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# **Unacceptable Customer Behaviour Policy**

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**Version 1 July 2024**

# Unacceptable Customer Behaviour Policy

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# **Unacceptable Customer Behaviour Policy**

This Policy explains how we deal with the small number of cases where the actions of individuals become unacceptable because they involve abuse of our staff or our processes.

## **1. Introduction**

We believe that customers of our services have a right to be heard, understood and respected. We work hard to be open and accessible to everyone.

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

When this happens, we have to take action to protect the health and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed. 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. The Policy applies to all areas of our work and to all methods of contact including telephone, face-to-face, letters, e-mails, social media and other digital channels.

## **2. Actions Rykneld Homes considers as Unacceptable**

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 Rykneld Homes (RH).

However, RH will not tolerate unacceptable behaviour nor actions that result in unacceptable or excessive demands on our services that prevents staff from carrying out their duties effectively.

It is these behaviours and actions that we aim to manage under this Policy.

### **2.1. Aggressive or Abusive Behaviour**

We understand that sometimes customers are often upset and angry about the issues they have raised. If that anger escalates into aggression towards the RH staff, we consider that unacceptable. Any violence, abuse or harassment towards staff will not be tolerated.

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 distress, offended, afraid, threatened or abused.

We will judge each situation individually and appreciate individuals who come to us may be upset. While we accept that those who contact us may feel angry, it is not acceptable to abuse, harass, shout or swear at RH staff.

Examples of unacceptable language (but not limited to):

- Communication that is offensive, derogatory or patronising;
- Language that is discriminatory in any way, including racist, sexist, homophobic or transphobic comments; or
- makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence.

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. Examples include rudeness, offensive comments, derogatory remarks, making inflammatory statements, or raising unsubstantiated allegations made towards these third parties.

Threats against staff will be taken very seriously and if staff feel distressed, scared or threatened at any point during a conversation with a customer, the interaction may be ended at any time.

## **2.2. Unreasonable, Unacceptable, Excessive or Persistent contact and Demands**

A demand becomes unreasonable, unacceptable or excessive when it starts to (or when complying with the demand would) impact substantially on the work of this Service.

Examples of this behaviour include but are not limited to:

- repeatedly demanding a response within an unreasonable timescale/outside service level commitments;
- insisting on seeing or speaking to a particular member of staff, when that is not possible;
- repeatedly changing the substance of a service request or complaint or raising unrelated concerns.
- making repeated and unnecessary contact during the course of us dealing with a complaint or carrying out an investigation;
- refusing to accept a decision where explanations for the decision have already been provided;
- Repeatedly asking for a response to the same questions when a response and explanation has already been given;
- Making repeated phone calls, for example, during one hour or one day;
- Making unnecessarily long phone calls repeating the same points of discussion or refusing to end a phone call;
- high volumes of information provided by email or post referencing the same issues;
- unnecessarily or excessively copying us into emails to other parties – adopting a scatter gun approach.

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, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint or enquiry, or offer a good quality service to other customers.

### **2.3. Harassment**

Staff have the right to carry out their duties free from harassment or threats of harassment. We ask all customers to respect that staff are delivering services and communication decisions on behalf of RH and, therefore, this may not reflect their own views or preferences.

Examples of behaviours we consider to be harassment against our staff include but is not limited to:

- recording/videoing visits/telephone discussions and sharing with any other party or publishing the information online such as through YouTube, Vimeo or Twitter – please note: should recordings/videos be shared you become the Controller of another person's personal data (RHL staff member) and as such become liable under the Data Protection Act 2018;
- contacting staff using their personal details or social media presence such as Facebook, Twitter or LinkedIn;
- publishing personal, sensitive or private information about staff online or other public domains such as noticeboards or newsletters.

### **2.4. Refusal to Co-operate**

When we are responding to a service request or complaint, we will need to ask the individual to work with us. This can include agreeing with us:

- the service resolution/complaint we will look at;
- to provide us with further information, evidence or comments on request; or
- help us by summarising their concerns/service request.

Sometimes, an individual repeatedly refuses to co-operate and this makes it difficult for us to proceed.

We will always seek to assist someone if they have a specific, genuine difficulty complying with a request and where appropriate make reasonable adjustments. However, we consider it is unacceptable to bring a service request/complaint to us and then not respond to clear and appropriate requests by staff.

