



**THE CONSUMER COUNCIL
UNREASONABLE BEHAVIOUR POLICY**

Our Aim

The Consumer Council works hard to be open and accessible and aims to provide a free, independent, and impartial service to all consumers in Northern Ireland.

However, the behaviour or actions of some consumers can make it difficult for us to deal with their complaint, as their conduct can go beyond what is acceptable. When this happens, we must take action to protect our staff and we also must consider the effect of this behaviour on our ability to do our work and provide a service to others.

What is Unreasonable Behaviour?

The Consumer Council understands that people may act out of character in times of trouble or distress. The circumstances that led to the complaint or the stress and inconvenience caused in trying to resolve it can result in the person becoming frustrated, angry, and upset.

However, it is unacceptable if this frustration turns into aggressive or abusive behaviour towards our staff. Violence, aggression, and verbal abuse towards our staff is not tolerated. This can include behaviour or language, whether spoken, written or via social media that makes staff feel offended, afraid, threatened, or abused. For example, threats, personal abuse, offensive remarks or swearing. We also consider inflammatory statements to be abusive behaviour.

Tolerating Unreasonable Behaviour

The Consumer Council will tolerate **two contacts that we deem unacceptable** from a consumer.

The first instance of unacceptable behaviour will be highlighted to the individual by the Consumer Council and asked to stop. This should be viewed as a formal warning and will be recorded on our electronic customer database (CRM system). Should this unacceptable behaviour continue, then the second instance will result in this policy being instigated.

General unreasonable behaviour and demands

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 impacting on our work, we consider them unacceptable. We also consider it unacceptable if complying with the demands would impact on our work.

Unreasonable behaviour depends on the circumstances that surround it and the seriousness of the issues raised by the consumer. Some examples of unreasonable demands or behaviour:

- refusing to accept explanations of what we can or can't do and investigate;
- insisting the complaint be dealt with in incompatible ways with our process, or in ways which aren't good faith;
- making unjustified complaints about staff dealing with the issues, and trying to have a staff member replaced with another investigator or manager;

- changing the basis of the 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;
- submitting untrue or false documents;
- raising repeat complaints with minor changes or additions that the consumer insists constitute 'new' complaints;
- continuing to chase a case with us once we have closed it;
- repeatedly arguing points without new evidence;
- repeatedly demanding we respond within an unreasonable timescale
<https://www.consumercouncil.org.uk/about-us/who-we-are/complaints-procedure>
- demanding to see or speak to a particular member of staff when it is not possible or necessary;
- insisting on a face-to-face meeting when we do not consider it necessary;
- visiting our offices without an agreed appointment.

Please note that this is not a complete list and is just a broad example of some of the actions and behaviours we consider unacceptable.

In summary, for the Consumer Council, there are three key areas of unreasonable behaviour:

1. aggression, rudeness, abuse, and threats;
2. excessive unreasonable persistence or unreasonable levels of contact with, or harassment of, our staff; and
3. making unreasonable demands.

It is important to note that what matters is how the person you are being unreasonable towards is made to feel, not whether your behaviour was intended.

1. Aggression, Rudeness, Abuse and Threats

Unreasonable behaviour (including aggression, rudeness, abuse, and threats) will not be tolerated. Examples of unreasonable behaviour include:

- Rudeness - swearing (generally or directed at a member of staff), persistent interruption, name calling or general discourtesy.
- Anger - shouting.

- Aggressive behaviour - threats including threats of physical harm to person(s) or property; behaviour which indicates that harm to person(s) or property is imminent or actual physical aggression.
- Insulting or disparaging remarks or comments, including protected characteristics insults.
- Inflammatory remarks or personal remarks directed at a member of staff.
- Persistent, unreasonable demands.

These are examples and not a definitive list of unacceptable behaviours. There are other behaviours not included in the above which may constitute unacceptable behaviour.

Anyone displaying such behaviour through any channels of communication i.e., telephone, face to face and digital methods of contact, may be told:

- that communication will be terminated unless more moderate language is used;
- that threats are unacceptable and may be reported to the police; and
- that rude and intemperate correspondence may not be answered or returned - and if online it will be taken down, reported and potentially blocked.

In some instances, special contact arrangements may be implemented.

