



Somerset County Council Managing Unreasonable Customer Behaviour Policy



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Introduction

Somerset County Council believes that residents and visitors to Somerset have the right to express their views and ask questions about Council services. Indeed customers' comments and suggestions are important in helping us to improve the services we provide.

This policy sets out our approach to the minority of customers whose communication we consider unreasonable or unacceptable, and the action we will take in order to manage the situation.

Our Commitment to Our Customers

We seek to:

- Put the customer at the heart of all we do
- Ensure fair and open access for all residents, visitors and members of the business community to our services including those in our community who are hard to reach or have difficulty in dealing with us as an authority
- Ensure other customers and our employees do not suffer any disadvantage from customers who act in an unacceptable manner

Our Aims

The behaviour we aim to manage using this policy results from the actions of customers whose anger, aggression and/or number of requests and persistence result in unreasonable demands on the Council and/or unacceptable behaviour towards staff.

We recognise that in times of trouble or distress people may act out of character, and we will not view behaviour as unacceptable just because a customer is forceful or determined. We also understand, and will take into account, that the state of a person's mental health and certain disabilities can affect their behaviour.

Unreasonable or Unacceptable Communication

Abusive or offensive language

We do not accept that employees should be subjected to swearing or offensive language even when a customer is under stress, angry or upset. This may cause offence and we believe that every employee has the right not to suffer language they would consider offensive. What is deemed offensive will be different for different members of staff, but includes cultural, racial or religious references.

Unmanageable demands

Although not always intentionally, customers may make what we consider 'unmanageable demands'. This could be due to:

- the amount of information they seek
- the nature and scale of service they expect
- the number of times they contact us.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.

Examples of this include:

- demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular employee
- excessive telephone calls, emails, faxes, letters or social media posts
- sending duplicate requests to more than one employee
- requiring responses to correspondence where the content is malicious.

We will consider this contact to be unacceptable and/or unreasonable if it starts to impact greatly upon workload, for example by taking up, in comparison to the issues raised, an excessive amount of employees' time to the disadvantage of other customers or service delivery.

Unreasonable persistence

We recognise that some customers will not or cannot accept that we are unable to assist them further or provide a service in a different way. Customers may continue disagreeing with the action or decision taken about their concerns or they may contact us many times about the same issue.

Some examples of unreasonable persistence are:

- Repeated refusal to accept a decision made in relation to a complaint
- Repeated refusal to accept explanations relating to what we can or cannot do
- Continuing to contact the Council without presenting any new information.

It is not necessarily the manner in which these customers communicate with the Council that is unreasonable but their perseverance in contacting us after our decision has been already explained. Somerset County Council will always inform customers of ways in which they might challenge the outcome of a complaint (e.g. the Local Government and Social Care Ombudsman).

We consider that persistence becomes unreasonable when it takes up what we regard as a disproportionate amount of time and resources.

Managing Communication

How we decide to manage the unacceptable or unreasonably persistent communication depends on its nature and the impact it has on individual employees or the whole Council. However, we may need to manage the unacceptable action by restricting the customer's contact with us. Restrictions that may be considered are:

- Informing a customer that they can only contact us in one way – (for example only by email but not in person or by telephone)
- Limiting how often we respond to your correspondence
- Appointing a named officer to be the customer's single point of contact.

We will always try to maintain at least one form of contact. In extreme circumstance we may refuse to have any personal contact with a customer. In these cases the Council will only respond to communication through a third party.

Abusive or offensive language

The threat or use of verbal abuse or harassment towards employees is likely to result in the ending of all direct contact with the customer. Incidents may be reported to the Police. This will always be the case if physical violence is threatened.

Correspondence

We will not respond to correspondence (letter, fax, email or social media) that is abusive to employees or contains allegations that lack substantive evidence. When this happens we will tell the customer that we consider their language offensive, unnecessary and unhelpful. We will ask them to stop using such language and state that if they do not stop, further correspondence will not be responded to. We reserve the right to require future contact to be through a third party.

