

1.0 Introduction

- 1.1 Sometimes people using our services or contacting our employees use behaviour, actions or general conduct that makes it very difficult for us to assist in effectively resolving their issue.
- 1.2 This Policy sets out United Welsh's approach to persons whose conduct is deemed unacceptable. It relates to anyone who has reason to contact an employee of United Welsh.
- 1.3 For ease of reference throughout this document, all types of person who may have reason to contact United Welsh shall be captured by the term 'customer'.
- 1.4 The conduct which may be deemed unacceptable in accordance with this Policy may be exhibited face to face, over the telephone, in writing, by digital means, on social media and by any other method of interaction.
- 1.5 Where we deem a person's conduct to be unreasonable, we take action to protect our employees.
- 1.6 For the avoidance of doubt this Policy does not affect the statutory rights of customers, including those afforded by the Data Protection Act 2018 and associated regulations.

2. Policy aims

- 2.1 To protect employees from verbal, physical or mental abuse, stress, anxiety, alarm or distress caused by inappropriate customer contact.
- 2.2 To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions are considered unacceptable. United Welsh believes that all customers have the right to be heard, understood and respected. United Welsh employees have these same rights.
- 2.3 To provide clear criteria against which contact can be assessed to determine whether it is unacceptable or not, in the circumstances.
- 2.4 Where a decision is made that restricts or prohibits access to services or information provided by United Welsh, the customer will be informed of such, including the reasons for the decision in writing.



3. Equality & Diversity

- 3.1 Where we suspect or have information to confirm that a customer may have a protected characteristic which may influence the way the customer interacts with United Welsh, we shall try to balance the needs of the customers with those of our employees. We will always consider making reasonable adjustments for the customer. However, there may still be occasions where we have to manage or restrict contact.
- 3.2 Where a member of staff has concerns about the risk a tenant may pose to themselves, others or members of staff, the staff member shall follow United Welsh's – 'Application of Vulnerability Indicators Flag Policy' and associated procedure. Said policy and procedure are designed to safeguard tenants and staff alike.

4. Defining Unacceptable Customer Conduct

- 4.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our office for example. United Welsh does not view conduct as unacceptable just because a complainant is forceful or determined. However, the actions of customers who are angry, demanding, aggressive or persistent may result in unreasonable demands or unacceptable conduct towards United Welsh employees.

Aggressive or abusive behaviour

- 4.2 We understand that individuals can be frustrated about issues, such as an unresolved complaint. It is deemed unacceptable if this frustration turns into aggressive or abusive behaviour towards our employees.
- 4.3 Violence, aggression and verbal abuse towards our employees is not tolerated. This can include behaviour or language, whether spoken, written or via social media that makes employees feel extremely uncomfortable, offended, afraid, threatened or abused. Examples may include: threats, personal abuse, offensive remarks or swearing.
- 4.4 Language that is racist, sexist, homophobic or that makes serious allegations that staff have committed criminal or corrupt conduct without evidence is unacceptable. Comments which are aimed at third parties are also deemed unacceptable because of the effect they may have on staff. We also consider inflammatory statements to be abusive behaviour.

General unreasonable behaviour and demands

- 4.5 Individuals may make unreasonable demands, such as the amount of information they request, the nature or scale of the service they expect or the number of approaches they make. If actions start to significantly impact our work – which is to provide services to all of our tenants and customers, we consider them unacceptable. We also consider it unacceptable if complying with the demands would impact on our work. Where an information request may appear to be a Subject Access Request, even where not explicitly so, staff will consult with our Governance Team for advice. The Governance Team will consider the matter having due regard to our Data Protection and Information Policies.
- 4.6 Unreasonable behaviour depends on the circumstances surrounding it and the seriousness of the issues raised by the customer.
- 4.7 Some examples of unreasonable demands or behaviour may include:
- refusing to accept explanations of what we can or can't do and investigate;
 - insisting that an issue be dealt with in ways incompatible with our standard operating procedures, processes or policies, or which aren't good practice;
 - making unjustified or unfounded complaints about staff dealing with the issues, and trying to have them replaced;
 - changing the basis of the issue or complaint as our investigation is carried out;
 - introducing irrelevant new information at a late stage;
 - raising many detailed but unimportant questions and insisting they are all answered;
 - secretly recording meetings and telephone conversations;
 - submitting untrue or false documents;
 - raising repeat complaints with minor changes or additions that the customer insists are 'new' complaints;
 - continuing to chase a case or issue with us once we have closed it;
 - repeatedly arguing points without new evidence;
 - repeatedly demanding we respond within an unreasonable timescale;
 - demanding to see or speak to a particular member of staff when it has been conveyed that it is not possible or considered appropriate;
 - insisting on a face to face meeting when we do not consider it necessary;
 - visiting our offices without an agreed appointment after being advised not to do so

