



Lancaster City Council

Housing and Property: Council Housing & Customer Services

Unacceptable Behaviour Policy

March 2026

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Effective from	March 2026
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Review date	March 2029
Revision number:	2.0

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1. Introduction

- 1.1. At Lancaster City Council, we understand that customers may raise multiple concerns or complaints, often over an extended period, and may feel frustrated, distressed, or aggrieved.
- 1.2. In many cases, these individuals sincerely believe that something has gone wrong and are seeking a fair resolution. We are committed to addressing their concerns based on their merits, with professionalism and empathy.
- 1.3. However, in some instances, the behaviour or actions of individuals can become challenging to manage. While this is rare, there are occasions when a person's conduct becomes unacceptable—whether through abuse of our staff, deliberate misuse of our processes, or behaviour intended to offend, disrupt, or damage the reputation of the Council.
- 1.4. In these situations, there may also be a risk to the safety, wellbeing, or dignity of our staff and other service users. Where this occurs, we have a duty to take appropriate and proportionate action to protect our employees and to ensure the efficient delivery of services to all residents.
- 1.5. This policy sets out how Lancaster City Council will identify and manage unacceptable behaviour, in line with guidance from the Housing Ombudsman and relevant legal obligations. It aims to balance our responsibility to safeguard staff with our commitment to fair access to services.

2. Purpose

- 2.1. The purpose of this policy is to set out Lancaster City Council's approach to managing behaviour that is considered unacceptable in its dealings with staff, services, or processes. It aims to ensure that all customers are treated fairly, consistently, and with respect, while also protecting Council staff from behaviour that could cause distress, harm, or disruption.
- 2.2. This policy supports the effective delivery of services by providing a clear framework for recognising and addressing unacceptable behaviour, in line with guidance from the Housing Ombudsman and relevant legislation.

3. Aims

- 3.1. This policy aims to:
 - Promote a safe, respectful, and productive working environment for Council employees and contractors.
 - Ensure that customers have fair access to services and are supported to raise legitimate concerns.
 - Distinguish between challenging behaviour resulting from frustration or vulnerability, and unacceptable behaviour that warrants a proportionate response.
 - Provide a consistent and transparent process for identifying, assessing, and responding to unacceptable behaviour.

- Uphold the Council's responsibilities under the Equality Act 2010 by ensuring that reasonable adjustments are made where required.

4. Scope

- 4.1. This policy applies to all individuals who engage with Lancaster City Council, including but not limited to:
 - Tenants and residents.
 - Applicants for housing or services.
 - Leaseholders.
 - Members of the public.
 - Advocates or representatives acting on behalf of customers.
- 4.2. The policy applies across all channels of communication, including face-to-face interactions, telephone calls, letters, emails, online communications, and social media platforms.
- 4.3. It also applies to all aspects of Council Housing services, including complaint handling.

5. Unacceptable Behaviour Defined

- 5.1. Lancaster City Council recognises that customers may be assertive, persistent, or determined in pursuing their concerns. This, in itself, does not constitute unacceptable behaviour. We acknowledge that individuals may raise valid points or grievances and that such matters should be considered on their own merits and in context.
- 5.2. However, behaviour may become unacceptable when it is so excessive, persistent, or unreasonable that it places undue pressure on Council staff or Members, affects their wellbeing, or hinders the delivery of services to others. In such cases, the Council has a responsibility to act proportionately to protect staff and maintain equitable service provision.
- 5.3. This policy also extends to unreasonable behaviour directed at third parties acting on behalf of the Council, including but not limited to contractors, support workers, and partner organisations.
- 5.4. Unacceptable behaviour can include, but is not limited to:
 - **Aggressive or abusive behaviour** – including shouting, swearing, personal insults, discriminatory language, threats, or intimidation.
 - **Unreasonable demands** – such as excessive or unrealistic service expectations, repeated requests for the same information, or imposing unreasonable deadlines.
 - **Unreasonable levels of contact** – including frequent, lengthy, or repetitive communications that monopolise staff time or resources.
 - **Unreasonable refusal to co-operate** – such as withholding relevant information, refusing to engage in a constructive dialogue, or deliberately circumventing agreed processes.
 - **Abuse of social media** – including publishing misleading or defamatory comments, naming or targeting staff online, or using digital platforms to harass or intimidate.

6. Examples of Unacceptable Behaviour

6.1. This section provides examples of behaviours that may be considered unacceptable when they fall within the themes of aggression, unreasonableness, persistent disruption, or abuse of processes. The list is illustrative, not exhaustive, and each case will be considered on its individual circumstances.

