

## MINUTES OF AN EXTRA ORDINARY MEETING OF LYDD TOWN COUNCIL

held in the Council Chamber at the Guild Hall on Monday 4<sup>th</sup> October 2021 at 6pm.

**Present:** Town Mayor, Cllr M Sweeney and Councillors T. Allen, D. Chapman, C. Goddard, A. Hills, Mrs J.E. Jones, R. S. Jones, L. Laws, Mrs K. Manahan, Mrs D. McKenna, Mrs K. Rye, P. Rye and J. Wainwright.

Town Clerk, Angela Alexander.  
Administrative Officer, Diane Cavey.

**Apologies for absence** – Mrs Ann Duncan due to work commitments.

Absent: Cllr Mrs Samantha Hall, Cllr Graham Snell

### 169. CHAIRMAN'S ANNOUNCEMENT

The Chairman asked Councillors to wear their masks when leaving the Chamber, to be mindful that there were 2 other meetings following this one and that the contents and discussions of the meeting are confidential and not to be discussed outside of the Council Chamber at this meeting as he noted that there were no members of the public present to be excluded.

### 170. DISCLOSURE OF INTERESTS

Councillor Clive Goddard declared an interest in any matters relating to Folkestone and Hythe District Council and Councillor Tony Hills declared an interest in any matters relating to Folkestone and Hythe District Council and Kent County Council.

### 171. PRESS AND PUBLIC EXCLUDED

**RESOLVED:** *That this meeting be held without press or public present as the content of discussions will involve sensitive and confidential matters.*

### 172. LYDD TOWN COUNCIL GUIDANCE AND POLICIES (Appendix A page 151 to 152)

The Unreasonable Behaviour Policy which had been agreed in draft form by the Personnel Committee had been previously circulated to Councillors for consideration for adoption at this meeting and the Chairman of the Personnel Committee reported on this matter.

**RESOLVED:** *To adopt the Unreasonable Behaviour Policy  
Proposed by Cllr Chapman and seconded by Cllr Goddard*

**For:** 11

**Against:** 1

**Abstention:** 1

**173. PERSONNEL COMMITTEE MATTERS**

The Chairman of the Personnel Committee, Cllr Darren Chapman, advised Councillors of the considerations of the Personnel Committee in relation to Freedom of Information requests following advice taken and his meeting with Satswana who are appointed by Lydd Town Council as our Data Protection Officer and have been consulted on all the Freedom of Information requests received. Councillor Chapman then read aloud the letter which had been drafted by Satswana and asked for Councillors support in sending the letter. Cllr Chapman advised that the letter had been signed by the Mayor, Cllr Sweeney, Deputy Mayor, Cllr R.S. Jones and himself as Chairman of the Personnel Committee.

***RESOLVED: That the letter prepared by Satswana be sent as read by Cllr Chapman.***

***Proposed by Cllr Allen and seconded by Cllr Mrs Jean Jones***

***For: 9***

***Against: 1***

***Abstentions: 3***

The meeting closed at 19.00

**Chairman** .....

**Date** .....

LYDD TOWN COUNCIL

September 2021

### Unreasonable Behaviour Policy

#### Overview

The aim of this policy is to give officers guidance to help them identify circumstances where a service user or complainant's behaviour could be classed as unreasonable and to aid their decisions in how to appropriately respond to such behaviour. This policy should be read in conjunction with the Council's Complaints Policy.

Any complaints about Lydd Town Council are handled in accordance with the Council's Complaints Policy. In a small number of cases some Council service users act in an unreasonable manner, or if they have a Freedom of Information request or a complaint, pursue these in a way that can impede the investigation of their complaint or responses to their questions, or take up a disproportionate amount of Council time and resources. The unreasonable behaviour can be displayed during or after a complaint has been investigated or a Freedom of Information request or Request for an Internal Review.

As a responsible employer the Council has a duty to ensure that its employees and Councillors have a safe environment in which to work, free from intimidation, threats and aggression (either physical or verbal). Such behaviours will not be tolerated. We do not expect our staff to tolerate any form of behaviour that could be considered rudeness, defamation, abusive, offensive or threatening, inflammatory statements and unsubstantiated allegations or is considered discrimination or harassment. Or that contact becomes so frequent that it makes it more difficult to complete other work or to help other people. This may include one or two isolated incidents as well as unreasonably persistent complaints, which is usually a build-up of incidents or behaviour over a longer period.

Lydd Town Council will take action under this policy to manage this type of behaviour and this applies to all contact including the use of social media.

Unreasonable and unreasonably persistent complainants may have justified complaints but pursue them in inappropriate ways, or they may pursue complaints that have no substance or have already been investigated and determined. Their contacts with the Council might be amicable but take up a disproportionate amount of limited officer time, or may be clearly unacceptable in their nature, causing distress to the officers and possibly other Council service users.

#### Principles

Lydd Town Council has a zero- tolerance approach to unreasonable behaviour. We expect our staff to be treated with courtesy and respect.

Examples of unreasonable behaviour:

- Making unnecessarily excessive demands on the time and resources of staff
- Submitting repeated issues, or with additions or variations to the original request.

**Appendix A to the minutes of the Extraordinary Town Council meeting 4<sup>th</sup> Oct 2021**

- Refusing to accept the outcome or response or repeatedly arguing a point or requesting further information
- Refusing to accept documented evidence as factual.
- Refusing to accept that certain issues are not within the scope of the Council
- Making unjustified complaints about staff who are trying to deal with the issues, or seeking to have them replaced.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue.

A service user may not have a complaint but may act in an unreasonable way when accessing Council services. The Council will not tolerate abusive, offensive, threatening, deceitful or other forms of unreasonable behaviour. This behaviour may take place in person, over the phone, in writing or by some other form of electronic means such as email, text or social media. This could include (but is not limited to) one or a combination of the following:

- Threatening or using actual physical violence towards Council officers, contractors or agents (or their families and/or associates).
- Harassing, verbally abusing, swearing or being aggressive towards Council officers, contractors or agents (or their families or associates) whether physically or verbally.
- Filming or recording meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved.