

Restricted Access – Managing Unacceptable Customer Behaviour Policy



1. Introduction

This policy is required as on occasion we may need to respond to customers who behave in an unacceptable or unreasonable way. It sets out Clarion's approach to managing unacceptable customer behaviour whilst ensuring customers are treated fairly and with respect.

2. Purpose and scope

All of our customers must be treated fairly and with respect. We aim to be open and transparent with our customers by keeping them informed and managing expectations.

Sometimes our customers' demands or expectations may exceed Clarion's ability to deliver, and in some cases the behaviour or actions of individuals makes it difficult for us to deal with their issue(s).

When this happens, we need to consider the impact on our ability to do our work and provide a service to other customers. This policy sets out how we respond to unacceptable customer behaviour in a fair and consistent way.

This policy applies to all customers, including those who do not live in a home rented or managed by Clarion.

3. Objectives

This policy aims to ensure we:

- Understand our customers' behaviour
- Have a consistent approach to managing customers' behaviour we consider to be unacceptable, sharing the reasons for this with the customer
- Treat all customers fairly, honestly and with professionalism at all times. We recognise that they have a right to be heard, understood and respected
- Take appropriate action in the event we need to restrict a customer's contact with us.

4. Understanding customers' behaviour

We do not view behaviour as unacceptable just because someone is assertive or determined. There may have been upsetting or distressing circumstances leading up to a customer approaching Clarion and people may act out of character.

However, the actions of some customers who are angry or unreasonably persistent may result in unacceptable demands or behaviour towards our staff. We will take appropriate action to manage such behaviour. We have grouped behaviour under four headings:

- Excessive contact
- Multiple unsubstantiated
- Abusive contact

- Other.

4.1 Excessive contact

This may be where a customer makes repeated phone calls to us; sends excessive emails, letters or social media messages and takes up a disproportionate amount of time and resources.

4.2 Multiple unsubstantiated

This occurs when there is persistent and unreasonably repeated contact regarding a matter or allegation(s) that lack substance.

When there are concerns regarding excessive, repetitive or continual behaviour, the relevant manager must consider all the circumstances of the situation and decide whether it is reasonable and proportionate to restrict contact.

4.3 Abusive contact

It is important we understand the difference between anger and aggression/abuse. For example, many customers may feel angry about the events that resulted in them contacting us and have a right to ensure we are aware of how this makes them feel, however it is not acceptable for anger to escalate into aggression/abuse towards our staff.

Aggression/abuse isn't restricted to acts that may result in physical harm. It also includes behaviour or language that, regardless of the intention of the customer, may cause staff to feel afraid, threatened or abused. Examples of aggressive/abusive behaviour include but are not limited to:

- Threats
- Physical violence
- Personal abuse
- Derogatory or discriminatory remarks
- Repeated rudeness such as shouting and swearing

We also consider inflammatory statements and unsubstantiated allegations to be aggressive/abusive behaviour.

Abusive contact can take place in person or over the telephone, email or other forms of contact.

4.4 Other

Unreasonable behaviour or demands. What amounts to an unreasonable demand is dependent on the circumstances and the seriousness of the issues raised by the customer. Examples of this behaviour include, but are not limited to:

- Continuing to contact us about the same issue when due process has been applied; the issue has previously been escalated through all stages of our complaints or appeals process and the customer has been informed of their right to take their complaint to the Housing Ombudsman
- Asking for responses, tasks, or repairs to be completed within an unreasonable timescale
- Insisting on communicating with a particular member of staff without good reason or after having been explained to that this may not be possible
- Repeatedly changing the substance of the request or raising unrelated concerns

We also consider actions that have been taken with clear intent to cause harm to our staff as unreasonable behaviour.

5. Managing customers' unacceptable behaviour

How we manage unacceptable behaviour will depend on the nature and extent of it. In the first instance, we should always give the customer opportunity to modify their behaviour. If the behaviour continues then we will consider whether to restrict their contact with us.

We must always maintain at least one form of contact with customers and make provision for the reporting of emergencies.

Before restricting a customer's contact, we will consider any vulnerabilities or additional needs before deciding on which restriction to use. This is to ensure we don't restrict the customer to a contact method they cannot comply with e.g. due to disability or language needs. Where a customer's behaviour is considered unacceptable, we may restrict contact in the following ways:

- Only take calls from the customer at set times/days and/or allocate a specific member of staff to deal with calls or correspondence
- Request the customer makes appointments to see a named member of staff only
- Request the customer contacts us only in writing (when agreed that they can only contact us by letter, we may also wish to stipulate the maximum number of words per letter if deemed necessary)
- Advise the customer of our frequency of response (e.g. once a week) regardless of the number of their communications
- Advise the customer that we will only respond to new issues; for anything they have brought up before, we will acknowledge the issue but refer them to our previous response
- Another way we consider reasonable in the circumstances.

Any restrictions put in place need to be kept under continued review as correspondence continues with the customer.

6. Right to appeal

As part of the notification procedure, all customers who have their access restricted should be given the opportunity to appeal the decision to impose the restriction in writing. The method for appeal should be set out in the letter advising them of their restricted contact and whether there will be a single point of contact in place.

7. Legal remedies

If a restrictive access process is put in place and the customer fails to adhere to the restrictions, the matter may be referred to Legal Services for further advice and/or to consider the legal options available to control continued unacceptable behaviour. If the behaviour is abusive and/or a breach of tenancy we will open an appropriate Anti-Social Behaviour (ASB) or Tenancy Breach case.

8. Roles and responsibilities

Any staff member can make a request to restrict a customer's contact with us providing they have their manager's authorisation and have provided supporting evidence to demonstrate compliance with this policy and its associated procedure.

Tenancy Specialist teams are responsible for managing the restricted access process, reviewing requests, making a decision on appropriate restrictions, updating our electronic records and communicating with customers.

The Housing Projects team is responsible for reviewing and updating this policy periodically.

9. Monitoring and compliance

Compliance with this policy is monitored using monthly reports of restricted access processes which track review dates, reasons and restrictions imposed.

Tenancy Specialist managers are responsible for approving all restrictions and ensuring that the policy and procedure has been followed as well as auditing a sample of cases each month and discussing cases at one-to-one meetings with staff members.

10. Associated documents

- Restricted Access: Managing Unacceptable Customer Behaviour Procedure
- Risk to Staff Procedure
- ASB Policy and Procedure
- Taking Legal Action Policy and Procedure
- Vulnerable Residents Policy and Procedure.

Version number: 2

Date effective: July 2024