirm our actions. This decision will be reviewed by a senior manager who will write to the individual to warn that any future such behaviour may result in a decision to restrict future contact (See appendix 1 example letter).

When a decision has been made to restrict future contact by senior management, the individual will always be told in writing why a decision has been made to restrict future contact. We will also inform the individual of the restricted contact arrangements and the length of time that these restrictions will be in place, together with the process for appealing the decision. This ensures that the individual concerned has a full record of the decision and the reasons behind it. (See appendix 2 example letter)

The process for appealing a decision to restrict contact

Where a member of the public has been informed that contact is to be restricted, they will be advised of the right of appeal. Any appeal must be made in writing and submitted to the director of the service where the unacceptable action occurred and must be made within 10 working days of the date of the notification to restrict contact letter. A written letter of appeal should clearly set out why the appellant feels the decision to restrict contact is unreasonable. Only in exceptional circumstances will an appeal made outside this timescale be considered. The appeal will be considered by a director from another service. Any reversal or amendment of the restriction arrangements will be at the discretion of the director considering the appeal.

The appellant will be notified in writing of the outcome of the appeal within 10 working days of receipt of the letter of appeal. The director's decision is final.

Thereafter all paperwork in relation to the process for decision to restrict contact will be held within the corporate complaints management system. (Separate arrangements are in place regarding social care and wellbeing records).

How we record and review a decision to restrict contact

All incidents of unreasonable actions by complainants are recorded. Where it is decided to restrict complainant's contact, an entry noting the decision is made in the relevant file and on appropriate computer records, following approval from Service Manager or a designated Senior Officer.

A decision to restrict complainant contact as described above may be reconsidered if the complainant demonstrates a more acceptable approach. A Service Manager or designated Senior Officer will review the status of all complainants with restricted contact arrangement on a regular basis.

WARRINGTON
Borough Council

Sarah Smith
Chief Executive

(Insert Service/Directorate details)

Date

Private & Confidential
(Insert Name)
(Insert Address)

Dear **(insert person's name)**

Warning letter – unacceptable behaviour

I have received **(a report/a number of reports)** where it is alleged that on **(insert date(s) of incident(s) and brief description of behaviour)**.

There are a range of actions that we consider to be unacceptable. These are:

- Unreasonable demands
- Unreasonable levels of contact
- Aggressive or abusive behaviour

I have provided examples of the behaviours that have been considered unacceptable and unreasonable below:

- Using aggressive or abusive behaviour including language (whether verbal, written or threatening behaviour) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness
- Making inflammatory statements and unsubstantiated allegations
- Demanding responses within an unreasonable timescale

Warrington Borough Council is firmly of the view that all those who work in or provide a service have the right to do so without fear of violence or abuse.

Should there be any repetition of this type of behaviour consideration will be given to taking action against you. Such action may include the following:

- Restrict contact to a nominated member of staff who will deal with future calls or correspondence
- Restrict contact to written correspondence only to a named individual or to a designated mailbox
- Refuse to deal with further correspondence and advise that in future items received will either be held on file but may not be responded to, returned to the sender or,(in extreme cases) will be destroyed
- Excluding you from premises
- Seeking an Acceptable Behaviour Agreement
- Report to the police where your behaviour constitutes a criminal offence and fully supporting any prosecution they may pursue

If any legal action is necessary any costs incurred will be sought from you and these may be considerable. A copy of this letter has been sent to (Legal Services).

I am genuinely hopeful that such action will not be required. I have however felt it necessary to share the concerns above in order to ensure that future contact with Council employees is both appropriate and constructive in its nature.

If you have any questions about the contents of this letter please contact me and I will be happy to respond.

Yours sincerely

(Insert details of person sending letter out)

Tel: **(insert details)**
Email: **(insert details)**

WARRINGTON
Borough Council

Sarah Smith
Chief Executive

Private & Confidential

(Insert Name)

(Insert Address)

(Insert Service/Directorate details)

Date

Dear **(insert person's name)**

Restricting access letter – unacceptable behaviour

I have received **(a report/a number of reports)** where it is alleged that on **(insert specific date(s) of incident(s) and a description of the aggressive, abusive or unreasonable behaviour including, but not limited to, e-mail exchanges and records of conversations which substantiate, as far as possible the alleged concerns)** *for example:*

- *Using aggressive or abusive behaviour including language (whether verbal, written or threatening behaviour) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness*
- *Making inflammatory statements, remarks of a racial or discriminatory nature and unsubstantiated allegations*
- *Repeatedly demanding responses within an unreasonable timescale*
- *Demanding responses from several members of staff on the same subject*
- *Insisting on seeing or speaking to a particular member of staff when that is not possible*
- *Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns*
- *Repeatedly posing a question time and again, when a response has already been given, because the individual may not like the answer they have received*
- *repeatedly making long telephone calls to us or inundating us with emails, faxes or copies of information that have already been sent or that are irrelevant to the substance of the complaint or enquiry*

Warrington Borough Council is firmly of the view that our employees have the right to conduct their duties without fear of violence or abuse.

Warrington Borough Council considers that the level of contact has become unacceptable when the amount of time spent talking to an individual on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts on our ability to deal with the matter or on our responsibility for carrying out tasks relating to statutory duties or other members of the public.

In light of the above, I write to advise that I have taken a decision to restrict your contact. **(Insert details of the restrictions that are being imposed)** *for example:*

- *Limit contact to telephone calls from the person at set times on set days*
- *Restrict contact to a nominated member of staff who will deal with future calls or correspondence*
- *See the person by appointment only*
- *Restrict contact to written correspondence only to a named individual or to a designated mailbox*
- *Refuse to deal with further correspondence and advise that in future items received will either be held on file but may not be responded to, returned to the sender or,(in extreme cases) documentation will be destroyed*
- *Take any other action that we consider appropriate to the circumstances*

Should there be any repetition of this type of behaviour consideration will be given to taking further action against you. Such action may include the following;

- Excluding your from premises
- Seeking an Acceptable Behaviour Agreement
- Reporting to the police where your behaviour constitutes a criminal offence and fully supporting any prosecution they may pursue

If any legal action is necessary any costs incurred will be sought from you and these may be considerable. A copy of this letter has been sent to Legal Services.

A copy will be placed on your record with a note of this incident and a potential marker may be place on your account.

This warning will be reviewed in (**insert length of time, e.g. 6 or 12 months**). You will be advised in writing of the outcome of this review and if any markers will be removed from your records.

You have a right to appeal this decision if you do not agree with what has been set out in this letter. Any appeal must be made in writing and submitted to **(provide information on appeal should be sent to)** within 10 working days of the date of this letter. Only in exceptional circumstances will an appeal made outside of this timescale be considered.

An appeal should clearly set out any comments you wish to make and provide details as to why you feel the decision to restrict your contact is unreasonable. The appeal will be considered by a director from another service. Any reversal or amendment of the restriction arrangements will be at the discretion of the director considering the appeal and the director's decision is final. You will be

notified in writing of the outcome of the appeal within 10 working days of receipt of the letter of appeal.

Yours sincerely

(Insert details of person sending letter out)

Tel: **(insert details)**

Email: **(insert details)**