2. Unreasonable Levels of Contact or Harassment of Staff

If unreasonable or persistent levels of contact with staff occur, the Consumer Council is ready to say 'no'.

For example, the Consumer Council can advise that a complaint will not be considered any further, an unproductive telephone call will be terminated, or no further correspondence will be answered. The consumer may also be advised that their issue is best dealt with by another organisation.

Examples of unreasonable levels of contact include:

- Being unreasonably persistent, for example, contacting us frequently to raise points already addressed, seeking explanations for matters we've already explained, or to ask questions which we are actively trying to address.
- Sending us voluminous repetitive or irrelevant correspondence.

There is no set period for being unreasonably persistent as the nature of the persistence will inevitably vary. This will be reviewed on an on-going and case-by-case basis.

Reviews of decisions to restrict contact with a consumer, or the Consumer Council's responses to the consumer, will be carried out at management discretion, or at least every six months by management. If no further contact has been received from the complainant over a period of six months, consideration may be given to lifting the restrictions. This will be at management discretion.

3. Unreasonable Demands

The Consumer Council has a responsibility to manage the expectations of consumers who contact us regarding complaints. We will always endeavour to let consumers know from the outset what can and cannot be achieved.

If a consumer repeatedly raises issues that are beyond the Consumer Council's remit or scope, insists that more time be spent on a complaint than is warranted or directs the Consumer Council on how to handle the complaint, we will consider these demands to be unreasonable.

Dealing with Unreasonable Behaviour and Demands

If we consider a person's behaviour or actions unacceptable, we may decide to restrict or block contact from them. We may:

- limit future contact to a particular form or advise how often we can be contacted;
- allow contact to a specified staff member only;
- 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 given;
- 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.

Decision process

Except in extreme cases, such as a person making physical threats to staff in which case where we end contact immediately, our decisions to restrict contact are carefully considered by a member of the management team. We will give the individual the opportunity to change their behaviour via our first warning.

Communicating our decisions

When we end contact immediately due to aggressive or abusive behaviour, the person is told at the time of the incident. We will always tell the person (in their preferred method of communication) why we have decided to restrict future contact, the arrangements and how long the restriction will be in place. In some instances, this may not be possible, for example if the abuse is via social media, then we will simply remove the post.

Actions that will be taken

Where a consumer behaves unreasonably during a telephone call to a member of staff, we will ask them to change their behaviour. If they persist in doing this, we will warn them that we will terminate the call and if they persist, we will follow that through.

The staff member who terminates the call will report this to management when this happens, and a written note of the telephone conversation will be made and recorded on the consumer's electronic case file.

Where a consumer is unreasonably persistent, for example by telephoning us several times a day and/or over several days, or by sending us voluminous or repetitive emails or letters, we will ask them to reduce their contact with the Consumer Council to that which is essential. This is to ensure a proportionate level of response across our service provision, so we can continue to support others.

Any member of our staff who directly experiences aggressive or abusive behaviour has the authority to deal with it immediately in a way they consider appropriate and in line with this policy. This may include ending phone calls or refusing to accept further correspondence.

Our staff will report any behaviour they consider unacceptable to management, and this will be recorded on the electronic case file.

We will always try to ensure any action we take is proportionate to deal with the problem, and we will consider any relevant personal circumstances, including the severity of the complaint and the needs of the consumer.

In exceptional circumstances, we may refuse to have any further contact with consumers who are unreasonably persistent or abusive.

Where we receive threats against individual staff members (including placement staff), or office property, immediate action may be taken including informing the police or other emergency services. If this threat is on social media, then we will also report to the social media company and the account will be permanently blocked.

Making a Complaint

If a consumer is unhappy with the actions taken by the Consumer Council, or the service they have received, they can raise a formal complaint in line with our Complaints Policy. This can be found on our website using the link below or a copy can be requested via post, telephone, or email.

Link: www.consumercouncil.org.uk/complaints-about-the-consumer-council

Freephone: 0800 121 6022

Email: contact@consumercouncil.org.uk

Freepost: Freepost THE CONSUMER COUNCIL

If after our investigation, the consumer remains dissatisfied with the actions taken, a complaint can be made to the Northern Ireland Public Services Ombudsman (NIPSO):

Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Freepost: Freepost NIPSO