

Policy for managing unreasonable or unacceptable customer behaviour

Contents

| | | |
|-----|--|---|
| 1. | Introduction | 3 |
| 2. | Definitions | 3 |
| 3. | Considerations prior to taking action under the policy | 4 |
| 4. | Options for dealing with unreasonable customer behaviour | 4 |
| 5. | Options for dealing with unacceptable customer behaviour | 5 |
| 6. | How restrictions are implemented..... | 5 |
| 7. | Appeals..... | 5 |
| 8. | Keeping records | 6 |
| 9. | Reviewing restrictions | 6 |
| 10. | Extreme behaviour | 7 |
| 11. | Access to services | 7 |
| 12. | Communication | 7 |
| 13. | Employees..... | 7 |
| 14. | Implementation and Review | 8 |
| 15. | Equality & Diversity | 8 |
| 16. | Data Protection | 8 |
| 17. | Associated Documents..... | 9 |

1. Introduction

- 1.1. Haringey Council is committed to maintaining a safe and respectful working environment for its employees while delivering services to the community.
- 1.2. The Council is also committed to dealing with all customers fairly and impartially, and in ways that are open, fair and proportionate.
- 1.3. In a minority of cases customers exhibit unacceptable or unreasonable behaviour. This can impact on resources, the wellbeing of our staff and hinder our service provision to others. Exceptionally, we may need to take proportionate action to limit these customers' contact with the Council.
- 1.4. This policy governs how Haringey Council manages unreasonable or unacceptable customer behaviour.

2. Definitions

2.1. **Unreasonable behaviour** would include:

- excessive or disproportionate amount of contact, including an overload of letters, calls, emails or contact via social media. This may include the frequency of contact as well as the volume received.
- making unreasonable demands on the council, its services or staff e.g. requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another.
- unreasonable persistence e.g. refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint.
- an unwillingness to deal with issues through the appropriate processes.
- an unwillingness to accept that the matter is closed.

2.2. **Unacceptable behaviour** may be described as:

- abusive
- offensive
- insulting
- intimidating
- threatening

2.3. This policy applies to all residents, businesses and service users of services and facilities provided by Haringey Council and are referred to in this

document as **Customers**.

3. Considerations prior to taking action under the policy

- 3.1. The decision to designate someone's behaviour as unreasonable or unacceptable and restrict their access is always carefully considered.
- 3.2. When we consider that a customer's behaviour is unreasonable or unacceptable, we will tell them why, ask them to change and will warn them that we may take action to restrict their contact with our officers.
- 3.3. In all cases we would need to be satisfied that:
 - the matter that the customer is contacting us about has been dealt with properly.
 - any decision reached on it is the right one.
 - communications with the customer have been clear and thoroughly addressed the concerns raised.
 - the customer has been told what options are available if they wish to pursue the matter further (e.g., complain to the Ombudsman, apply for Judicial review)
- 3.4. If the points above have been satisfied, we would consider whether any further action is necessary prior to a decision to designate the customer's behaviour as unreasonable or unreasonably persistent. In some cases, for example if the issues span more than one council service/other agencies or if the customer has additional needs, it may be appropriate to hold a meeting of all the relevant officers to agree a strategy for resolving the matter.
- 3.5. We will additionally consider whether an individual's medical condition/vulnerability may be contributing to their behaviour, and whether additional support is required to assist them in accessing services in a more beneficial way: This may include the use of a representative such as an advocate or intermediary to act on their behalf.
- 3.6. Should a restriction be imposed, it will be appropriate to their individual circumstances.

4. Options for dealing with unreasonable customer behaviour

- 4.1. The restriction will vary depending on the nature of the unreasonable behaviour, the options we are most likely to consider include:

- declining further communication about a particular matter
- requesting contact in a particular form (e.g. by email only, no telephone contact)
- requiring contact to take place with a named officer or via a specific channel.
- requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- limiting the number of issues that will be considered within a specific period.
- asking the customer to make an agreement about their future contacts.

5. Options for dealing with unacceptable customer behaviour

5.1. The restriction will vary depending on the nature of the behaviour, the options we are most likely to consider include:

- declining to communicate with the customer if the customer does not moderate the tone or language used in communications.
- barring the customer's email address
- informing the police of the unacceptable behaviour where necessary.
- taking legal action where necessary.

6. How restrictions are implemented

6.1. A decision to apply a restriction will be authorised by both the relevant Head of Service/Assistant Director and the Feedback & Resolutions Manager.

6.2. When we apply restrictions, we will write to the customer, enclosing a copy of this policy, and tell them:

- why the decision has been taken.
- what action we are taking, and the duration of that action
- when the restriction will be reviewed.
- how the restriction imposed will affect the customer's dealings with the council on other matters
- that they can challenge the restriction if they disagree by appealing the decision within 10 working days

6.3. In exceptional circumstances, restrictions may be applied immediately, but will still be subject to consideration of any appeal that may be submitted.

