

**Policy on Unacceptable Actions by Customers:
Managing Customer Contact in a Fair and Positive Way**

Version	Status	Date	Next Review Date
1.5	Approved	November 2024	November 2025

Introduction

1. Hampshire County Council provides a wide range of services. We are committed to providing a high-quality service at all times to all the people that we deliver services to.
2. The relationships we have with those people can be very different whether they are customers of facilities we provide or users of our services (for example, Countryside or Registration services, and young and vulnerable people who receive social care and/or support), visitors to Hampshire, road users or any other wider areas of responsibility we have to the people of Hampshire.
3. For the purposes of this Policy, we will refer to all of these people as “customers”. However, the processes described in this Policy apply to any and all of those possible relationships. Similarly, although at times this Policy may refer to complaints, the principles and processes outlined in this Policy apply to **any** situation where people act unreasonably towards our staff or Elected Members.
4. We recognise that there are times when our service may not meet the high standard we set ourselves, and as a result customers become inconvenienced. We are committed to dealing with all concerns fairly, fully, and in a timely manner.
5. In return we expect people to be polite and considerate to our staff and allow them to carry out their roles without fear of unreasonable behaviour.
6. Usually dealing with concerns is a straightforward process, but in a small number of cases customers pursue their issues in a way that can get in the way of investigating the circumstances, fixing any problems, providing the service or unfairly take staff away from their other duties.
7. The aim of this Policy is to outline what we consider to be unreasonable customer actions, the options available to the County Council, and the possible consequences to the individual. It explains how we may restrict or change access to a service when we consider a customer’s actions to be unacceptable. This is to ensure that we can protect our staff and the services we provide to our customers.

8. We will only invoke the steps contained in this Policy after careful consideration, and in exceptional circumstances. People may have justified concerns but may be pursuing them in an inappropriate way, or they may be intent on pursuing concerns which appear to have no substance, or which have already been investigated and determined.
9. This Policy has been written in line with the published guidance from the Local Government and Social Care Ombudsman (LGSCO).

Principles

10. The approach set out in this Policy is based on the clear understanding that all customers are treated equally, with fairness and respect.
 - The County Council expects that:
All customers have a right to access public services. If access is to be restricted, there must be a very good reason
 - All issues are considered on their merits
 - Even if a customer's actions seem unreasonable, they may still have a valid issue. Someone may have a legitimate complaint but express it unreasonably
 - Anger could be an understandable and, to some degree, an acceptable emotion among frustrated customers, as long as it is not expressed through aggression, violence or the use of offensive or discriminatory language
 - When someone acts unreasonably, it is the substance of the issue (what is alleged to have gone wrong, and its impact) that should dictate the County Councils actions, including the level of resources dedicated to it, not the demands or actions of the individual
 - Staff safety and well-being are paramount when dealing with unreasonable customer conduct.
 - The decision to change or restrict a customer's access to services as a result of their actions will only be made at a senior management level and in accordance with clearly defined policies and procedures.
 - Any decision to restrict access to services should be proportionate in relation to the impact the unreasonable actions have on staff and/or the organisation's ability to deliver an efficient service. Any restriction should still allow fair access to mandatory services.

Definitions

11. Complaint: an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the County Council, its own staff, or those acting on its behalf, affecting an individual or group of individuals.
12. Customer: a customer is anyone the Council works with, provides a service to, or provides care or support to. This includes residents, businesses, visitors, or someone acting on behalf of a customer e.g. a Councillor, MP or relative.

13. Harassment: behaviour intended to cause a person alarm or distress. The behaviour must occur on more than one occasion, but it does not have to be the same kind of behaviour on each occasion.

14. Sexual Harassment: is when someone carries out unwanted sexual behaviour towards another person that makes them feel upset, scared, offended or humiliated.

Unacceptable Actions by Customers

15. People may act in ways which are out of character when they are in trouble or distressed. There may have been upsetting circumstances in the lead up to an issue coming to us. We do not view behaviour as unacceptable just because a customer is forceful or determined.

16. On occasion, behaviour is difficult for an individual member of staff to deal with because it doesn't conform to the standards they expect or the values they hold. An action is not necessarily unacceptable because a member of staff finds it personally difficult.

