

City of Wolverhampton Council Managing Unreasonable Customer Behaviour Procedure

Procedure Statement

The City of Wolverhampton Council (CWC) is committed to providing fair, consistent and accessible services for all customers. However, CWC has to balance this by providing a safe working environment for our employees to operate within and to ensure that our service provision and delivery is undertaken in an efficient and effective manner.

Occasionally, customers may make unreasonable demands that could affect the service we provide to customers or communicate with us in a manner which causes offence to our employees. Where this occurs, CWC reserves the right to manage customer contact in an appropriate manner to protect our employees and to maintain the effectiveness of our service to other customers.

This procedure aims to assist employees when dealing with customers who exhibit unreasonable, persistent and vexatious behaviour during contact with CWC.

Scope

This procedure applies to all CWC employees, elected members, and to anyone who interacts with the Council. It will also provide guidance to employees, advocates, contractors and customers to understand what is expected, and the options for action that are available and can be shared with both internal and external customers if they start to behave unreasonably to assist in managing their expectations and their behaviour whilst their complaint or enquiry is addressed.

The procedure will be invoked either when there has been a single, serious incident of unreasonable or unacceptable behaviour by a customer, or where a customer is repeatedly behaving in an unreasonable manner.

The behaviour we aim to manage using this procedure, results from the actions of customers whose anger, aggression and/or number of requests and persistence result in unreasonable demands on CWC and/or unacceptable behaviour towards employees. 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. As a Council we also recognise that in some circumstances, customers may have a mental health problem and/or disability where it may be difficult for them to either express themselves or communicate clearly and/or appropriately. Where unacceptable/unreasonable behaviour is evidenced under these circumstances, CWC will consider the individual needs and circumstances of the customer and our employees before deciding on how best to manage the situation.

Background

City of Wolverhampton Council believes that residents and visitors to Wolverhampton 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 service we provide. This procedure 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.

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, this includes making malicious, unwarranted or defamatory comments or making remarks which are related to any protected characteristic as defined by the Equality Act 2010. What is deemed offensive will be different for different members of employees, 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 already been explained. CWC will always inform customers of ways in which they might challenge the outcome of a complaint and any appeal processes (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.

Actions that the Council may take

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. Any course of action taken will only relate to contact with the Council over a specific issue or complaint, this procedure does not and is not intended to have any impact on any other dealings with the Council.

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 correspondence.
- Appointing a named officer to be the customer's single point of contact (SPOC).

We will always try to maintain at least one form of contact. In extreme circumstances 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.

Threats to Health and Safety

Threats or use of verbal abuse or harassment towards employees is likely to result in the ending of all direct contact with the customer. Incidents such as these may be reported to the Police.

Any physical assaults on an employee, Councillor or against any other customer will be reported to the police. This will always be the case if physical violence is threatened.

There will be no right to a review of a decision to restrict a customer's access to Council buildings if the restriction is put in place due to physical assault on an employee, Councillor or other customer or threats to employee Health and Safety.

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 instruct future contact 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 (SPOC arrangement).
- 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. If the issues are the same, correspondence will be filed.
- Require the customer to make an appointment to see a named employee before visiting the office.
- 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 (SPOC) arrangement.

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.

Managing Communication

Decisions to restrict contact will be taken after careful consideration by the Customer Engagement Manager and relevant Head of Service.

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 Customer Engagement Manager, a decision can be taken by the relevant Head of Service and a Director or member of the Senior Executive Board.

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 Engagement Manager. The SPOC will usually be a Manager from the relevant service. 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.

Reviewing a decision to restrict contact

A customer can request a review of a decision to restrict contact (unless the restriction is a result of physical assault or threat to health and safety). The review will be considered by the Director of Governance or a member of the Strategic Executive Board 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 Feedback Team. The name will only be held on the Register for the period that the restriction applies.

Timescales for reviews of restriction will be decided on a case by case basis, the customer will be informed of this.

Customers will be removed from the register where restrictions placed on them are no longer current or appropriate.

If you have any queries regarding this procedure, please contact the Customer Feedback Team on 01902 551901/553215/551090.

Appendix A

Managing Unreasonable Customer Behaviour Restricting Customer Contact Authorisation Form

This form should be completed by the relevant service manager

1. Requesting Officer Details			
Name:			
Job title:			
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: if applicable	<i>Provide service casework system ref in relation to above service(s) if applicable.</i>
Complaint(s): if applicable	<i>Provide overview of any complaint that the customer has made which is relevant to this request.</i>
Complaint Ref: if applicable	<i>Provide complaints system ref in relation to complaint detailed above.</i>

3. Summary of Customer Contact	
Do you feel the customer has 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 employees and/or others, display intimidating physical behaviour etc?</i>	
--	--

4. Impact on Service/Employees

Are the actions of this customer having a negative impact on service delivery	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, do individual councillors or employees require support/counselling as a result of the actions of the customer, what are the risks to business as usual 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 (if applicable)	
---	--

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 Head of Service who will pursue authorisation (section 8) and organise allocation of appropriate actions (Section 9).

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

9. Actions to be taken <i>(to be completed and monitored by Customer Feedback Team)</i>		
Following authorisation, please complete the following actions:		
Action	Owner	Date completed
Confirm authorisation to requesting officer	Head of Service / Customer Engagement Manager	

Complete a referral to the PVPR if applicable	Service Manager	
Notify the customer of the restriction	Service Manager / Head of Service	
Notify Services		
Consider need to update others: Contact Centre Team Leaders Head of Services Face to face reception points Executive Support Team Councillor Support Legal Political Assistants Keepers Resilience Team Health and Safety Wolverhampton Homes/other ALMO's Communications Team		
Set review date		
Update Restricted Contact Central Register		
Update iCasework if applicable		
Assign SPOC from service (if required)		

Electronic signatures will be accepted.