

Unreasonable Customer Behaviour Policy

What is unreasonable customer behaviour and how do we respond to it?

1. Policy Statement

This Policy outlines how Yorkshire Housing (YH) and Space Homes manage customers or their representatives whose actions or behaviours are considered as unreasonable.

We take a zero-tolerance approach to unreasonable behaviours. All complainants have the right to be heard, but our colleagues also have the right to be protected against unreasonable actions or behaviours.

We aim to manage unreasonable customer behaviour if it impacts substantially on our work due to an excessive and unreasonable amount of information sought, the nature and scale of service expected, or the regularity or number of approaches made.

First and foremost we want to resolve complaints for our customers. Any legal action will be a last resort.

YH colleagues should use this policy in conjunction with the customer feedback policy and the internal unreasonable customer behaviour guide.

2. Policy Aims

This Policy aims to set out clearly:

- What is considered as unreasonable customer behaviour.
- Our approach to managing unreasonable customer behaviour.
- How a customer can appeal a decision.

3. Policy Detail

We offer a simple, accessible and fair way for customers to provide feedback and raise complaints. Customers are also informed of their rights to contact the Housing Ombudsman Service. This is outlined in the customer feedback policy. However, on some occasions these complaints are raised in a manner that is simply unreasonable.

Some customers who contact us are so angry, demanding / or persistent that their behaviour results in unreasonable demands on colleagues and resources. This can have a substantial impact on our ability to provide a service to all YH customers and prevent us reaching a satisfactory resolution of a formal complaint.

Examples of this behaviour include:

- asking for responses within an unreasonable timescale.
- insisting on communicating with a particular colleague.
- continual phone calls, emails, or letters.
- repeatedly changing the substance of the complaint or raising unrelated concerns.
- refusal to co-operate with the complaint investigation process while still requesting a complaint be resolved.
- persistent refusal to accept a decision.
- persistent refusal to accept explanations relating to what YH can or cannot do.
- continuing to pursue a complaint case without presenting any new information.

Non-Yorkshire Housing customers

In cases where the person behaving in an unreasonable way is a non-YH customer, we could still take informal and formal action as outlined in Step 1 and Step 2 below. Any further steps, including any legal action, would be decided on a case-by-case basis.

What is unreasonable customer behaviour?

The following behaviours would be considered unreasonable by YH:

- Vexatious behaviour.
- Aggressive or abusive behaviour.
- Unreasonable demands.
- Unreasonable persistence.

What we mean by vexatious behaviour

Someone who's acting to cause unnecessary conflict or annoyance rather than to resolve a dispute.

What we mean by aggressive or abusive behaviour

Any behaviour or language (verbal, physical or written, including social media) that causes colleagues to feel upset, afraid, threatened or abused.

This includes:

- Threats, physical violence, shouting, swearing, personal insults, rudeness, condescending, derogatory and discriminatory remarks.
- Inflammatory statements, malicious or slanderous comments, unsubstantiated allegations and being deliberately obstructive.
- Cyberstalking of a colleague, recording conversations with colleagues or sharing / publishing personal information via any communication channel about a colleague without permission.
- Any form of harassment, including but not limited to harassment on the grounds of age, gender, race, colour, religious belief, physical or mental disability, sexual orientation, culture, ability or lifestyle.
- Any act that constitutes as a hate crime.

What we mean by unreasonable demands

Any behaviour that places unreasonable demands on colleagues and services. This includes:

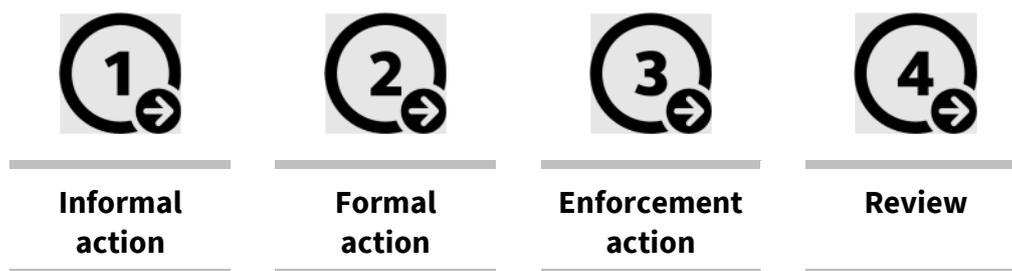
- Demanding responses or actions within an unreasonable timescale.
- Insisting on only communicating with a particular colleague or excessive contacts through any channels.
- Repeatedly changing the substance of a complaint, raising unrelated concerns or raising issues that have been previously investigated and responded to through the formal complaints process.
- Raising multiple issues with the express purpose of creating unreasonable demands, or to deliberately expose service failures.