17. The County Council endeavours to prevent unacceptable actions from occurring by ensuring that individuals feel that they have been listened to, understood, treated fairly and communicated with appropriately.

18. Customers may behave unacceptably in various ways, for example, but not limited to, in person, by telephone, text or social media.

19. Unacceptable actions are grouped under the four headings with details below:

- A. aggressive or abusive behaviour: anger which escalates into aggression, threatening behaviour, written or verbal abuse, or unsubstantiated allegations
- B. unreasonable demands: a demand is unreasonable when complying with it would impact substantially on our work or on the services provided to other customers
- C. unreasonable levels of contact: when the amount of time spent dealing with a complaint impacts on our ability to deal with it or with other people's complaints; this is not the same as persistence which can be a positive advantage when pursuing a complaint
- D. unreasonable use of the complaints process: when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or from implementing a legitimate decision.

A. Aggressive or abusive behaviour

20. We understand that many complainants are angry about the issues they have raised to the County Council. If that anger escalates into aggression towards County Council staff, we consider that an unacceptable action and operate a zero-tolerance approach to incidents of harassment, discrimination, bullying and abuse.

21. Any violence or abuse towards staff and Members will not be accepted and may be reported to the Police.
22. We use the Health and Safety Executive's definition of work-related violence as "*any incident in which a person is abused, threatened or assaulted in circumstances related to their work*". This includes behaviours which are exhibited outside of the workplace, for example. waiting outside buildings for staff or abuse on social media platforms.
23. Violence or abuse is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language, verbal or in writing, that may cause staff to feel afraid, threatened or abused. This includes threats, personal verbal abuse, derogatory remarks and rudeness, along with inflammatory statements and unsubstantiated allegations. Aggression is non-physical behaviour that could be offensive or is considered threatening; it implies a risk of violence.
24. We consider abuse to include:
- physical assault, including spitting, use of weapons and throwing objects
 - verbal abuse, intimidation, harassment (including stalking), sexual harassment or threatening behaviour
 - discriminatory behaviour based on race, gender, sexual orientation, disability or other protected characteristics
 - malicious communications, either by email, through social media or the post

B. Unreasonable demands

25. A demand becomes unacceptable when it starts to or would if complied with, impact substantially on our work and provision of services. For example, if the demand takes up an excessive amount of staff time and leads to other customers being disadvantaged.
26. Examples of actions grouped under this heading include:
- repeatedly demanding responses within an unreasonable timescale
 - insisting on seeing or speaking to a particular member of staff when that is not possible, or in the view of the County Council is not required
 - repeatedly changing the substance of an issue, complaint or raising unrelated concerns.

C. Unreasonable levels of contact

27. The volume and duration of contact made to us by an individual can cause problems. This can occur over a short period, such as a number of calls in one day, or it may occur over a longer period of time. This could include the customer making long telephone calls to us or inundating us with copies of information which have been sent to us already or which are irrelevant to the issues they have raised.

28. We consider that contact has become unacceptable when the amount of time spent dealing with it impacts on our ability to deal with that customer or impacts on service provision more broadly. Contact time may involve time spent talking to a customer on the phone; responding to, reviewing and filing emails; or written correspondence.
29. Behaviour that is persistent and unwanted attention that makes a person feel pestered and harassed is also covered under this area. Such behaviour may fall under the definition of stalking or harassment. It includes behaviour that happens two or more times, directed at or towards an individual by another person, which causes the individual to feel alarmed or distressed or to fear violence might be used against them. The County Council has produced Stalking & Harassment Guidance for Managers.

D. Unreasonable use of the complaints process

30. Customers have the right to complain about our services through a range of means. They also have the right to complain more than once about an organisation with which they have a continuing relationship, if subsequent incidents occur.
31. This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or from implementing a legitimate decision.
32. We consider access to a complaints system to be a critical element of our service arrangements, and it will only be in exceptional circumstances that we would consider such repeated use as unacceptable. We reserve the right to restrict access to the complaints process in those rare occasions.