Please note the above list is not exhaustive.



Unreasonable persistence

- 4.8 Sometimes the volume and duration of contact made by a customer can cause significant problems. This can happen over a short period, such as one day, over the life-span of a complaint or issue, or the life-span of a tenancy as a whole.
- 4.9 We consider that the level of contact from a customer is unacceptable when the amount of time and or resource, responding to an individual impacts our ability to deal with their complaint or issue, or, just as importantly, the provision of services to our other customers.
- 4.10 We also consider that the level of contact from a customer is unacceptable when it is grossly disproportionate to the issue at hand.

Refusal to cooperate

- 4.11 To investigate or deal with an issue, we often need the customer to work with us. This could be providing further information or comments or helping us summarise their concerns.
- 4.12 Where an individual repeatedly refuses to cooperate, making it difficult for us to progress a complaint or investigate or resolve an issue, we deem this as unacceptable conduct. Customers must respond to reasonable requests from us, in pursuit of resolving the issue at hand.
- 4.13 We will of course always try to assist someone if they have specific, genuine difficulty in completing a request and will discuss with them our position if the customer feels our requests are too onerous or unnecessary.

Unreasonable use of our complaints process

- 4.14 If a customer has a complaint about our service, they have a right to state their concerns through a range of means. This contact becomes unreasonable when the purpose of the repeated complaints is to harass or to prevent us from following a legitimate aim or from applying a legitimate decision.

5. Managing unacceptable conduct by customers

- 5.1 We reserve the right to take action when unreasonable customer conduct adversely affects our employees or our ability to provide services to other customers (i.e. our functionality).



- 5.2 We are committed to ensuring that any action we take is proportionate in the circumstances and the minimum required to solve the problem. We will take relevant personal circumstances into account, including the seriousness of the complaint and the needs of the individual.
- 5.3 There are a number of steps that we may take due to unacceptable conduct towards our employees, depending on the way contact is made and the type of unacceptable behaviour/conduct.

Phone calls

- 5.4 If our employees experience unacceptable behaviour over the phone, they have the right to place the caller on hold or end the call. If they are ending the call, our staff will tell the caller why their conduct is considered to be unacceptable and give the caller the chance to change their behaviour.
- 5.5 If the caller chooses to carry on acting in a way considered unacceptable, our employees will advise the caller that the call will be ended if they don't change their behaviour. If the caller still does not change their behaviour, our employees can terminate the call.
- 5.6 If a caller's behaviour is thought to be extreme, for example if they make threats of violence, our employees can end the call without warning. In certain incidents, we may report incidents to the police. This will be the case if physical violence is threatened.
- 5.7 If there are multiple instances of unacceptable behaviour and it continues, we may apply more permanent restrictions.

Correspondence

- 5.8 Our employees do not have to tolerate unacceptable behaviour in any correspondence, including letter, email and via social media.
- 5.9 If there is a legitimate request for information in the communication, a Subject Access Request for example, we will endeavour to provide that information however we will advise the individual to change their behaviour in future contact as it is considered unacceptable.
- 5.10 If no legitimate request for information is included in the correspondence (for example in a social media post), our employees do not have to respond to abusive contact. We may contact the individual to tell them their behaviour is unacceptable and to modify their conduct and language in future, should they wish to receive an appropriate response from us.