6.2. Misuse of the Complaints Process

- Repeatedly raising the same issue despite a full response having been provided, and in the absence of any new evidence.
- Continuously changing or expanding the subject matter of the complaint during or after the investigation process.
- Pursuing matters that have already been appropriately concluded, solely to prolong contact.
- Insisting a complaint is only dealt with by a particular officer or senior figure, such as the Chief Executive, without valid reason.
- Secretly recording conversations or meetings without prior consent.
- Submitting complaints in bad faith, for purposes of disruption or harassment.
- Persistently disputing justified outcomes or re-submitting resolved issues with minor alterations

6.3. Threatening, Abusive, or Violent Conduct

- Actual or threatened physical harm towards staff, councillors, or contractors.
- Use of abusive, discriminatory, or inflammatory language—whether in writing, speech or digital media—likely to cause offence, distress, or alarm.
- Derogatory remarks, sexist or racist insults, or homophobic/transphobic comments.
- Behaviour that causes a member of staff or another service user to feel harassed, intimidated, or unsafe.

6.4. Unsubstantiated Allegations

- Making serious allegations against Council staff, councillors, or contractors (e.g. claims of corruption or criminality) without any supporting evidence.
- Repeatedly accusing individuals of misconduct as a tactic to delay, escalate, or frustrate the complaints process.

6.5. Unreasonable Levels of Contact

- Excessive or intrusive communication by phone, email, letter, or in person that disrupts Council services or monopolises staff time.
- Contacting multiple staff members or departments simultaneously with the same issue ("scattergun" approach).
- Making excessive or prolonged phone calls or sending frequent and repetitive messages.

6.6. Disproportionate or Unrealistic Demands

- Expecting immediate responses to complex matters without justification.
- Refusing to communicate with designated officers and demanding access to senior management without cause.
- Making demands for outcomes that are outside the Council's legal remit, responsibilities, or policy framework.

6.7. Misuse of Social Media and Public Platforms

- Targeting staff through their personal social media accounts or disclosing personal contact details online.
- Publishing defamatory, misleading or threatening content about individual staff members or contractors.
- Using social media to incite hostility toward the Council or its employees.

6.8. Failure or Refusal to Co-operate

- Withholding relevant information necessary for complaint resolution.
- Refusing to follow normal procedures or declining to clarify issues raised.
- Preventing access to properties for inspections or remedial works while simultaneously making complaints about conditions.

6.9. This list is not exhaustive. Each case will be assessed on its individual merits, with consideration given to any vulnerabilities, disabilities, or communication needs. Lancaster City Council is committed to a proportionate and fair approach that supports genuine concerns while protecting staff and ensuring equitable service delivery.

7. Managing Unacceptable Behaviour

7.1. Lancaster City Council has a duty of care to protect the health, safety, and wellbeing of its staff. All Council representatives have the right to carry out their duties without fear of abuse, harassment, or intimidation.

7.2. We have a range of informal and formal tools available to combat unacceptable behaviour. Formal action is treated as a last resort. Lancaster City Council prefers using informal resolution where possible, as this allows the individual time to consider and adjust their behaviour. We will work collaboratively with customers to restore effective communication.

7.3. When we believe a complainant or tenant to be unreasonably persistent or unacceptable in behaviour, we will contact them to tell them why and ask them to change their behaviour. We will agree a period with the tenant or customer to allow for them to adjust their behaviour.

7.4. Where behaviour presents a risk of violence, intimidation, or abuse that may constitute a criminal offence—such as threats, assault, or hate crime—the matter will be reported to the police. The Council will cooperate fully with any criminal investigation.

Informal Actions

7.5. Where reasonable to do so, Lancaster City Council will seek to resolve instances of unacceptable behaviour informally in the first instance, aiming to foster positive and constructive communication.

7.6. Council staff are instructed to terminate telephone calls or in-person interactions if a customer becomes aggressive, abusive, or offensive.

- 7.7. The person receiving the contact is empowered to warn the customer, explain that the behaviour is unacceptable, and request that the customer changes their current behaviour. If the conduct continues then the staff member is advised to end the contact and record the incident through the appropriate channel(s).

