

# Unacceptable Customer Behaviour Policy

## 1. An overview of the policy

### 1a. The reasons for the policy

Sometimes, people using our services use behaviour, actions or general conduct that makes it very difficult for us to deal with their needs or requests effectively. A person's actions may become *unacceptable* because they use unreasonable conduct towards our staff. In such cases, we take action to protect our staff.

### 1b. The scope of the policy

This policy covers all areas of work undertaken by the Council. It applies to anyone our staff come into contact with, including Council tenants, District residents and any other members of the public. Contact covers face to face, written correspondence, email, telephone and social media.

### 1c. Policy summary

We do not view behaviour as being unacceptable just because a customer is determined to resolve an issue. However, we do consider actions that result in unreasonable contact or demands on our employees or our service to be unacceptable. We also consider certain other behaviours towards staff to be unacceptable. These are the actions managed under this policy.

### 1d. Equality and diversity

In some cases, customers may have a mental health issue and/or disability where it may be difficult for them to communicate clearly and appropriately. If there is evidence of this in circumstances of unacceptable behaviour, we will consider the individual's needs and our staff, before deciding on how best to manage the situation. We will always consider making reasonable adjustments for the customer if we are asked to do so, but we may still need to manage contact if their behaviour is considered unacceptable.

## **2. Types of unacceptable behaviour**

### **2a. Aggressive or abusive behaviour**

We understand that individuals may be frustrated about an issue they are reporting, particularly if the issue has escalated to the point where they feel it is necessary to make a complaint. It is, however, unacceptable if this frustration turns into aggressive or abusive behaviour towards our staff.

Verbal abuse, aggression and violence towards our staff is not tolerated. This can include behaviour or language (whether spoken, written or via social media) that makes staff feel *offended, afraid, threatened or abused*. For example, threats, personal abuse, offensive remarks, shouting or swearing.

Language that is racist, sexist, homophobic or that makes serious allegations that staff have committed criminal or corrupt conduct without evidence is unacceptable. Similar comments which are aimed at third parties are unacceptable because of the effect they may have on staff. We also consider inflammatory statements to be abusive behaviour.

### **2b. Other unreasonable behaviour and demands**

Even if the behaviour is not deemed abusive, individuals may still make unreasonable demands on our staff. This can include the amount of information they request, the nature or scale of the service they expect or the number of approaches they make.

If such actions start impacting on staff's workload, we consider them unacceptable.

Some examples of unreasonable demands or behaviour include:

- refusing to accept explanations of what we can or can't do
- raising the same issues, or repeating the same requests or complaints to which a response has already been provided;
- insisting a matter should be dealt with in a way which is incompatible with our process, or in a way which would not be considered good practice;
- making unjustified complaints about staff dealing with the issues, and trying to have them replaced;
- demanding a response within an unreasonable timescale;
- demanding to see or speak to a particular member of staff when it is not possible or necessary, or without an agreed appointment

## **2c. Unreasonable levels of contact**

Sometimes the volume and duration of contact made by a customer to our Officers can cause problems. This can happen over a short period, such as one day, or over a prolonged period.

- it can mean a large volume of communications (telephone calls, emails etc), or unnecessarily prolonged communications (excessively long conversations, emails/letters etc)
- asking many detailed but unimportant questions and insisting they are all answered; or unnecessarily repeating questions/complaints which the Council has already answered
- it is also considered unreasonable and vexatious to send multiple copied/repeated email messages to a member of staff or to email many different members of staff at the same time about the same issue
- it is also considered unreasonable to contact various members of staff about an issue, with the aim of obtaining different responses and/or causing confusion

Such behaviour may result in actions being taken to limit the contact, as described in further detail below (Section 3).

## **2d. Refusal to cooperate**

To respond to a request or complaint, we may need the customer to work with us. This could be providing further information or comments, or clarifying details which are unclear.

Sometimes an individual refuses to cooperate, making it difficult for us to progress the matter. We'll always try to assist someone if they have specific, genuine difficulty in completing a request.

However, we consider it unacceptable to bring a request or complaint to our service, but then refuse to respond to our reasonable requests in progressing the matter.

## **3. Managing unreasonable actions**

There are a number of steps that we may take due to unacceptable behaviour towards our staff, depending on the way contact is made and the type of unacceptable behaviour.

### **3a. Unacceptable behaviour in person**

Council staff may meet with customers either in the Council's offices, at their home, or occasionally at another location. The following behaviour is unacceptable during any such meeting: shouting/swearing, physically touching a member of staff (other than a handshake), blocking staff's movement by any means (for instance standing in their way to prevent them leaving), making any movements which could be considered threatening, or any other verbal or physical behaviour which could be intended to cause offence or fear, such as (but not limited to) offensive or threatening gestures/comments.

#### **Actions that may be taken**

If staff feel threatened in any way during such a meeting, they will leave the situation at the earliest opportunity and submit a written report to their Line Manager. In certain incidents, we may report incidents to the Police. This will be the case if physical violence is threatened.

Reports to Line Managers will be considered and the Council may refuse to meet with the customer in person or visit their property in future. Alternatively it may be agreed that meetings can still take place, but there must be an accompanying member of staff present. The customer will be advised of such decisions in writing, with an explanation for the reason.

### **3b. Unacceptable behaviour during telephone calls**

The Council considers the following behaviour to be unacceptable during telephone calls: shouting, swearing, making personal/abusive or derogatory remarks to staff, not allowing staff to speak (by speaking over them), deliberately prolonging conversations unnecessarily (for instance by speaking excessively slowly or asking irrelevant questions), repeating the same information/question when this has already been answered, making excessive numbers of calls unnecessarily. This list is not exhaustive and there may be other reasons why staff may consider the behaviour unacceptable when dealing with a telephone call.