- 5.11 Communication that includes physical threats to staff or serious allegations without proper evidence will not be accepted and may be referred to the Police.
- 5.12 In all cases of unacceptable communication, we reserve the right to contact the individual explaining why the behaviour is deemed unacceptable, advising the customer that their behaviour must change for future contact. If the behaviour is not changed, we will consider permanent restrictions.

Face to Face/Contact in person

- 5.13 Whenever our employees are confronted with unacceptable customer behaviour, they will always remain professional and respectful. We may challenge such behaviour at the time only where the employee deems it safe and appropriate to do so.
- 5.14 Where it is not appropriate to challenge such behaviour at the time, the customer may be formally written to, or referred to the Police, depending on the type and severity of the customer conduct.

6. Actions we may take

- 6.1 If we consider a person's behaviour or actions unacceptable, we may decide to restrict or manage contact from them. We may:
- limit future contact to a particular method
 - advise how often we can be contacted
 - allow contact to a specified staff member only
 - require that contact be made to us via a third-party representative (e.g. a family member, friend or support worker)
 - return documents - in extreme cases, tell the person that further irrelevant documents will be destroyed
 - read and file future contact, but only respond if a new complaint is made or new information is provided
 - end or suspend the person's complaint - in extreme cases, we may refuse to consider future complaints from the individual
 - take any other action we believe is appropriate, including ending all contact with the person
 - report the incident to the Police or any other appropriate statutory authority
 - apply a sanction or enforcement action upon the tenancy as set out in our Anti-social Behaviour Procedure
 - where a customer has exhausted our internal complaints procedure and remains dissatisfied with our conclusion or the outcome – they shall be referred to the Public Services Ombudsman and informed that we will no longer correspond with them in relation to said complaint
- 6.2 Statutory Rights are unaffected.



7.0 The decision process

- 7.1 United Welsh 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 in line with this policy.
- 7.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with United Welsh are only taken after careful consideration of the situation by a manager within the organisation. Wherever possible, we will give a customer the opportunity to modify their behaviour or action before a decision is taken.
- 7.3 Customers will be informed in writing of our decision, the basis upon which it was made and for how long the decision, and hence sanction, will last. We can inform the customer by a means of their choice upon request.

8.0 Appealing our decision

- 8.1 Where we inform a customer that we will no longer communicate with them, or restrict or manage their contact with us, they will also be informed about their right to appeal.
- 8.2 Appeals must be made in writing within 10 working days of our decision restricting contact.
- 8.3 If a customer is unable to write or would prefer to make a verbal appeal – this will be arranged via the phone. Only points relating to us restricting contact will be considered.
- 8.4 Potential grounds for appeal may include:
- where the customer believes their conduct was not unacceptable;
 - the restrictions were disproportionate to the incident; or
 - the restrictions have disproportionately and negatively impacted the individual because of specific personal circumstances
- 8.5 The appeal shall be considered by a manager within the organisation, who had no direct knowledge or involvement in the original decision, within 10 working days of receipt.
- 8.6 The Manager considering the appeal may quash, vary or uphold the original decision and will notify the appellant within 5 working days of their decision (typically in writing).



9.0 Recording and reviewing a decision to restrict or prohibit contact

- 9.1 United Welsh records all incidents of unacceptable actions by customers. Where it is decided to restrict or prohibit contact, an entry noting this is made in the relevant file and on our housing management system.
- 9.2 A decision to restrict complainant contact will be reconsidered at the expiry date or review date of the original decision or at an earlier juncture, should the customer have displayed good conduct over a period of time.
- 9.3 If or when the contact arrangements are changed, the customer will be notified accordingly.

10. Subsequent Contact

- 10.1 Where customer contact has been prohibited, but they contact us with a new complaint or issue, the matter will be referred to the relevant Head of Service or Director to decide whether to engage with the customer about the issue.

11.0 Equality Impact

- 11.1 An equality impact assessment has been undertaken on review of this procedure and is available on request.