Managing Unacceptable Actions by Customers

33. The threat or use of physical violence, written or verbal abuse or harassment (including stalking) towards our staff is likely to result in a termination of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened, or stalking behaviour is exhibited.
34. We will not tolerate any correspondence that is abusive to staff. We will tell the complainant that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues and may require that correspondence is resubmitted in an acceptable format.
35. Our staff will end phone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour persists.

36. We also view the use of social media networks, for example, but not limited to, Facebook, X (formerly Twitter) and YouTube to be covered by this policy.

37. In extreme situations, we may seek a prohibitory or preventive injunction against the individual, report incidents to the Police and seek prosecution.

Immediate Actions in response to Aggressive or abusive behaviour

38. In the event of violence or abuse we will take a “Zero Tolerance” approach.

39. If a member of our staff feels afraid, threatened or abused they are entitled to:

- tell the customer that their behaviour is unacceptable
- end a telephone call if the behaviour persists
- ask the customer to leave County Council buildings or property
- adjourn or end a visit or meeting
- call the Police.

40. Any immediate steps will be followed by either an informal warning about future conduct or consideration of further action under this policy as well as supporting the Police in their investigation where this is reported.

41. In the event of aggression towards staff, managers and staff should report issues through the [Violence and aggression at work \(sharepoint.com\)](#) form.

42. Where abuse is in the form of social media posts, we will consider:

- Flagging and reporting any abusive comments to the platform operator to remove posts or other markers
- Blocking the User from the site
- Reporting the matter to the Police.

Restricting Customer Contact

43. There are very few customers whose actions we consider unacceptable. We aim to manage these actions based on their nature and extent. If our ability to do our work and provide a service to others is affected adversely, we may need to restrict that customer’s contact with us in order to manage the unacceptable action.

44. This will only be taken after careful consideration of the situation by a senior member of staff. Wherever possible, we will give the complainant the opportunity to change their behaviour or action before a decision is taken.

45. Adequate records will be retained by the appropriate service manager of the details of the case and the action that has been taken where this policy has been invoked.

Issuing a Customer Contact Restriction (CCR)

First Stage – Warning

46. Local management will compile documented evidence using a corporate template that captures why the customer's behaviour is causing concern and meets the criteria of unacceptable actions as outlined in this policy, captures any decision.
47. Any decision to restrict contact will take into consideration the frequency and nature of the behaviour and actions, and any impact on the staff member's feelings/welfare.
48. With the approval of an appropriate senior manager in the Directorate concerned, the relevant officer will write to the customer with a warning explaining how their behaviour or contact is unreasonable, what they should do to change this, and the actions that the County Council may take if their behaviour does not change.
49. Directorates will maintain a list of senior managers, approved by the Director, and appropriately trained to undertake the role of Appropriate Senior Manager, with authority to impose a CCR. These will consist of Tier 0 to Tier 3 managers.

Second Stage – Imposition of CCR

50. If the behaviour continues, the Appropriate Senior Manager will make a decision as to the action to take. A letter will then be sent to the customer outlining this decision. All letters will include:
 - Why we have taken the decision we have
 - What specific action we are taking
 - The duration of that action (this could be 3, 6 or 12 months)
 - The date the CCR will be reviewed and the end of that duration
 - The circumstances that the CCR could be reviewed in advance of that date (e.g. new relevant information or continued unacceptable actions).
51. A log of the decision made and records of all contacts with the complainant will be kept. This information will be treated as confidential and only shared with those who may be affected by the decision in order them to carry out their role at work.
52. Key information to be recorded includes:
 - Details of the scope of any restriction
 - The extent of the restriction, for example just a particular service, or across all of County Council services
 - Details of the teams/individuals within the County Council to be informed of any restrictions
 - Details of any decision not to put a further complaint from the complainant through the complaint procedure for any reason
 - The timescale of any restriction (this could be 3, 6 or 12 months depending on the circumstances of the case).

53. Any further contact from the customer, for example on a new issue, will be treated on its merits on a case-by-case basis.
54. If a customer is eligible for care and support, then this will be taken into account whilst protecting the staff members concerned and arrangements put in place to mitigate risks to the customer.
55. The CCR will be shared with the services and individuals who have, or are likely to be, impacted by the unacceptable actions of the customer.