Telephone calls

In most cases a caller will be advised that their behaviour is unacceptable and that the call will be ended if the behaviour does not stop. However on the rare occasion when the employee is unable to continue with the call, they have the right to disconnect the call without warning. Our employees will end telephone calls if they feel the caller is being aggressive, abusive or offensive. The employee taking the call has the right to make this decision.

Face to face

In most cases the officer will advise the customer that their behaviour is unacceptable and that they will be asked to leave if the behaviour does not stop. Our employees will ask a customer to leave Council property if they feel the customer is being aggressive, abusive or offensive. The employee dealing with the customer has the right to make this decision.

Social Media

The Council reserves the right to block customers who display unacceptable behaviour over Council social media channels. In such circumstances, customers will be made aware of alternative ways to communicate with the council.

Unreasonable demands

Where a customer repeatedly telephones; visits Council offices; sends irrelevant documents; or, continually raises the same issues, we may decide to adopt one or more of the following restrictions:

- Only take telephone calls from the customer at set times on set days or by arrangement.
- Arrange for one named employee to deal with all future calls or correspondence from the customer (single point of contact – see ‘Restricting Contact’ section for more details)
- Limit communication to writing only.
- Only respond to communication on a monthly basis.
- Inform the customer that their correspondence will be read, to ensure no new issues have been raised, acknowledged and filed.

- Require the customer to make an appointment to see a named employee before visiting the office.
- Return documents received to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.
- Take other action that we consider appropriate.

Unreasonable persistence

Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, we may decide to adopt one or more of the following restrictions:

- Inform the customer that we will limit the number of issues we will consider in a given period.
- Ask the customer to limit or focus their requests
- Arrange for one named employee to deal with future calls or correspondence from the customer.

A customer's action may be considered unreasonably persistent if, after all internal review mechanisms have been exhausted, they continue to dispute the Council's decision relating to the issues raised. In these circumstances, the customer will be told that they will need to make any future contact on the issue in writing. Any correspondence will be read and filed but only acknowledged or responded to if new information relating to the issue is provided.

Restricting Contact

Decisions to restrict contact will be taken after careful consideration by the Service Manager – Customer Access and Experience.

Before restricting a customer's contact the **Restricting Customer Contact Authorisation Form - Appendix A** must be completed. This includes consideration of any problems a restriction may cause an individual.

When a decision has been made and approved customers will be told:

- Why a decision has been made to restrict future contact.
- The restricted contact arrangements.
- If relevant, the length of time that these restrictions will be in place.

In the absence of the Service Manager – Customer Access and Experience a decision can be taken by a Strategic Manager or member of the Senior Leadership Team.

Please note: Employees who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation.

Where the decision to restrict contact includes assigning a single point of contact (SPOC), a suitable named contact will be agreed between the service and the Customer Experience Team. The SPOC will usually be a Customer Experience Officer though, in some cases where the complainant has a constructive relationship with an individual within the service, it might be preferable to continue contact with that individual only. Once the named contact has

been agreed, suitable links to service professionals will be established and recorded to ensure the SPOC has the necessary support to effectively manage communication.

Appealing a decision to restrict contact

A customer can appeal a decision to restrict contact. The appeal will be considered by a Strategic Manager or member of the Senior Leadership Team who was not involved in the original decision. They will advise the customer in writing whether the restricted contact arrangements still apply or a different course of action has been agreed.

Recording and reviewing a decision to restrict contact

Where it is decided to restrict contact, an entry noting this will be made in relevant files held by the Council. The name and contact details of the customer and the restriction applied will also be added to the Restricted Contact Central Register which is held by the Customer Experience Team. The name will only be held on the Register for the period the restriction applies.

The Restricted Contact Central Register will be reviewed at least once a year (or more frequently as required). Customers will be removed from the register where restrictions placed on them are no longer current or appropriate.

Policy Availability and Review

Copies of this policy are available on request and will be published on the County Council Website. Copies in other languages and formats are available upon request. The need to review this policy will be considered biannually.