What we mean by unreasonable persistence

Unreasonable and persistent behaviour that stops us from progressing a formal process and or adds to the unreasonable demands from a customer. This includes:

- Persistent refusal to follow correct procedures, accept a decision made or explanations related to our decisions or actions.
- Persistent and unreasonable expression of dissatisfaction about a particular issue, through any channel, without first allowing us to conclude a process, such as the formal complaints process.
- Continuing to pursue an issue that is considered resolved or closed without presenting new information.
- Adopting a 'scatter gun' approach by unreasonably pursuing different complaints on the same issue with various colleagues, services and other agencies.

Our Approach to Managing Unreasonable Customer Behaviour



Step 1 – Informal action

We'll firstly take steps to address cases of unreasonable customer behaviour in an informal way.

Step 2 – Formal action

If the informal Step 1 does not stop the unreasonable customer behaviour; we'll take steps to address this formally. This could include offering to meet with the customer, carrying out a full investigation into the case, restricting customer contact and adding a flag to our internal systems so that colleagues are aware of the unreasonable behavior and agreed actions that should be taken .

Step 3 – Enforcement action

A continuation and or escalation of unreasonable customer behaviour following Step 2 is considered as anti-social behavior and a breach of tenancy. As such, we'll take what we consider to be the most appropriate legal remedy in each case. This could be a housing caution or an injunction order.

Step 4 – Review

Any outcome that includes a restriction to the way that the customer can contact us will also have a review period; decided on a case by case basis. At the end of the review period, the case will be re-assessed and the customer contacted in writing to let them know the outcome of the review.

Immediate Actions for dealing with Aggressive or Abusive Behaviour

The threat or use of physical violence, verbal abuse or harassment towards colleagues will result in immediate actions being taken to minimise the risk of harm. These include but are not limited to; immediately leaving the customers home or scene of the incident, ending a phone call and or contacting the Police if necessary.

Restricting Customer Contact

At any point, we could decide to restrict the way a customer can contact us. This will be considered by the relevant head of service.

Appeals

A customer can appeal any formal decision made in the process. They can do this by contacting the colleague managing the case within 20 working days of receiving the outcome letter, either verbally or in writing. We'll acknowledge the appeal within five working days of receipt and send the appeals process guide to the customer. The appeal panel can make the following decisions:

- **Uphold the appeal:** Agree that the actions taken and/or restrictions put in place are neither justified nor proportionate. In this case the restrictions will be removed.
- **Partially uphold the appeal:** Agree that the actions taken and / or restrictions put in place are disproportionate. In this case, alternate actions and / or restrictions will be agreed.
- **Not uphold the appeal:** Agree that the actions taken and / or restrictions put in place are justified and proportionate and therefore still stand.

The Housing Ombudsman Complaint Handling Code

YH follow the requirements in the Housing Ombudsman Complaint Handling Code and carry out ongoing self-assessment of The Code with the support of the Customer Complaints Forum. The Code expressly states that:

- Landlords should have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.
- Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.

More Information on the Complaint Handling Code can be found [here](#).

New Homes Ombudsman Service

We also follow the requirements in the New Homes Quality Code where customers of new build outright sale homes have access to the New Homes Ombudsman Service. More information about this can be found [here](#).

Data Protection

All personal information is processed in line with the requirements of the General Data Protection Regulations (GDPR) and Data Protection Act 2018. Details of customers who have had an alert flag / actions for the unacceptable customer behaviour applied to their account will only be retained for the length of time it has been agreed that the restriction will be in place and in accordance with YH's Retention Schedule.

4. Diversity and Inclusion Implications

Full consideration has been given to equality and diversity implications in connection with this policy. The group that this policy could impact the most are customers who have a disability and in particular a mental health disability. This has been taken into account in Step 1.

At Step 1 a customer's individual circumstances will be considered, including any support needs or any reasonable adjustments (ref. Reasonable Adjustments Policy) which may be required. We'll also support the customer to find a suitable independent advocate if needed, especially if the customer has specific support needs.

5. Reporting and Monitoring

This Policy is reviewed every three years and approved by the Homes and Places Committee.

Date approved	30 th October 2023
Approved by	Homes and Places Committee
Recommended / scrutinised by	Customer of the Your Voice Matters group and colleagues
Summary of changes	The policy has been designed to be clearer and easier to understand. Procedure elements have been moved in the YH Unreasonable Behaviour Process and Guide.
Frequency of review	Every three years
Next review date	October 2026
Policy owner	Head of Customer Service Delivery
Policy author	Customer Insight and Engagement Manage
Associated policies or guidelines	Customer Feedback Policy
Associated procedure	YH Unreasonable Behaviour Process and Guide