Forms that a CCR may take

56. We may:
- Restrict contact in person, by telephone, fax, letter or electronically or by any combination of these.
 - Negotiate a Behaviour Contract with the individual that clearly outlines the expected behaviour and consequences if that standard is not met
 - Specify one form of contact, for example a named officer that the customer may only contact or shared mailbox. No other officers would have direct contact with the customer in this circumstance.
 - Impose restrictions within Outlook that mean that all emails from the customer are automatically forwarded to one place.
 - Advise a customer that they are not permitted on County Council premises or impose conditions on their entry.
57. None of the above actions preclude the County Council reporting behaviour to the Police.
58. Where a customer repeatedly phones, visits, raises the same issues, or sends large numbers of documents where their relevance isn't clear, we may decide to:
- limit contact to telephone calls from the individual at set times on set days
 - restrict contact to a nominated member of staff who will deal with future calls or correspondence from the individual
 - see the individual by appointment only
 - restrict contact from the individual to writing only
 - return any documents to the individual or, in extreme cases, advise the individual that further irrelevant documents will be destroyed
 - restrict contact to a joint mailbox
 - take any other action that we consider appropriate.
59. Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the complainant that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.
60. In exceptional cases, we reserve the right to refuse to consider a complaint or future complaints from an individual. We will take into account the impact on the individual and also where there would be a broader public interest in considering the complaint further, in accordance with the principles and processes outlined in

this Policy.

61. We will always tell the complainant what action we are taking and why.
62. Customers will be advised that their behaviour is giving cause for concern, to provide them with the opportunity to modify their behaviour in advance of any sanction being applied. A written warning informing customers of our policy for dealing with problem behaviours will be sent and will:
- Identify the unacceptable behaviour
 - explain why it is inappropriate
 - explain the steps we have taken
 - advise the customer that, if they do this again, restrictions will be put in place
 - The period that any restriction covers will be made clear to the customer, after which a review of CCR may take place. The continuance of any unacceptable actions will be considered, and a further restriction may be put in place.

Limits of CCR in relation to individual's Statutory Rights

63. Although a CCR may have been imposed on a customer, they may still retain rights to contact the County Council on other issues or exercise their rights in respect to access to their personal information (for example, making a Subject Access Request and other rights under UKGDPR) or make requests for information under the Freedom of Information Act. In cases where the County Council is required by law to provide a service to an individual subject to a CCR, the normal County Council processes should be followed.

Roles and responsibilities

64. When a Council employee makes an immediate decision in response to aggressive or abusive behaviour, the complainant is advised at the time of the incident.
65. When a decision has been made to restrict contact in accordance with this policy, we will always tell a complainant in writing. We will explain why the decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the complainant has a record of the decision. The decision in writing can be supplemented by another form of communication if written communication is not the most appropriate medium for the complainant.
66. Where it is decided to restrict a customer's contact, an entry noting this will be made in the relevant file and appropriate computer records. We record all incidents of unacceptable actions by customers. Again, the decision in writing can be supplemented by another form of communication if written communication is not the most appropriate medium for the complainant.
67. An annual review of the application of this Policy will be undertaken to ensure consistency and share approaches.

Equalities, Diversity and Reasonable Adjustments

68. When implementing this policy, the County Council will make adjustments the County Council deems to be reasonable ('Reasonable Adjustments') for customers that have a disability, where that disability prevents or reduces their ability to respond to, or to engage with this policy.
69. Any restrictions imposed on a customer's contact will recognise and be appropriate to the individual's circumstances.
70. The County Council will give due regard to, where known, the impact of any conditions which do not meet the definition of a disability. However, having a disability or a condition does not mean that unacceptable actions as defined in this policy become acceptable.

Representation and multi-agency approach

71. To assist with de-escalating any unreasonable behaviour on the part of a customer, the County Council will consider whether there are other individuals who may be able to represent the customer in the handling of any issues or complaints they are bringing to the County Council. For example, this could be a family member, friend or support worker. Consideration could also be given, if appropriate, to a multi-agency approach if the individual concerned is receiving support from social services.