



# **Policy for managing unreasonable customer behaviour**

**September 2024**

**Version 1.0**



WORKING TOGETHER

## **Introduction:**

We are committed to providing the highest level of service possible and strive to continue to develop and improve services, so they are customer focused, accessible, and meet the needs of all our customers.

You can help us to deliver an excellent customer service by treating our employees fairly and with honesty and respect so we can ensure you get the services that you need.

Feedback is important for continuing to improve and develop our services and ensuring we are responsive to customer needs and concerns. We encourage feedback and comments to help us to improve our services, but we will avoid contact that is not of value to you or the council.

In a minority of cases our customers pursue their requests or complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts and submission of information. This can impede investigating a request or complaint and can have significant impact on our resources.

By adopting this formal policy, we have set out a clear process on how unreasonable customer behaviour will be managed so the time we spend with our customers is open, fair, and proportionate.

Under this policy we will manage customer behaviour that is aggressive, abusive, or unreasonably persistent, and has significant resource issues for the council.

Before implementing any managed contact arrangements, we will consider the Equalities Act 2020 and recognise an individual's requirements. Where there is evidence of mental health problems, substance misuse, learning disabilities or other additional needs we will work with relevant agencies about potential support and appropriate pathways for the customer.

This policy is relevant to all our customers, both internal and external, and will be applied by all council employees and Members.

All council employees will receive training on the requirements of this policy alongside the Customer Access Charter and Feedback Policy, which set out our approach to customer services, what our customers can expect from us and how we respond to customer comments, compliments and complaints.

From time-to-time we will review this policy and update it if the law or guidance on managing customer contact changes.

**This Policy:**

- Recognises some customers may have reasons to feel aggrieved, upset, or distressed but it is not acceptable when anger becomes aggression directed towards our staff.
- Defines what unreasonable customer contact means to the council. This may include one or two isolated incidents or unreasonably persistent behaviour, which is usually a build-up of incidents or behaviour over a longer period.
- Identifies and manages situations where customer behaviour may be considered unreasonable.
- Provides a clear process to manage unreasonable customer contact.
- Helps council employees understand our approach and the processes they should follow to manage unreasonable customer contact.
- Safeguards that council employees have a safe working environment and are not exposed to unreasonable customer contact.
- Does not replace any statutory guidance that may be in place for a service.

**Definitions and examples of unreasonable customer contact:**

We have adopted the Local Government and Social Care Ombudsman's definitions of unreasonable complainant behaviour and unreasonably persistent complainants, even though this policy is not limited to customers making complaints and may also be applied to anyone displaying unreasonable contact.

We consider unreasonable customer contact to include behaviours or language whether face-to-face, by telephone, on social media or written contact that may cause our employees to feel intimidated, threatened or abused. Some examples of unreasonable customer contact are:

- threats
- verbal abuse
- offensive language, including comments viewed to be hurtful, derogatory, or obscene
- derogatory remarks
- rudeness
- making provocative statements
- raising unsupported allegations
- shouting

We consider unreasonably persistent customer contact as contact that:

- does not have any serious value or purpose
- is designed to cause disruption or annoyance
- has the effect of harassing the council or its officers
- can be categorised as obsessive or vexatious
- fails to accept the council's position

The behaviours considered unreasonable include, but are not limited to:

- sending high volumes of letters, emails and or phone calls
- demanding responses within unreasonable timescales
- insisting on speaking with specific members of staff
- adopting a scatter-gun approach by contacting many members of staff
- continually contacting us when we are in the process of looking at a matter
- making many complaints about different issues or continually adding issues to the same complaint

The types of unreasonable contact outlined above are examples and not an exhaustive list.

Raising legitimate requests or criticisms of a council action or if a complaint is not progressing within agreed timescales will not lead to a customer being identified as displaying unreasonable contact. Similarly, if a customer is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, will not automatically identify them as vexatious or unreasonably persistent.

### **How this Policy will be applied:**

A customer's access to statutory services or information provided by the council will not be affected by the implementation of the policy to manage unreasonable customer behaviour. Access to our services or raising new complaints will still be possible, but how this is done may be managed or restricted. In these cases, the customer will be informed in writing how to request services.

If a customer continues to demonstrate unreasonable contact, the appropriate Head of Service or Director will write to inform them that their contact will be managed or restricted with immediate effect.

This policy follows a two-stage process. However, if a customer's contact is extreme, we may move straight to Stage 2.