#### **Actions that may be taken**

If our staff experience unacceptable behaviour over the phone, they have the right to end the call. If they consider that they may need to end a call, our staff will tell the caller how their conduct is considered to be unacceptable and give the caller the chance to change their behaviour.

If the caller chooses to carry on acting in a way considered unacceptable, our staff will advise the caller that the call is going to be terminated because the unacceptable behaviour is continuing. The call will then be terminated and a note will be kept detailing the customer's behaviour and why the member of staff needed to terminate the call.

If a caller's behaviour is thought to be extreme, for example if they make threats of violence or are extremely abusive, our staff can end the call without warning. In certain incidents, we may report incidents to the police. This will be the case if physical violence is threatened.

If there are multiple instances of this type of unacceptable behaviour and it continues, we may apply more permanent restrictions such as refusing to accept telephone calls from the customer (blocking their number).

### **3c. Unacceptable correspondence**

Our staff do not have to tolerate unacceptable behaviour in any correspondence, including letter, email and via social media.

If an unacceptable (abusive etc) communication is received, but there is a legitimate request for information in the communication, the individual will be told to change their behaviour and make a more appropriate request. The information requested will only be issued if an appropriate (polite) request is then received.

If no legitimate request for information is included, our staff do not have to respond to abusive contact. If a customer persists in sending abusive communications, the Council may elect to limit contact in a variety of ways, listed below under 'Actions we may take'.

Communication that includes physical threats to staff may be passed on to the Police for further investigation.

#### **Actions we may take**

If we consider a person's contact with us to be unacceptable, we may decide to restrict or block contact from them. We may:

- limit future contact to a particular form (for instance, an abusive or persistent telephone caller taking up unreasonable staff time may be limited to written communication)
- limit how often we can be contacted. For example, by email only, to be reviewed once a week;
- allow contact to a specified staff member only;
- require that contact be made to us through a representative;
- return documents. In extreme cases, tell the person that further irrelevant documents will be destroyed;
- read and file future contact, but *only respond if it is considered that new information has been given, which warrants a response;*

- cease our consideration of the matter (if it is considered that a person is making vexatious approaches and wasting staff time). We may also refuse to consider/respond to future contacts or complaints from the individual about the matter in question;
- take any other action we believe is appropriate, including ending all contact with the person.

#### **4. Decision process**

Except in extreme cases, such as a person making physical threats to staff where we end contact immediately, our decisions to restrict contact will be carefully considered by a member of the management team.

##### **4a. Communicating our decisions**

When we end contact immediately due to aggressive or abusive behaviour, the person will be told at the time, or at earliest opportunity if it is not possible to inform them immediately (due to the situation).

We will always tell the person in writing why we have decided to restrict future contact, the arrangements and how long the restriction will be in place. We can respond in another format if required.

##### **4b. Appealing our decision**

If we tell a person that we will no longer communicate with them, they will also be told about their right to appeal. Appeals need to be made in writing and submitted to the Complaints Team with ten working days of our restricting contact. If the individual has accessibility needs where written appeal is not appropriate, appeal may be submitted by phone. Only points relating to us restricting contact will be considered.

Potential grounds for appeal may include:

- the person's actions were wrongly decided to be unacceptable;
- the restrictions were disproportionate to the incident; or
- the restrictions have negatively impacted the individual because of personal circumstances.

A Senior Manager will consider the appeal within ten working days of receipt. Restrictions will stay in place until a decision is made. Any amendments to the restrictions will be made by the individual considering the appeal and the evidence provided.

#### **4c. Recording unreasonable behaviour**

All incidents of unreasonable behaviour are recorded. When we decide to restrict contact, a note is made on the relevant case and in our centralised computer records.

#### **4d. Subsequent approaches**

If we have restricted contact from a customer but they come to us with a new matter, we will consider our original decision to restrict communication and any time limit we applied. If we have totally restricted contact, the decision to accept a new contact or complaint can only be made by a Senior Manager.

### **5. Unreasonable behaviour during the complaints process**

#### **5a. Unreasonable use of our complaints process**

If a customer has a complaint about our service, they have a right to state their concerns through a range of means. This contact becomes unreasonable when the purpose of the repeated complaints is to harass, prevent us from following a legitimate aim or from applying a legitimate decision.

#### **5b. Unreasonable behaviour during the complaints process**

When a complaint has been made, unreasonable behaviour would include:

- changing the basis of a complaint as this is being dealt with;
- introducing irrelevant new information at a late stage;
- raising many detailed but unimportant questions and insisting they are all answered;
- secretly recording meetings and telephone conversations;
- raising repeat complaints with minor changes or additions that the customer wants to make 'new' complaints;
- continuing to pursue a case with us once we have closed it, and they have been advised of the next appropriate steps;
- repeatedly arguing points without new evidence;
- demanding we respond within an unreasonable timescale;
- demanding to see or speak to a particular member of staff when it is not possible or necessary;
- insisting on a face to face meeting when we do not consider it necessary;
- visiting our offices without an agreed appointment.
- Acting in a manner described as unreasonable in the previous paragraphs concerning telephone, written and in-person communications

Please note that this is not a complete list but a broad example of some of the actions and behaviours we consider unacceptable. Actions taken in response to such behaviour may include any of the responses/restrictions described previously under 'Limiting contact'.

## **6. Review and revision**

We reserve the right to make amendments to this policy as necessary.