

## Appendix 1 – Management of unreasonably persistent and vexatious behaviour

In a minority of cases people may pursue their service requests or complaints in a way that is unreasonable. They may behave unacceptably, or be unreasonably persistent in their contacts and submission of information.

This can impede how the Council

- manages their request for service (or service requests by others)
- investigates their complaint (or complaints by others)

This behaviour can have significant resource issues for organisations. These actions can occur

- outside of the formal NKDC Customer Feedback process
- while a formal complaint is being investigated, or
- once a complaint investigation has finished

This appendix to NKDCs Feedback policy covers ‘unreasonable behaviour’, which may include one or two isolated incidents, as well as ‘unreasonably *persistent* behaviour’, which is usually a build-up of incidents or behaviour over a longer period and may be affecting more than one officer or service.

Examples of unreasonable demands include but is not limited to:	Examples of unreasonable persistence include but is not limited to:
<ul style="list-style-type: none"> <li>• Demanding responses within an unreasonable time scale</li> <li>• Insisting on seeing or speaking to a particular person</li> <li>• Continual phone calls, letters, emails, visits</li> <li>• Repeatedly changing the substance of the contact or raising unrelated concerns</li> <li>• Further demands relating to a specific issue where the corporate Customer feedback policy has already been followed</li> </ul>	<ul style="list-style-type: none"> <li>• Persistent refusal to accept a decision made</li> <li>• Persistent refusal to accept explanations as to what the council can and cannot do</li> <li>• Continuing to pursue a matter (for example complaint) without providing new information.</li> <li>• Further demands relating to a specific issue where the corporate Customer feedback policy has already been followed</li> </ul>

Some people may have justified service requests or complaints but may pursue them in inappropriate ways. Others may pursue complaints which appear to have no substance or which have already been investigated and determined. Their contacts with NKDC may be amicable but still place heavy demands on staff time, or they may be emotionally charged and distressing for all involved.

Situations can escalate, and sometimes customers can become abusive, offensive, threatening or otherwise behave unacceptably. In response NKDC may have to restrict access to its premises or staff, or accordance with its own procedures protecting their staff from harassment and harm.

## **Warnings**

In most instances when we consider someone's behaviour is unreasonable we will explain why and ask them to change it. We will also warn them that, if the behaviour continues, we may take action to restrict their contact with our offices.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of our staff we may report the matter to the police or consider taking legal action. In such cases, we may not give the complainant prior warning.

## **Restricting access to Council services**

If, following a warning, the unacceptable behaviour continues it may be appropriate to restrict access. A written communication will be made to the customer of the decision explaining

- why the decision has been made
- how long any restriction will apply for before it is reconsidered.

The sort of restrictions imposed could include:

- Placing time limits on telephone conversations
- Restricting number of telephone calls (specified times eg morning or afternoon per week).
- Limiting customer to one method of contact e.g. phone, letter or e-mail.
- Requiring the customer to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness.
- Refusal to register and process further service requests/complaints about the same matter.
- Banning a complainant from some or all of the authority's premises.
- Other suitable options will be considered in the light of the customers circumstances or additional needs

In cases where the authority believes the complainant has committed a criminal offence (e.g. assault on staff or criminal damage), where assault is threatened, or where the complainant refuses repeated requests to leave the authority's premises, the Police should be involved.

Where a decision has been made and conveyed to complainant, and future correspondence comes back from customer, NKDC are entitled to only provide a response stating that correspondence has been read and placed on file.

## **Subsequent actions**

Adequate records of all contacts with unreasonable and unreasonably persistent complainants will be required to be kept and this will be managed and by the Customer Engagement Manager

Reviews will take place on a 6 monthly basis.

- If the customer is still in contact about the same matter, the Customer Engagement Manager will review whether the restrictions imposed are still necessary and should remain.
- If restrictions are removed and new contacts from people whose behaviour has previously been deemed unreasonable are received, they will be treated on their merits. Restrictions imposed in respect of an earlier complaint will not automatically apply to a new matter.