



**THE CONSUMER COUNCIL
UNREASONABLE BEHAVIOUR POLICY
MAY 2022**

We believe that if you are making a complaint about a service, you have a right to be heard, understood, and respected. Our service is independent and impartial, and we work hard to be open and accessible to all consumers.

However, the behaviour or actions of some consumers can make it very 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 have to consider the effect of this behaviour on our ability to do our work and provide a service to others. This policy explains how we will deal with these situations.

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.

We do not view behaviour as unreasonable just because a person is forceful or determined.

However, we do consider behaviour that results in unreasonable demands on the Consumer Council, or unreasonable behaviour towards our staff to be unacceptable. Examples of unreasonable behaviour include:

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

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.

The Consumer Council will tolerate **three 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. Should this unacceptable behaviour continue, then the second instance will result in a warning being issued to the consumer and recorded on the Customer Relations Management System. If a third unacceptable contact is conducted by a consumer, this policy will be instigated.

Aggression, Rudeness, Abuse and Threats of Violence

Unreasonable behaviour (including aggression, rudeness, abuse, and threats of violence) 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 of physical harm to person(s) or property; behaviour which indicates that physical harm to person(s) or property is imminent or actual physical aggression.

- Insulting or disparaging remarks or comments on the grounds of an individual's sex, marital status, sexual orientation, disability, race, colour, national or ethnic origin, religion, belief or age.
- 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 all channels of communication i.e., telephone, face to face and digital methods of contact, can be told that communication will be terminated unless more moderate language is used, that threats are unacceptable and may be reported to the police, that rude and intemperate correspondence may not be answered or returned, or that special contact arrangements will be implemented.

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 in relation to the complaint will be answered. The consumer may also be advised that their complaint is best dealt with by another organisation.

Examples of unreasonable levels of contact include:

- Being unreasonably persistent, for example, ringing us frequently to raise points already addressed.
- 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 in accordance with agreed timescales, or at least every six months by the Head of Insight & Investigations and Director of Consumer Empowerment.

If no further contact has been received from the complainant over a period of six months, consideration may be given to cancelling the restrictions. However, urgent assessment will be necessary to re-introduce them if behaviour which led to the original decision recommences.

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

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 the Head of Insight & Investigations 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 for a number of days in succession, 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 absolutely essential. This is to ensure a proportionate level of response across our service provision, so we can continue to support others.

If our request is ignored, we will take steps to limit their contact with the office. Such steps might include requiring contact in a particular form, for example:

- by letter only;
- requiring telephone contact on specified days or at specified times; or
- or insisting that contact is only made with specific staff member(s) or through a third party to contact us on the persons behalf.

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 or refusing to accept phone calls.

Our staff will report any behaviour they consider unacceptable to the Head of Insight & Investigations, and this will be recorded on the electronic case file for the consumer on Customer Relations Management System (CRM)

We will always try to ensure any action we take is the minimum necessary 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.

Wherever possible, we will give the consumer the opportunity to change their behaviour or action before a decision is taken.

We will always tell the consumer in writing what action we are taking and why. We will also record all incidents of unacceptable behaviour.

In exceptional circumstances, we may refuse to have any further contact with consumers who are unreasonably persistent or abusive. Where we put limitations on all contact with the Consumer Council, this will be sanctioned by the Chief Executive Officer.

Where we receive threats against individual staff members, voluntary advisers or office property, immediate action may be taken including informing the police or other emergency services.

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

Tel: 028 902 51600

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:

Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast
BT1 6HN

Opening Hours:

9.00am - 5.00pm, Monday to Friday (excluding Public Holidays)

Temporary telephone service available from 10.00am to 12.00pm and 2pm - 4pm, Monday to Friday

Telephone: 02890 233821

Text Phone: 02890 897789

Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Freepost: Freepost NIPSO