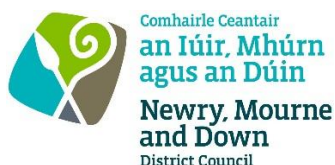


Policy title: Unreasonable Behaviour Policy



Policy Control

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Officer responsible:	Conor Haughey
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Equality screening and Rural Needs Impact Assessment completed by:	Kerri McConnell
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1. Title of policy

Unreasonable Behaviour Policy

2. Statement

Newry Mourne and Down District Council ('the Council') is committed to providing a safe and pleasant environment for our staff, and members of the public in our facilities or whilst engaging with Council services.

The Council's ambition is to provide excellent, customer-focused services to all. Anyone who comes into contact with Council services and our staff has the right to be listened to, acknowledged and respected. Council considers that staff and the public have the same right and Council reserves the right to manage contact between staff and members of the public or between members of the public in an appropriate manner to protect staff and the public, and to maintain the effectiveness of our services.

The Council will not tolerate unreasonable behaviour, including, but not limited to, abusive, aggressive, offensive or threatening behaviour or physical attacks from any persons towards members of staff (including third party contractors delivering a service on our behalf), Elected Members or individual members of the public. For the purposes of this Policy Council will use the definitions of unreasonable behaviour set out in Section 4 below.

Council will take the necessary steps to ensure that prompt and effective action is taken against any person(s) engaging in unreasonable behaviour.

3. Aim

The aim of this Policy is to provide a safe and pleasant environment for our staff, and individual members of the public:

- Defining what Council considers to be unreasonable behaviour
- Ensuring staff can identify behaviour that is unreasonable.
- Ensuring staff understand what is expected of them when dealing with incidents of unreasonable behaviour.
- Ensuring that staff follow corporate or departmental procedures when dealing with incidents of unreasonable behaviour.
- Ensuring that staff are equipped to manage situations where behaviour is considered unreasonable.
- Ensuring that a fair and consistent approach is used throughout the Council when dealing with unreasonable behaviour

Council will take the necessary steps to ensure that prompt and effective action is taken against any person engaging in unreasonable behaviour.

4. Scope

This Policy applies to:

- Any person, using or visiting any Council owned or controlled property/facility/land (referred to from here onwards as a “Council Facility”); or are using or participating in an activity at a Council Facility; or are visiting a Council Facility for any reason.
- Any person who comes into contact with Council staff who are undertaking Council business outside of a Council Facility (see definition below).
- Any person who contacts or engages with Council staff through any medium. This contact may be in person, by telephone, letter, email, or any digital medium/platform including social media.
- Persons engaging with each other whilst using a Council Facility and during provision of Council run programs or events.

This Policy does not apply to staff behaviour towards each other or the public. These matters are dealt with under the relevant policies e.g. Dignity at Work Policy, Code of Conduct and the Grievance and Disciplinary policies.

5. Related policies and legislation

Legislation & Regional Guidance:

- Health and Safety at Work (NI) Order 1978
- Management of Health & Safety (NI) Regulations 2000
- Crime and Disorder Act 1998
- Section 75 NI Act 1998
- Human Rights Act 1998
- The Sexual Offences (NI) Order 2008
- Criminal Law Act (Northern Ireland) 1967
- Offences Against the Person Act 1861
- The Protection from Harassment (Northern Ireland) Order 1997
- NIPSO: Best Practice Guidance - Promoting Positive Engagement and Managing Unacceptable Behaviour

In addition to legal, policy and procedural guidance, The Council has framed this Policy within the following human rights and values:

- Article 2 The Right to Life
- Article 3 Freedom from Torture (including humiliation and degrading treatment)
- Article 8 Right to Family Life (one that sustains the individual)
- Article 14 Prohibition of discrimination

This Policy operates in parallel to, and is supported by, the following council policies:

- Equality & Good Relations
- Training and Development

- Whistleblowing
- Social Media
- Safeguarding
- Health & Safety
- Complaints, Comments and Compliments
- Data Protection
- Domestic Abuse
- Code of Conduct

6. Policy Detail

Definition of Staff

Those employed by Newry Mourne and Down District Council (including agency staff and casuals, volunteers, contractors, contractor services and Elected Members)

Definitions of unreasonable behaviour

It is important to distinguish between people who make several requests because they think things have gone wrong, and people who are unable or unwilling to accept a decision by Council staff.

