

Managing Unreasonable Customer Behaviour Policy

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Scope of policy All customer facing services



1.0 Purpose

1.1 Occasionally, the behaviour or actions of individuals using our services makes it very difficult for us to deal with their complaint or to provide a service. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or of our process.

1.2 When this happens, we must take action to protect our staff. We also consider the impact of the behaviour on our ability to do our work and provide a service to others. This policy explains how we will approach these situations where CHS Group considers actions or behaviour as unacceptable.

1.3 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a customer approaching CHS. However, we consider actions that result in unreasonable demands on our service or unreasonable behaviour towards CHS staff to be unacceptable. It is these actions that we aim to manage under this Policy.

1.4 In our Community Support schemes, support is provided to people who may have experienced trauma and distress throughout their lives. At times, this may lead them to behave in challenging and destructive ways. Support is personalised to the individual and seeks to understand and manage challenging behaviour whilst minimising the risks to others. There is separate guidance, 'Our approach to promoting positive behaviour' setting out guidance for support staff with models and strategies for prevention, de-escalation and post-incident strategies.

2.0 Aggressive or abusive behaviour

2.1 We understand that customers may be angry about the issues they have raised with us. If that anger escalates into aggression, abuse or violence towards CHS staff, we consider that unacceptable. It is also a breach of tenancy conditions to commit any form of harassment, abuse, violent or aggressive behaviour towards CHS employees or contractors.

2.2 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused. Such language may relate to protected characteristics defined by the Equality Act 2010; separately from the legislation, what is deemed offensive will be different for different employees and may include other references e.g. cultural.

2.3 Language is unacceptable which :

- is offensive, insults or degrades,
- is racist,
- is sexist or homophobic
- is disablist or
- makes serious allegations that individuals have committed criminal, corrupt, or perverse conduct without any evidence.

2.4 We may decide that comments aimed not at us but at third parties are unacceptable because of the effect that listening or reading them may have on our staff.

2.5 Where a customer is behaving in a way that is unacceptable for these reasons, CHS staff are authorised to warn the customer that it is unacceptable and that the conversation or

exchange will have to end if the behaviour continues. All such conversations and warnings will be logged on QL or Charity Log so that there protection for staff members and clarity in case a complaint is made. If such a warning does not change the behaviour, staff are authorised to cease the conversation immediately. Where written correspondence is abusive to employees or lacks evidence, we will inform the customer that if they continue to use such language further correspondence will not be replied to. A written warning from a CHS manager may be issued to confirm the implications of further such incidents e.g. tenancy action, refusal of consent to visit a scheme.

2.6 Violence or threats will be reported to the police. Staff will also complete an Adverse Incident report after incidents of violence, threats, personal abuse, intimidation or harassment to ensure that staff members involved are supported and de-briefed, and appropriate follow-up action is agreed.

3.0 Unreasonable behaviour

3.1 A demand or series of demands becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of CHS.

3.2 Examples of this behaviour include:

- demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular member of staff, when that is not possible or appropriate
- unreasonable persistence (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)
- 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)
- excessive phone calls, e-mails, letters, social media posts
- repeatedly changing the substance of a complaintrepeated refusal to accept an explanation or decision.

3.3 An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own complaint or request from being dealt with within our service standards.

3.4 Where CHS finds that unreasonable demands are being made we may confirm to the customer in writing that we will not engage with all or some of those demands and the reason e.g. that it would not be in line with a service delivery standard. Where the issues being raised are relevant we will signpost the customer to our Complaints process where it has not already been completed.

4.0 Unreasonable levels of contact

4.1 Sometimes the volume and duration of contact made to our service by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or hour. It may occur over the lifespan of a complaint when a customer repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is not relevant to the issue or complaint.

4.2 We consider that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding to emails or written

correspondence impacts on our ability to deal with that complaint, or our service for other customers.

4.3 We may need to manage the unacceptable action by restricting the customer's contact with us e.g. limiting how often we reply to correspondence, appointing a named single point of contact, permitting one method of contact only e.g. e-mail instead of phone. We may give a formal warning before making such a change, except in circumstances where we need to quickly protect staff. We will always try to maintain at least one point of contact with a customer and only in extreme cases may we respond to communication through a third party. Decisions to restrict contact will be taken by the relevant Head of Service, recorded on QL with the reasons and advised in writing to the customer. The customer is entitled to appeal that decision which will be reviewed by the relevant Director.

4.4 Any restrictions will not be imposed indefinitely and a review period will be agreed at the outset. The decision to lift any actions taken may be appropriate where a customer subsequently demonstrates a more reasonable approach or following a successful appeal. If a decision is made to remove, reduce or extend any restrictions the customer will be notified in writing. If the decision is made to keep in place any actions/restrictions the customer will be provided with an explanation as to why this decision has been made and when the next review will take place.

5.0 Making recordings of meetings or conversations

5.1 CHS regards the covert recording of conversations or meetings between customers and staff as unreasonable, particularly when shared elsewhere without the knowledge of all parties involved (for example on social media). Where CHS becomes aware of such a recording the customer may be written to, advising this is unacceptable and if necessary a manager may decide to restrict future contact to written correspondence only. If a customer overtly begins to record a meeting or conversation this can feel intimidating or uncomfortable to staff and the staff member involved is authorised to end the conversation unless the recording stops.

6.0 Unreasonable use of the complaints process

6.1 Individuals with complaints about CHS have a right to pursue their concerns through a range of means. They also have the right to complain more than once if subsequent incidents or problems occur.

6.2 This contact becomes unreasonable when the effect of the repeated or unreasonable complaints is to harass, or to prevent CHS from pursuing a legitimate aim or implementing a legitimate decision.

6.3 We consider access to a complaints system to be important and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable – however we reserve the right to do so in such cases. A decision to decline further involvement in a formal complaint for this reason will be explained in writing to the customer, making it clear that the customer may choose to refer their complaint to the Housing Ombudsman.

7.0 Reasonable adjustments

7.1 We understand that some customers have disabilities or health conditions which may make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset.

7.2 We also recognise that some disabilities or health conditions can make it difficult for customers to assess the impact that their behaviour might have on other people.

7.3 We will always consider making reasonable adjustments for a customer if we are asked to do so. For example:

- we could consider using different methods of communication,
- agree to give clear warnings when we feel that a customer's behaviour is unacceptable so that they have the opportunity to change it.
- Identify other support services or intervention.

7.4 However, we would not consider it to be reasonable to expect our staff to accept being subjected to aggressive, offensive or abusive actions, language or behaviour. This policy would still apply if there are actions or behaviours which are having a negative effect on our staff or our work.