

# **Essex County Council**

## **Repetitive, unreasonable and persistent customer behaviour**

**Guidelines for managing abusive, unreasonable or persistent complaints, complainants and customers**



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# 1. Introduction

Most people who contact Essex County Council behave in a reasonable and courteous manner even when they feel they have just cause to be upset or angry, with only a small minority behaving unreasonably by adopting a repetitive, persistent or abusive approach.

Customers contact us for many reasons to seek clarification, request a service or complain when they believe something has gone wrong. When it is necessary for any individual to contact us Essex County Council is committed to ensuring everyone is treated fairly and respectfully and welcomes feedback from our customers to assist us in identifying any necessary improvements to the services we deliver.

This guidance is written in line with the Council's Complaints Policy and sets out how we manage repetitive unreasonable behaviour to avoid any detrimental effect on the overall well-being of our employees and to avoid any disruption to any of the services delivered by the Council. Under the Management of Health and Safety at Work Regulations 1999, the Council has a duty of care for the safety and well-being of all its employees and whilst all individuals contacting the Council will be treated with courtesy and respect, the Council expects its staff to be treated in the same way.

- <https://www.essex.gov.uk/complaints>
- <http://www.legislation.gov.uk/ukxi/1999/3242/contents/made>

## 2. The purpose of this guidance is to:

- Explain the behaviours that are not acceptable to the Council.
- Ensure our employees have a safe environment without being negatively affected by those who behave unreasonably.
- Enable Council employees to confidently and effectively manage unreasonable and/or persistent behaviour.

### **3. Who this guidance applies to:**

This guidance applies to all members of the public and all those who deal with the Council.

### **4. Identifying unreasonable/persistent behaviours:**

Customers may have justified complaints or grievances which will be managed in line with Essex County Council's Complaints and Representation Policy. However, where a customer's previous or current contact with the Council becomes repetitive, they may be deemed to be persistent, unreasonable and/or abusive where they meet any one or more of the following:

- Consistently refuses to co-operate with the complaints process.
- Repeatedly refuses to accept that issues are not within the power of the Council to investigate, change or influence.
- Makes repetitive, persistent and unreasonable demands that are not achievable or realistic.
- Verbally abuse or intimidates our employees.
- Adopts an excessively 'scattergun' approach by contacting different officers and Councillors at the same time causing duplication and confusion.
- Makes the same complaint repeatedly after the complaints process has concluded refusing to refer to the Ombudsman for an independent view.
- Repeatedly refuses to accept documented evidence as factual.
- Persistently complains about or challenges an issue based on an historic and irreversible decision or incident.
- Places excessive demands on the time and resource of our employees whilst an enquiry or complaint is still being considered.
- Makes malicious or unfounded allegations about our employees.

### **5. The following are examples of threatening and abusive behaviour:**

- Harassment
- Swearing, offensive or foul language
- Inappropriate comments relating to ethnicity, gender, religion and sexuality
- Threats
- Intimidation

## **6. How the Council manages repetitive unreasonable and persistent behaviour:**

The Council will not accept threats or abuse made towards any of its employees and in extreme cases such incidents may be reported to the police. Where repetitive unreasonable, persistent or abusive behaviour has been determined, the Council will consider undertaking the following actions:

- Implement a temporary access restriction whereby the individual may only contact the Council via one designated route such as a generic email address or telephone number
- Provide the individual with a temporary single point of contact within the Council
- Limit the number and duration of an individual's contact by stipulating set times per week / month they may contact the Council
- Advise the individual in writing that the matter has become exhausted and all further correspondence will be read but in the absence of any new or additional information this will be logged only
- Terminate telephone calls where an individual is aggressive, abusive or offensive; a warning will be given before terminating a call
- Ban access to Council premises
- Consider legal action if appropriate

## **7. Implementing an access restriction:**

The decision to implement any access restriction is taken by Compliance and Complaints Manager within Statutory and Regulated Customer Services using evidence of the customer's behaviour.

Whenever it is necessary to introduce an access restriction, the individual is notified in writing (email or letter) informing them of the action to be taken and the proposed review date.

## **8. Review of the decisions:**

Reviews are held on a regular basis, dependent on the case may be every 2, 3 or 6 months, and consider the individual's behaviour during the access restriction period and whether it is appropriate to extend the restriction for a further period or allow the individual to continue to contact the Council through all available channels.

## **9. Privacy and Data Protection:**

If you would like full details on how Essex County Council uses personal data, please go to-and <https://www.essex.gov.uk/privacy>

This information is issued by  
**Essex County Council**  
**Customer Services**

Contact us:  
<http://essex.gov.uk/complaints>

**03457430430**

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