- **The term ‘employee(s)’ means employees, elected members, partner organisations, volunteers or contractors for the purposes of this policy.**

Appendix A

Managing Unreasonable Customer Behaviour Restricting Customer Contact Authorisation Form

This form should be completed with a Customer Experience Officer and given to them on completion

1. Requesting Officer Details			
Name:			
Position:			
Service			
Signature:		Date:	

2. Customer Details	
Name:	
Contact details:	
Service(s):	<i>State the services the customer uses that are relevant to this request.</i>
Case Ref:	<i>Provide service casework system ref in relation to above service(s) if applicable.</i>
Complaint(s):	<i>Provide overview of any complaint that the customer has made which is relevant to this request.</i>
Complaint Ref:	<i>Provide complaints system ref in relation to complaint detailed above.</i>

3. Summary of Customer Contact	
Do you feel the customer been excessively persistent in their contact with the Authority?	Yes/No (*delete as appropriate)
If yes, please provide a summary of recent contact with the Authority (dates, frequency, duration etc.):	
Do you feel the customer has behaved in an abusive, aggressive and/or offensive manner?	Yes/No (*delete as appropriate)
If yes, please describe the ways in which the customer has behaved inappropriately during recent contact with the Authority:	
<i>Does the customer use profane language, personally insult staff and/or others, display intimidating physical behaviour etc?</i>	

4. Impact on Service/Staff	
Are the actions of this customer having a negative impact on service delivery and staff?	Yes/No (*delete as appropriate)
If yes, please describe:	
<i>Has the volume/duration of calls affected the capacity to manage service delivery, are the actions of the customer negatively influencing the behaviour of other customers, has staff morale been adversely affected by the customer's behaviour, do individual members of staff require support/counselling as a result of the actions of the customer, what are the risks to BAU if this behaviour continues?</i>	

5. Actions taken	
Has the customer been asked to reduce contact and/or modify their behaviour?	Yes/No (*delete as appropriate)
If yes, has the customer made any modifications to their contact/behaviour	Yes/No (*delete as appropriate)
Please specify:	<i>Has the customer contacted the authority less frequently, changed language/behaviour? Was there a temporary change in behaviour that has now lapsed?</i>

6. Proposals	
Please provide details of the restriction(s) you consider should be applied and the anticipated impacts on service delivery:	
<i>e.g. designated a single point of contact (SPOC), restricting contact to one channel (e.g. email), banning the customer from Authority premises.</i>	
Name of proposed SPOC Contact	
How will the impacts of the contact on the SPOC be monitored and managed?	
Key service contacts for SPOC	<i>Enter names of people within the service who have links with the customer and can support the SPOC where needed.</i>

7. Impact on the customer	
Have you been made aware that the customer is disabled?	Yes/No (*delete as appropriate)
Could the disability affect the way the customer communicates with the council?	Yes/No (*delete as appropriate)
If yes, please explain:	

Have you made suitable allowances for the customer's disability and impact it has on their communication before considering the restriction/s proposed?	Yes/No (*delete as appropriate)
If yes, please describe:	
Is there anything else that should be considered when considering the potential impact of contact restrictions on the customer (e.g. is English the customer's first language, does the customer have a preferred method of communication etc)? Please specify:	

Please pass this form to your Customer Experience Officer who will pursue authorisation (section 8) and organise allocation of appropriate actions (Section 9).

8. Authorisation			
<i>To be made in line with the SCC Managing Unreasonable Customer Behaviour Policy.</i>			
Please record your decision, including any notes/amendments to the proposals made above:			
Name:		Position:	
Signature:		Date:	

9. Actions to be taken (to be completed and monitored by Customer Experience Team)		
Following authorisation, please complete the following actions:		
Action	Owner	Date completed
Confirm authorisation to requesting officer		
Notify the customer of the restriction		
Notify Contact Centre		
Consider need to update others: <ul style="list-style-type: none"> • Face to face reception points • SLT • Members 		
Set review date		
Update Restricted Contact Central Register		
Update iCasework		
Assign SPOC from CET (if required)		

Electronic signatures will be accepted.