



Managing Unacceptable Customer Behaviour Policy

April 2024

Tracking

Policy Title	Managing Unacceptable Customer Behaviour		
LT sign off	25 June 2019		
Committee	Strategy and Resources	Date approved	30 July 2019
Review due date	2 years – 31 July 2026	Review completed	July 2024
Service	Customer Services		

Revision History

Revision Date	Revisor	Previous Version	Description of Revision
30 October 2021	Judith Doney	July 2019	Sponsor Changes
31 October 2023	Andrew Bircher	October 2021	Reviewed but no changes to published version pending further review
July 2024	Kersty Wood	31 October 2023	Simplification of policy and separation out of procedure

Document Approvals

Each revision requires the following approvals:

Sponsor Approval	Name	Date
Head of Policy and Corporate Resources Policy, Performance and Governance	Andrew Bircher	July 2024

Contents

Purpose of this policy	4
What is unacceptable customer behaviour?	4
Violent or abusive behaviour	5
What is vexatious behaviour?	5
Considerations before action	6
Actions we may take	6
New matters and complaints	7

1. Purpose of this policy.

This policy will enable us to manage unacceptable customer behaviour consistently and fairly. It sets out clearly what we consider to be unacceptable and the steps we may take to deal with such behaviour. This policy applies to everyone who accesses our services.

In a minority of cases people pursue their complaints, requests for information or for service support in a way that is unreasonable. Sometimes this can have a negative impact on the handling of their complaint or request. It can also have a significant impact on our resources and on our ability to provide services or support to our other customers.

The effect of the unacceptable behaviour from a customer is sometimes to cause harassment or alarm. Here a customer's behaviour is so extreme that it threatens the immediate health, safety and welfare of Council employees, Councillors, or our contractors working on the Council's behalf, the Council will consider other options. This could include, reporting the matter to the police or taking legal action. In such cases, we may not give the customer prior warning of that action.

2. What is unacceptable customer behaviour?

Unacceptable behaviour means acting in a way that is unreasonable, regardless of the level of someone's stress, frustration, or anger. It may involve acts, words or physical gestures that could cause another person distress or discomfort.

Unacceptable behaviour includes behaviour which is abusive, offensive or threatening. Examples of what we might consider to be unacceptable behaviour are shown below. The list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category:

- Using abusive or offensive language on the telephone, face to face or in any written communications
- Sending excessive and multiple emails surrounding the same issue or different issues without allowing time for the Council to investigate or where the Council has already fully addressed the issue.
- Raising numerous, detailed but unimportant questions; insisting they are all answered.
- Seeking an outcome which the Council has already explained is unrealistic for policy, legal or other appropriate reasons.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to Council staff or Councillors
- An unreasonable fixation on an individual member of staff or Councillors
- Making unjustified complaints about staff who are trying to deal with the issue and seeking to have them replaced.
- Covertly recording meetings and conversations with staff or Councillors.

3. Violent or abusive behaviour

There may be circumstances where a customer's behaviour exceeds the definition for unacceptable and becomes threatening, violent or abusive. The following definition applies to the term violent or abusive behaviour:

Any incident in which an officer or member of the Council, who during their council work, is physically or verbally abused, intimidated, threatened or assaulted by a member of public.

This includes racially or sexually abusive language, threatening behaviour and any written or other form of communication which contains abusive or discriminatory language or threats of violence.

In any case of violent or abusive behaviour, the Council will consider and take all action necessary to protect its staff and Councillors. This may include the immediate step of asking the customer to leave the building and suspending all contact with the customer who has been violent or abusive, this may occur without warning. We will also consider if the matter needs to be reported to the police or other services and may result in the person being added to a "customer of concern" list.

4. What is vexatious behaviour?

Unreasonably persistent and vexatious customers are those individuals who, because of the nature or frequency of their contacts with the Council, hinder our ability to effectively deliver services to our other customers, and excessively demand service from staff and/or Councillors

The term "vexatious" may be used to define someone who raises a service request and/or complaint(s), to cause annoyance/disruption and unnecessarily aggravate Council staff members rather than seeking to raise or resolve a problem.

This may involve making serial complaints or service requests about different matters or continuing to raise the same or similar matters repeatedly. Their method and frequency of contact with the Council can hinder the efficient consideration of their service requests or complaints, and the ability of officers to provide a satisfactory outcome.

The list below is not exhaustive, and for a request to be considered as vexatious it is likely that more than one of the examples is relevant:

- The request is obsessive in nature e.g. a high volume of requests, using requests to open matters that have already been dealt with, such as service delivery requests, complaints and appeals
- Requests for information the requester has already seen, or clear intention to reopen issues that have already been considered.
- Where complying with the request would impose significant burden on the Council in terms of expense, and negatively impact the Council's ability to provide service to others.

Some customers may have justified complaints or requests but may pursue them in inappropriate ways e.g. lengthy phone calls, emails expecting immediate responses,

detailed letters or emails every few days, or constantly making complaints when they do not achieve their outcome.

Others may pursue complaints or requests which have no substance, or which have already been considered and dealt with. Their contacts with us may be amicable, but still place very heavy demands on staff. Situations can escalate, and in a few cases, customer's behaviour become vexatious, abusive, offensive, threatening or otherwise behave unacceptably.

5. Considerations before action

We recognise that the decision to classify someone's behaviour as unacceptable, or to classify behaviour as vexatious, could have consequences for the individual, including restricting their access to services.

We will, therefore, seek to ensure we are appropriate and proportionate in the application of this Policy.

If staff/councillors feel threatened by a customer, they are required to report their concerns. The Council operates a zero-tolerance approach towards violence or threatening behaviour and will always report such incidents to the Police.

A customer whose behaviour has been judged to be unacceptable, will have restrictions imposed on their contact with the Council. Where the customer behaves in a way which is unacceptable, the Council may decide to refuse all contact with them, other than to provide any essential services.

In extreme cases, involving threats or actual violence to a member of staff or visitor to our offices, a decision may be taken to ban the customer from the site or utilise other Council procedures which manage customer behaviour.

. When a decision has been taken to apply this Policy, the Council will write to advise the customer.

6. Actions we may take

Restrictions will be tailored to deal with the individual circumstances by the relevant Head of Service, and may include one or more of the following (the list is not exhaustive):

- Placing limits on the number and duration of contacts with staff per week or month
- Refusing the customer access to any Council building except by arrangement
- Offering a restricted time slot for telephone calls
- Limiting the customer to one method of contact (telephone, letter, email, etc)
- Requiring the customer to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Refusing to register and process further complaints / requests about the same matter.

- Requiring the customer to make contact by telephone only through a third party e.g. solicitor/ Councillor / friend acting on their behalf
- Limiting or regulating the customer's use of Council's services
- Informing the customer that further contact on the matter of the complaint / request will not be acknowledged or replied to.

These options are not exhaustive and often local or other factors will be relevant in deciding what might be appropriate action. Any restrictions will take into account the customer's individual circumstances.

7. New matters and complaints.

Where a decision on unacceptable customer behaviour has been made, the Council will inform the customer that future correspondence will be read and placed on file, but not acknowledged, **unless it contains new information.**

The Head of Service of the relevant service area will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new matter, complaint or request.

The Council will ensure that the personal details about the customer and their matter will be managed and stored appropriately in line with data protection and records management policies and procedures.

The application of the policy is supported by the Council's Managing Unacceptable Customer Behaviour Procedure document.