7. Appeals

- 7.1. Customers who wish to challenge the decision have the right to appeal and can do so by escalating the matter to the Head of Feedback and Resolutions.
- 7.2. The appeal process will involve a re-evaluation of the decision and will be undertaken by the relevant Assistant Director/Director and the Head of Feedback and Resolutions.
- 7.3. The re-evaluation will take place as soon as possible after receipt of an appeal, with a maximum timeframe of within 10 working days.

8. Keeping records

- 8.1. Customer data protection is of paramount importance to the Council, as described in Section 16 below.
- 8.2. The Council will keep records of all restrictions applied and all contacts with or from restricted customers, in a secure spreadsheet within MS OneDrive.
- 8.3. Records of past restrictions will be kept for 6-years, which aligns to our database case retention period.
- 8.4. Access to the spreadsheet will be limited to the Feedback and Resolutions Management team, and one nominated representative from each Directorate. These specific officers will be able to access the records upon request from their immediate colleagues where concerns about customer behaviour lead to queries about potential restrictions in place.
- 8.5. Where a restriction is in place, a flag/indicator may be placed on that customer's record in local service area systems to highlight a concern to staff within that service. This will be carried out by the 'nominated representative from each Directorate' as specified in point 8.4.

9. Reviewing restrictions

- 9.1. When imposing a restriction, a specified review date will be stated.
- 9.2. At the end of this period, a review will be carried out by the both the relevant Head of Service/Assistant Director and the Feedback & Resolutions Manager. The customer's behaviour during the period will be considered with a view to lifting the restriction.
- 9.3. The Council will tell customer of the outcome of the review.
- 9.4. If restrictions are to continue, the Council will explain the reasons and state when the limits will next be reviewed.

9.5. Where a flag/indicator has been placed in local service area systems, as noted in point 8.5 above, those flags will be updated or removed in accordance with the outcome of the review, to ensure only current restrictions remain on record. This will be carried out by the 'nominated representative from each Directorate' as specified in point 8.4.

10. Extreme behaviour

10.1. If a customer's conduct amounts to harassment, is violent or involves the threat of violence to our staff, a Persons of Concern Panel will be convened as part of our Health & Safety procedures to determine the appropriate course of action. The policy can be accessed via the link in Section 17 below.

10.2. Where the behaviour is so extreme that it threatens the immediate safety and welfare of our staff or others, we will report the matter to the police. In such cases we will not give prior warning of police involvement.

11. Access to services

11.1. Customers retain the right to reasonable access to Council services and to exercise legal rights such as making freedom of information and subject access requests.

11.2. Where contact is restricted to a named officer, that officer will be responsible for enabling that customer to exercise their rights or have reasonable access to council services.

11.3. We will consider any additional needs/vulnerabilities that the customer may have. We may on occasion need to ensure that a line of communication is available as appropriate, such as contact with a link or care worker or access to translation services.

12. Communication

12.1. Information about this policy will be readily available through the Council's website and via the Council's intranet for staff.

13. Employees

13.1. In the event of staff experiencing unreasonable or unacceptable customer behaviour, they should:

- Warn the customer that their behaviour is unacceptable.
- Ask the customer to stop the behaviour e.g. not to shout, swear etc.
- Explain if the behaviour continues, that they will terminate the call/visit.
- If the behaviour continues, terminate as per the warning.
- Make a note of the terminated contact on local systems
- Report the incident to their line manager.

13.2. Line managers should note the incident on local systems, and if required seek advice from the Feedback and Resolutions Manager.

13.3. If the staff member is unduly affected by the customer behaviour, they should seek support via the [Employee Assistance Programme](#)

13.4. Any contact from a customer that results in the need for welfare support via EAP should be discussed with the Feedback and Resolutions Manager.

14. Implementation and Review

14.1. This policy will be implemented on 01st February 2024.

14.2. It will be reviewed every two years to ensure its effectiveness and relevance in addressing residents' needs and concerns, unless a change to legislation requires earlier review.

14.3. Next Review date by 31st January 2026.

15. Equality & Diversity

15.1. Equality and diversity are of fundamental importance to services provided regardless of a person's protected characteristics under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, religion pregnancy and maternity, race, belief, or sex). All must be treated with respect.

15.2. The Council treats everyone it houses, serves, and employs, fairly, and encourages others to do the same.

15.3. This policy provides assurance that customers exhibiting unreasonable or unacceptable behaviour are treated in a fair and consistent way.

16. Data Protection

16.1. The Council is committed to ensure that data is:

- Processed lawfully, fairly and in a transparent manner.

- Collected for a specific and legitimate purpose and not used for anything other than this stated purpose.
- Relevant and limited to whatever the requirements are for which the data is processed.
- Accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay.
- Stored for as long as required, as specified within the Retention Policy.
- Secured with appropriate solutions, which protect against unauthorised or unlawful processing, accidental loss, destruction, or damage.

17. Associated Documents

- [Local Government and Social Care Ombudsman Complaint Handling Code](#)
 - [Housing Ombudsman Complaint Handling Code](#)
 - Persons Of Concern policy
- [Add link to Persons of Concern policy.](#)