Formal Actions

- 7.8. If this informal approach fails, we will issue a warning letter to the customer before taking any formal steps.
- 7.9. The warning will be issued by a relevant manager and will include the details of where an individual's behaviour has been considered unacceptable with reference to what formal steps may be taken if the behaviour continues.
- 7.10. Where informal approaches and a written warnings fail to bring about the necessary change in behaviour, Lancaster City Council will implement formal measures. Which can include:
- Assigning a single point of contact within the Council.
 - Requiring communication to be made only via a third-party representative (e.g. advocate, legal representative, councillor).
 - Restricting communication to a specific method (e.g. written correspondence only);
 - Declining to respond further to repeated issues unless substantive new information is provided (at the discretion of a chief officer).
 - Limiting or prohibiting physical access to Council offices or premises.
 - Arranging for any future personal meetings to occur in the presence of a designated officer.
 - Customer being added to the Staff Warning Register in severe cases
 - Where tenancy conditions are breached, initiating enforcement under the tenancy agreement, including injunctions or possession proceedings where they are justified.
- 7.11. Any formal action taken under this policy will be clearly communicated to the customer in writing. This notification will include:
- The reasons for the decision.
 - Details of the restrictions or actions being applied.
 - The duration of the restrictions.
 - Information on the review process.
- 7.12. Any formal restrictions imposed will be proportionate, evidence-based, and subject to approval by the relevant Chief Officer.

8. Appeals and Restrictions

- 8.1. Lancaster City Council recognises the importance of fairness, transparency, and proportionality when applying any restrictions under this policy. Any individual who is subject to a formal restriction on contact or service access will be notified in writing and given the opportunity to appeal the decision.

- 8.2. Appeals must be submitted in writing within 14 calendar days of the notification. Appeals will be considered by a senior officer not previously involved in the decision. The outcome will be communicated in writing, providing reasons for the decision.
- 8.3. All restrictions will be time-limited and subject to a regular review. The initial duration will be determined at the time the restriction is imposed and will typically not exceed six months without review.
- 8.4. At the end of the agreed period, a formal review will be undertaken to assess whether the individual's behaviour has changed sufficiently to warrant lifting or amending the restriction.
- 8.5. Where behaviour has improved, the Council will normally lift the restriction. If the behaviour has not improved, the restriction may be extended for a further defined period, with reasons provided in writing and a new review date set.
- 8.6. The Council will ensure that all restrictions are monitored, proportionate, and do not become indefinite without active review and justification.

9. Data Protection and Information Handling

- 9.1. Lancaster City Council will manage all personal information received in relation to this policy in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
- 9.2. We will ensure that data is:
 - Collected lawfully and fairly, with a clear purpose.
 - Stored securely, with access restricted to authorised staff.
 - Used only for the purposes of managing and investigating incidents of unacceptable behaviour.
 - Retained only as long as necessary, in line with our retention schedules.
 - Shared or disclosed only where legally permitted, for example with the police, legal representatives, or relevant regulatory bodies.
- 9.3. All individuals have the right to request access to information held about them and may exercise other data subject rights under the Data Protection Act 2018. These requests will be handled in accordance with the Council's data protection procedures.

10. Monitoring and Delivery

- 10.1. An appropriate service manager will manage a record of unacceptable behaviour. This will be shared with the Customer Service Centre.
 - Cases logged will record:
 - the name and address of each customer who has behaved in an abusive, unreasonable, or persistent
 - what arrangement is in place, informal or formal and when the arrangement needs to be reviewed and comes to an end
 - when the customer and departments were advised

- 10.2. A review of cases will be conducted by the relevant service manager before the end of the restriction period. Any decision as to whether to continue or end the arrangement will be agreed with a Chief Officer. If a longer period of restriction has been put in place, this will be reviewed every 6-months

11. Legislation and Regulatory Considerations

- Equality Act, 2010.
- Data Protection Act, 2018.
- The Housing Ombudsman and Local Government and Social Care Ombudsman's Complaint Handling Code

12. Related Policy and Procedures

- Lancaster City Council Complaints Policy
- Anti-Social Behaviour Policy
- Council Housing Reasonable Adjustments Policy
- Council Housing Vulnerability Policy

13. Equality, Fairness and Individual Circumstances

- 13.1. Lancaster City Council is committed to meeting its duties under the Equality Act 2010, including the Public Sector Equality Duty, and will ensure that this policy is applied fairly, lawfully, and with due regard to protected characteristics, including disability.

- 13.2. When considering whether to impose any restrictions on a customer's contact with the Council, we will assess any known vulnerabilities, including mental health conditions, learning disabilities, or other medical or personal circumstances that may affect behaviour or communication.

- 13.3. Any action taken under this policy will be proportionate, reasonable, and consider the individual's situation. Where necessary, reasonable adjustments will be made to accommodate a person's needs in line with our duties under equality legislation.

- 13.4. Where a person's behaviour may be influenced by a medical or mental health condition, we will take appropriate steps to understand the context, and where applicable, will seek advice from relevant professionals or support services before making any decisions.

14. Policy Review

- 14.1. This policy and it will be reviewed every 3 years. We may review this policy sooner if appropriate, for example, if there are changes to legislation or service requirements.