The decision to manage contact is only taken in exceptional circumstances and after we have considered possible adjustments to our services to help the customer change their behaviour.

In all cases we will explain to the customer in writing why we believe their behaviour is unreasonable, the action we are taking, and the duration of this action.

Approval for managed contact arrangements at Stage 1 will be taken by the appropriate Head of Service or Director and Stage 2 approval will be taken by the Director of Governance. Any managed or restricted contact arrangements will be appropriate, proportionate, and subject to regular review.

### **Managed Customer Contact Register:**

A register of managed contact arrangements will be saved centrally to be updated by the relevant Head of Service with the details of the case and any action taken. The register will include:

- the name and contact details of the customer
- details of the managed contact arrangements
- when the managed contact arrangements commenced and provisional end date
- when the customer was advised of the decision to manage their contact
- the review date and the outcome
- the name and job title of the reviewing officer

In cases where a property is identified as a place where unreasonable behaviour is likely, and the occupant's details are not known the property details should be included on the register of managed contact arrangements. A risk assessment should be completed before any council employee attends a property which is on the register.

The Head of Audit & Risk is the Information Asset Owner for the register, with the appropriate Head of Service responsible for recording and managing individual cases.

### **Stage 1**

#### **Warning & Monitoring Period:**

At Stage 1 we will write to the customer about their unreasonable contact.

The appropriate Head of Service or Director will inform the customer in writing and evidence the impact of their unreasonable contact on service delivery. This will also set out why the customer's contact is unreasonable, the managed or restricted contact arrangements that are in place and the monitoring period for these arrangements.

The minimum monitoring period is 6 months, but we reserve the right to extend this.

The customer will be asked to change their contact with the council, with reasonable levels of expectation set out on each side. If possible, the customer will be informed of our final position on the issues they are raising.

The options we may consider at this stage include:

- Requesting the customer enters into an agreement about their future contact

- Placing time limits on contacts
- Restricting all or the number of telephone calls that will be accepted
- Limiting the customer to one type of contact (telephone, letter, or email)
- Refusing to acknowledge or respond to any repeated complaints on closed cases
- Requiring the customer to communicate only through a single point of contact (SPOC)

This list is not exhaustive, and we may include other measures appropriate to the circumstances.

## **Stage 2**

### **Implementing managed contact arrangements:**

We reserve the right to implement managed contact at Stage 2 with immediate effect, and or without issuing a Stage 1 warning.

Unreasonable contact may be escalated to this stage if the customer is persistent or abusive, for example, if they are repeatedly telephoning, shouting, or swearing at council employees.

The Head of Service or Director of the service affected by the unreasonable contact is required to propose additional managed or restricted contact arrangements and justify the reasons for placing the customer under Stage 2 of this policy. The proposals will be considered by the Director of Governance for a final decision which will be recorded on the Managed Customer Contact Register.

The options we may consider at this stage include:

- Diverting the customer's emails to a single point of contact (SPOC)
- Terminating all telephone calls from the customer to the council, after requesting they email the SPOC with their enquiry.
- Requiring any contacts to take place face-to-face in the presence of a third party
- Restricting any face-to-face contacts to designated council premises
- Asking the customer to contact us through an advocate
- Instigating formal legal action such as issuing a Community Protection Warning

This list is not exhaustive, and we may include other measures appropriate to the circumstances.

In cases where behaviour is so extreme that it threatens the personal safety and welfare of our employees, we will report the matter to the Police and consider taking legal action. We have a zero-tolerance of violence and serious threats against our staff and this type of behaviour will always be reported to the Police.

**Review:**

A review of managed contact arrangements implemented at Stage 1 or Stage 2 will take place no later than every 6 months from the date of the decision to implement the arrangements.

The appropriate Head of Service or Director will inform the customer of the outcome in writing within 7 working days of the review decision.

The date of the review, details of the consideration made and the date when the restriction expires, or is to be extended to, will be recorded on the Managed Customer Contact Register by the appropriate Head of Service or Director.

Closed cases will be deleted from the Managed Customer Contact Register after 12 months if within that period there has been no further activity requiring consideration of the policy to manage unreasonable customer behaviour.

**Right of appeal:**

There is no right of appeal at either stage of this policy. The managed or restricted contact arrangements will be reviewed after the monitoring period expires and the customer will be informed of the outcome in writing.

The customer may wish to escalate their complaint with the Local Government and Social Care Ombudsman. Their contact details are:

The Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Telephone: 0300 061 0614

Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)

Website: [www.lgo.org.uk](http://www.lgo.org.uk)