### **2.5. Persistent Complaints**

Actions or behaviours considered unreasonable or unreasonably persistent specifically in relation to complaints include:

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from RH staff

- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- Refusing to accept that issues are not within the remit of our complaints procedure, despite having been provided with information about the procedures scope
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice. For example, this includes demanding information that would breach the Data Protection Act
- Making what appear to be groundless complaints about staff dealing with the complaints and seeking to have them replaced
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he/she made at an earlier stage
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on or raising large numbers of detailed but unimportant questions and insisting they are all fully answered
- Adopting a 'scattergun' approach: pursuing a complaint or complaints with RH and a number of RH staff/departments and, at the same time, with a Member of Parliament/ Councillor/Independent Auditor/Police/Standards Board/Solicitor/the Housing Ombudsman Service
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into by, for example, excessive telephoning or sending emails to numerous RH staff, writing lengthy, complex letters every few days and expecting immediate responses
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision
- Combination of some or all of the above or the unreasonable behaviours listed in the other sections of this Policy.

### **3. Reasonable Adjustments**

We understand that some customers may find it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset. In order to do this, we ask that customers explain what adjustments they're looking for and how this will ensure they can access services. Please also see our Policy on delivering services to vulnerable people.

We will always consider making reasonable adjustments for a customer if we are asked to do so. Examples of adjustments we can consider are:

- we could consider using different methods of communication;
- providing written communication in large print, coloured text, or in translation;



- giving clear warnings if conversations become unproductive and allowing customers the opportunity to modify their behaviour before ending a call.

However, we do not expect our staff to accept being subjected to aggressive, offensive, threatening or abusive actions, language or behaviour.

We may still use the Policy if there are actions or behaviours which are having a negative effect on our staff or our work even where a reasonable adjustment has been made.

#### **4. Actions we may take**

Rykneild Homes will try and reach a voluntary (informal) arrangement with the customer before taking formal action. This is to allow the individual time to consider and adjust their behaviour. Mediation or advocacy through third parties can be considered to try and improve the situation.

If this informal approach fails, RH will issue a warning to the customer before taking any formal steps. The warning will include examples of where the individual's behaviour has been considered unacceptable with reference to what formal steps may be taken if the behaviour continues.

When we experience behaviour or demands which are unacceptable, we may consider taking more formal action. The actions we will consider can include the following:

- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us
- Appointing a specific point of contact for the customer at RH
- Communicating only in writing/email/phone call or via a representative
- Deciding not to provide the service/investigate a complaint on the basis that it has been pursued in a way that is unacceptable
- Declining to give further consideration to an issue unless additional evidence/information is provided
- Stop all communication with a customer
- Restricting or limiting contact with RH e.g. limited times of day/number of times per week/month
- In exceptional circumstances, notify relevant public authorities
- In extreme cases such as physical violence or harassment towards an employee, actions could include involving the Police, taking legal action and ending direct contact with the customer
- Working through an agreed representative.
- Action under the tenancy agreement conditions if the person causing the issue is a tenant or is part of a household of a tenant.

The decision to apply restrictions will be taken by the Senior Management Team. Where it is decided that formal action must be taken to manage someone's behaviour (for example, declining to provide a service/investigate a complaint), we will inform them of the decision in writing. A note will be placed on our records to this effect.

The delivery of this Policy will reflect the requirements of the Equalities Act 2010 and show due regard for an individual's medical condition and vulnerability such as mental health issues and learning disabilities. Accordingly, any restrictions imposed on a customer's contact will take into consideration individual circumstances.

Customers have the right to appeal the decision and they will be informed how to do this in the formal letter. The letter will state how long any contact restrictions will remain in place and include a review date.

If the individual's behaviour has improved at the point of review, consideration will be given to lifting the restriction. If it has not improved, an explanation will be provided as to why the restriction will remain in force for a further period pending the next review date.

## **5. Confidentiality**

The use of data in reference to this Policy will comply with collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.

## **6. Contact**

Rykneld Homes Ltd  
2013 Mill Lane  
Wingerworth  
Derbyshire  
S42 6NG

Tel: 01246 217670

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## For all other languages

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