



Unreasonable Behaviour Policy & Process (2017)

This policy sets out our approach to instances of unreasonable behaviour exhibited by external individuals or parties as well as our customer service standards and processes for handling these occurrences.

The Trust is committed to dealing with all customers and members of the public fairly, impartially and in a proper and considerate manner. We do not normally limit the contact that customers or the public have with us, whether face to face, by telephone, social media or written. However, we will not tolerate behaviour or communication that is unreasonable and in such circumstances, we will act to protect our staff from that behaviour.

The purpose of this policy is to ensure we provide excellent levels of service whilst protecting our people from behaviour and communication that is unreasonable.

This policy replaces both the Unacceptable Behaviour Policy and the Unreasonably Persistent Complainants Policy.

Status:	Mandatory
Applicable date:	14 August 2017
Responsibility:	Line Managers to ensure all staff are aware of the standard. The Customer Service Manager is responsible for implementation of the process should the need arise.
Policy review	This policy & process will be reviewed every three years, with the first review by August 2020.
Authorised by:	Ian Rogers, Customer Service and Operations Director
Date:	14 August 2017

Customer Service Standards

In support of our Service Standards, our customers can help us to provide an excellent service by:

7. **Dealing with our staff and volunteers in a pleasant manner. We will not tolerate any rude, abusive or threatening behaviour. If this does happen, we will take the appropriate action. We may report any incidents to the police or other relevant authority or consider implementing our Unacceptable Behaviour Policy which could result in restricted access to our services.**

1. What behaviour is considered unreasonable?

Unreasonable behaviour is behaviour or language that may cause staff to feel intimidated, threatened or abused.

Examples may include:

- threats
- verbal abuse
- harassment
- racist and sexist language
- derogatory remarks
- offensive language
- rudeness
- making inflammatory statements
- raising unsubstantiated allegations

2. What communication is considered Unreasonable?

Communication may be considered unreasonable by its nature and/or the scale of service expected.

Examples may include:

- requesting responses within unreasonable timescales
- insisting on speaking with specific members of staff
- adopting a "capture-all" approach by simultaneously contacting many staff members and third parties
- continually contacting us while we are in the process of looking at a matter
- making many approaches about the same matter without raising new issues
- refusing to accept a decision made where explanations for the decision have been given
- continuing to pursue complaints/issues which have no substance or have already been investigated and determined
- continuing to raise unfounded or new complaints arising from the same set of facts

3. The options available

Any decision to restrict access to the Trust will be considered by the Customer Service and Operations Director, who will consult with the Information Officer to ensure that any decision to restrict access to the Trust does not contravene an individual's rights under data protection and/or Freedom of Information legislation, or any other relevant binding regulations, any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- Requesting contact in a particular form (for example, letters only)
- Requesting that contact be ceased for a specified period
- Requesting that communications are civil (i.e. not abusive or inflammatory)
- Requiring contact to take place only with a named person
- Restricting telephone calls to specified days and times
- Asking the person concerned to enter into an agreement about their conduct.

In all cases, we will write to tell the person why we believe his or her behaviour is unacceptable, what action we are taking and the duration that these measures will remain in place.

Where a person continues to behave in an unacceptable manner, we may decide to terminate contact completely, with the exception being where the contact relates to data protection, freedom of information legislation or any other relevant binding regulation.

Where the behaviour is so extreme that it threatens the immediate safety or welfare of our staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant warning of that action.

4. Where a complaint is being (or has been) considered

In all cases where we deem a complainant's behaviour to be unreasonable under this policy we will write to tell the complainant why we believe their behaviour falls into that category, what action we are taking and the duration that action will be applied.

If we decide to apply this policy and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions should continue. Where a complainant, whose case is closed, persists in communicating with us about it, we may decide to terminate contact with that complainant. In any such cases, we will read all correspondence from that complainant about the topic in question, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

5. Process

All incidents should be reported by affected staff member to their line managers who will assess the severity of the incident. If no further action is thought necessary, a record of the incident should be made for future reference by raising a [ZQ notification on SAP](#) and logged within the Trust's CRM system.

Severe or persistent occurrences of unreasonable or unacceptable behaviour should be reported to the customer service manager for assessment. The customer service manager will assess whether to implement this standard and will offer advice on appropriate measures.

To assist and inform the customer service manager, a summary of the Trust's history with the individual and chronology of events and/or correspondence over the matter being considered should be prepared.

Where action is taken and contact is restricted or limited under the terms of this policy, the Customer Service Manager will ensure that the Trust's CRM system is updated and that this informs staff of any contact restriction, the form this will take and how long this restriction is in place. Details on contact restriction will be held within the Trust's CRM system for the duration of restriction but details on why the restriction is in place may not be included. Staff will be trained on how to implement this policy and supported in its delivery.

All records relating to an incident will be deleted after a period of 2 years or in line with the current complaints retention and deletion policy, whichever is soonest.

6. Performance monitoring

It is rare that there is cause to implement this procedure and therefore there is no requirement to audit the process frequently. However, before implementation of the process the Customer Service Manager will ensure the Customer Service & Operations Director concurs with the decision to ensure fairness and transparency of application.

Custodian:

Sarah Knight

Customer Service Manager