We must also recognise that individuals may sometimes act out of character when anxious or distressed and reasonable allowances should be made for this. We must also recognise that some individuals require support when contacting us and provide them with guidance where appropriate.

However, Council does not expect staff, or those acting on behalf of Council, or the public to tolerate unacceptable behaviour. We will deal with individuals politely and with respect, and we expect the same in return from them.

Definitions and examples of unreasonable behaviour include the following:

- Behaviour which because of the frequency or nature of contact with Council, hinders our ability for example, to deal with Council business; to deal with enquiries; to consider their or other persons complaints.
- Making inflammatory statements and unsubstantiated allegations.
- Inappropriate use of social or other media. This includes any threat to safety where individuals pose a threat to themselves or others.
- Making malicious, unwarranted, or defamatory comments or making remarks which are related to any protected characteristic as set out under various anti-discrimination legislation in Northern Ireland.
- Work-related violence such as abuse, threatening behaviour or assault as defined below.

Term	Abuse	Threatening	Assault
Definition	Verbal, intimidation, bullying, or harassment that causes emotional or psychological harm.	Any statement or action that causes someone to fear immediate harm, even if no physical contact occurs.	Intentionally or recklessly causing another person to fear immediate unlawful force or actually applying that force.
Examples	• Swearing, shouting, or name-calling • Derogatory or discriminatory remarks • Persistent undermining or humiliation	• Verbal threats ("I'll hurt you") • Gestures (e.g., raising a fist) • Written or digital threats (emails, texts)	• Physical attacks (hitting, pushing, grabbing) • Throwing objects • Spitting or unwanted physical contact • Threats that cause fear of being harmed

Violation of rules:

- Persons who repeatedly violate Councils rules, regulations, policies, procedures/protocols and where applicable Customer Charter and Terms and Conditions.

Unreasonable demands:

Persons with unreasonable expectations of the level or type of service that we can offer.

- Refusing to give details, or respond to requests for clarification, which are needed to handle the request, yet still wanting the matter resolved.
- Insufficient, or no, grounds for the request made; and/or following a request through for reasons not made clear.
- Disruptive behaviour including being overly loud, intoxicated, or causing a disturbance.

People who are Unreasonably Persistent:

- Raising many detailed questions and/or requesting large volumes of information and insisting they are answered within an unreasonable timeframe.
- Refusing to accept that certain issues are not the Council's responsibility, not services that we offer, or are not within the scope of the Council Policies and procedures e.g. Customer Complaints Procedure (because there is a suitable alternative procedure to follow).

- Insisting on the request being dealt with in ways which are incompatible with good practice (such as insisting that there should be no written record of the request) or Council standards, policies, procedures or protocols, terms and conditions, rules, or regulations
- Continuing to attempt to make unwarranted or unjustified representations during ongoing attempts to resolve existing issues or attempting to improperly influence or change aspects of an enquiry, during investigation.
- Continuing to attempt to pursue any matter, having exhausted all stages of the Council or other statutory procedures including complaints procedures. This includes complaints repeated in their original form or where the substance of a complaint is the same as that originally made. E.g. in cases where the Northern Ireland Public Services Ombudsman's Office has completed their investigation and closed the case.

Other behaviours that are unacceptable may include but is not restricted to the following (which may also be dealt with utilising other related policies where appropriate):

- Theft, vandalism, causing damage/targeted damage or other illegal acts on Council premises.
- Soliciting, selling, distributing, or canvassing other than for Council approved activities.
- Being under the influence of alcohol and/or an illegal or intoxicating substance that causes, or is likely to cause, a public disturbance or interferes, or is likely to interfere with, others' use or enjoyment of Council facilities and resources.
- Any intentional movement of the body which may include touching, gesturing, pushing, striking, stalking, spitting, any unwanted intrusion of "reasonable space" of an employee or another person or an intentional use of any object towards an individual.
- Loitering on the premises under circumstances that warrant alarm / concern for the health and safety of any person on the property or causes, or is likely to cause, fear, alarm, or distress.
- Activity that would be a risk to their safety or to the safety of other staff, or members of the public.
- Failing to comply with any element of Council Safeguarding Children and Adults Policy.
- Submitting falsified documents from themselves or others.
- Making unjustified comments about or to staff who are trying to deal with the issue.
- Bypassing the relevant Officer to escalate the issue prematurely. The Council will determine which member of staff is the right person at the right level in the organisation to handle the individual's request.
- Making an unreasonable number of contacts with us, in relation to a specific request.
- Demanding responses in an unreasonable timescale.
- Refuting statements, they made at an earlier stage.
- Introducing new information at a later stage to get a different answer or submitting another request to have it further considered. (Council must ensure not to disregard new requests that are significantly different to the original one).

