

Criteria for inclusion on the Register

The following are extracts from the draft procedure for operating the Register.

The register exists to communicate information about people or properties that represent a risk which staff should prepare for or take precautions against. ...Register entries must communicate effectively to other officers and help them make rational decisions on precautions.

Information must be factual and objective and judgements must be evidence-based.

Inclusion is not a punishment for bad behaviour, no matter how bad. Nor can it be to satisfy the anger of someone who has suffered distress.

Behaviour, to be considered unacceptable and lead to addition to the register, must

- a) breach the V&A policy
- b) cause (or be likely to cause) alarm, distress or harassment.

These have a high threshold. Distress is more serious than mere upset or hurt feelings (even if an emotional reaction is caused, such as weeping). Words or behaviour may provoke anger but that is not by itself enough to justify inclusion (as anger is not a rational response and the council cannot behave irrationally).

Conversely psychological trauma is more serious than distress (and would in fact be harm).

Alarm is a proper reaction to a credible threat of assault, which would itself lead to inclusion. But if a threat is identified as not having been credible, some time after the event, it could still qualify as unacceptable behaviour.

Vague or unplaceable fear are neither distress nor alarm. Unease, creepiness or an intuitive feeling that something is not quite right, are not sufficient no matter how strongly felt. An individual can still base actions on such feelings, but the Register is not the place to record them.

Intent

Intention is an important criterion. If the intention of an act is to cause distress or alarm, even if the threat could later be seen as not credible, or there was no intention to actually carry out the threat, it probably still breaches the V&A policy. This is harassment. An example might be a curse or other supernatural threat. Although it is not credible, an intention to cause alarm (or even harm, if the person actually believes in such things) represents unacceptable behaviour by that person. If it is such that other staff should be warned about it, record on the register.

Care should be taken not to overreact to behaviour that may be inadvertent, perhaps because of culture or deprivation. A "reality check" is required. The council will appear ridiculous if it appears to take the supernatural seriously.

In such cases one or more warnings may be appropriate; see procedures within the Violence & Aggression policy. But remember that all sorts of small minorities exist and have quite legitimate variations from general norms. Naturism is probably within the bounds of acceptability; flashing is not.

Reasonableness and training

Distress or alarm are what the behaviour would cause (or risk causing) in a reasonable, experienced person who is fully trained in dealing with customers. Generally accepted norms of behaviour are the starting point. In addition training should include preparation for meeting those whose views and behaviour might be conditioned by a different cultural background or (especially) by severe social or educational disadvantage. Staff should be trained to expect unpleasant surprises.

This means that if an individual who has not had such training (or is in some way more vulnerable than most) suffers an incident, they may experience distress or alarm but addition to the register would not be an appropriate response. The other forms of response will have greater relevance than usual and consultation with a line manager is the route to a reasonable decision.