- Changing the basis of the request as it proceeds.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other person involved.
- Recording, filming, or photographing a Council employee, or individual member of the public without their consent and any action in contravention of the relevant Council policies
- Refusing to accept the Council's decision; repeatedly arguing points with no new evidence and/or denying that an adequate response has been given.
- Vexatious requests i.e., those that are made without sufficient grounds but made to cause annoyance or disruption or in relation to section 14(1) of the Freedom of Information Act 2000.
- Council relies on people treating each other politely and with respect; if unreasonable behaviour takes place between individuals the Council representative present (i.e. staff member or person acting on our behalf) will follow relevant corporate or departmental protocols/procedures for dealing with the unreasonable behaviour.
- Occasionally, Council staff engage with individuals who communicate in a manner that causes offence, who use a disproportionate amount of Council time and resources, or who hinder the implementation of a service request, or the investigation of an enquiry or complaint they have made. This behaviour is also deemed to be unreasonable.

This is not an exhaustive list.

Please note: If an individual or a Council staff member feels that another member of the public has assaulted them whilst on Council or any property and/or engaging with Council for provision of services they have the right to contact the PSNI and consideration should be given to the PSNI being contacted.

Right of Appeal

When management have taken action and an exclusion has been applied in the case of unreasonable behaviour by an individual, the individual has the Right of Appeal. They can do this by Requesting a review/appeal in writing to the Director within the relevant Directorate (who issued the exclusion) within 14 days from receipt of letter informing them of the decision taken to exclude. The exclusion letter may be issued in person, by recorded delivery post or read receipt email. They must clearly state the grounds for an appeal.

The relevant Directorate Director's decision on the Appeal will be final and no further appeal can be made.

7. Reporting

It is fundamentally important that if any member of staff have concerns about the behaviour of any individual they follow the steps laid out in the accompanying procedures for Unreasonable Behaviour and any other relevant policy guidance as appropriate.

This Policy is accompanied by tailored operating procedures that outline the standards required for appropriate safeguarding.

8. Department and Officer responsible

Directorate / Department	Active and Healthy Communities
Officer(s) responsible for developing the policy	Conor Haughey

9. Policy approval process

Meeting	Date
<i>CMT</i>	<i>22nd April 2026</i>
<i>SMT</i>	<i>5th November 2025</i>
<i>Relevant Committee(s) e.g. Strategy, Policy and Resources Committee</i>	<i>11th June 2026</i>
<i>Monthly Council Meeting</i>	<i>Date of ratification</i>

10 Review Date

"The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31), or sooner to ensure it remains reflective of legislative developments."

11 Procedures and arrangements for monitoring the implementation and impact of the policy

This Policy is accompanied by tailored operating procedures that will outline the standards required for appropriate safeguarding.

Notices will be displayed at all Council premises advising that inappropriate, aggressive, threatening, or abusive behaviour will not be tolerated and may result in action being taken including their exclusion from Council facilities, land/property or form programs and events run by Council or the PSNI being called.

The Policy will be implemented via a series of briefings and training sessions in accordance with the need of the relevant department.

Quality assurance visits will be undertaken periodically to ensure compliance with the Policy and associated procedures.

The impact of the Policy would be monitored via feedback from the Safeguarding Steering Group, Union Representation and Departmental Heads regarding the effectiveness and suitability of the operating procedures.

12 Equality Screening

All policies must be equality screened prior to implementation, and policy screening templates, signed off and approved by the senior manager responsible for the policy, must be forwarded to the Equality Officer.

This section must advise the policy has been screened, and refer to one of the following outcomes:

- 1. Not be subject to an EQIA (with no mitigating measures required)*
- 2. Not be subject to an EQIA (with mitigating measures /alternative policies)*
- 3. Not be subject to an EQIA at this time*
- 4. Be subject to an EQIA*

13 Rural Needs Impact Assessment

The Rural Needs Act (Northern Ireland) 2016 requires the Council to have due regard to rural needs when: (a) developing, adopting, implementing or revising policies, strategies and plans, and (b) designing and delivering public services.

Rural Needs Assessments must be completed and forwarded to the Head of Corporate Policy. A template has been developed to assist with this process.

This section must confirm the policy has been subject to rural needs impact assessment.