



# **Unreasonable Customer Guidance**

**Date: 1 May 2018**

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Appendix 1 Examples of behaviour

## 1. Purpose

- 1.1 To set out First Choice Homes approach to dealing with unreasonable Customers.

## 2. Guidance Details

### 2.1 Unreasonable and Unreasonably Persistent Customers

- 2.1.1 First Choice Homes adopt the definition as set out by the Local Government Ombudsman:

*“those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation’s consideration of their, or other people’s complaints”*

- 2.1.2 See Appendix 1 for a list of the type of behaviours we may deem to be persistent or vexatious (the list is not exhaustive).

### 2.2 Same or similar matters

- 2.2.1 If a Customer repeatedly raises the same or similar matter, which has already been investigated and addressed, this will not escalate through the Feedback process. Correspondence or contact of this nature, which raises no new issues, will not be acknowledged or responded to.
- 2.2.2 If however it is found that there are new issues, this will be responded to appropriately and the feedback may be re-opened or logged as a new feedback.

### 2.3 Trivial Complaints or requests for a service

- 2.3.1 Where requests are about entirely trivial matters, or matters that have clearly not caused the Customer any injustice, we may deal with this type of enquiry outside of the Feedback process.
- 2.3.2 Where a valid request is made via the Feedback route, but it is not appropriate to be considered as a complaint, this will also be considered outside of the Feedback process. As an example - a customer is raising a repair request that has not been previously reported, this would be deemed as a service request, not a complaint.
- 2.3.3 In these cases, the Customer will be informed how we intend to process their request and the reasons for this decision.

### 2.4 Abuse, Aggression and/or Harassment

- 2.4.1 First Choice Homes colleagues should be treated with dignity and respect. Abusive, aggressive behaviour or harassment is not acceptable.
- 2.4.2 Where a Customer exhibits threatening or abusive behaviour, First Choice Homes may implement restrictions on contact.
- 2.4.3 Repeated contact or unwelcome/unwarranted attention from the Customer, beyond what could reasonably be expected, may be considered harassment and may also lead to restrictions on contact.
- 2.4.4 Further action taken as a result of such behaviour may include:-
- Writing to the perpetrator requiring no repetition of the behaviour;
  - Setting conditions and restrictions for further contact with staff;
  - Reporting the matter to the Police;
  - Restricting access to premises;
  - Tenancy enforcement action; and
  - Injunction

### 3. Regulatory Guidelines

- 3.1 Our Regulator requires us to “*have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly*”.

#### Our contact details

Website address: [www.fcho.co.uk](http://www.fcho.co.uk)

Telephone number: 0161 393 7117 from 8am to 8pm Monday to Friday and 9am to 4pm on Saturdays

Office address: First Place, 22 Union Street, Oldham, OL1 1BE

Office opening times 9am to 5pm Monday to Friday (Thursday's until 6pm)

#### Definitions

Complaint	Confirmation of dissatisfaction with a service or services.
Customer	Tenants, leaseholders, freeholders who have exercised the Right to Buy, stakeholders, any person who receives a service from First Choice Homes, future Customers and any person acting on their behalf or as their representative. Any member of the public affected by matters arising from our property, services or a First Choice Homes Colleague.

<b>MONITORING, APPROVAL AND REVIEW</b>	
<b>Lead Officer / Author</b>	Joanne Goodall, Governance and Corporate Support Manager
<b>Version Nu/Date</b>	No 2, 1 May 2018
<b>Version Notes</b>	The guidance has been re-written to streamline the previous policy. Frontline Resolution stage changed to an informal stage. With a 2 stage complaints process.
<b>Consultation</b>	Review of other HA complaints stages and policies. Leadership 22 May 2018, Customer Congress 4 June 2018
<b>Equality Analysis</b>	EIA completed 2013.
<b>Approved by</b>	Leadership 22 May 2018, Customer Congress 4 June 2018
<b>Review</b>	Every three years or in line with legislative or regulatory changes
<b>Electronic File Location</b>	S:/hsg-general/Policy, Strategy and Assurance/Current Policies
<b>Copy available from</b>	Joanne Goodall, Governance and Corporate Support Manager

## APPENDIX 1

<b>EXAMPLES OF PERSISTENT OR VEXATIOUS BEHAVIOUR</b>
Refusal to specify the grounds of a feedback, despite offers of assistance from First Choice Homes
Refusal to co-operate with the feedback process or insistence on the feedback being dealt with in ways which are incompatible with the adopted feedback procedure
Making what appear to be groundless requests about the employees dealing with the feedback or attempting to use the feedback procedure to pursue a personal vendetta against an employee or team
Making unnecessarily excessive demands on the time and resources of First Choice Homes staff whilst feedback is being investigated
Refusal to accept information or advice provided, for no apparent good reason
Changing the basis of the feedback as the process goes on and/or denying statements he/she made at an earlier stage
Making statements or providing manufactured 'evidence' the customer knows is incorrect or persuading others to do the same
Raising at a late stage in the process, significant new information which was in the customer's possession when he or she first submitted feedback
Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are all answered
Lodging numbers of feedback in batches over a period of time, resulting in related feedback being at different stages of the feedback procedure
Refusal to accept that issues are not within the remit of a feedback process or demanding outcomes which the feedback process cannot in itself provide such as the overturning of court decisions, dismissal or criminal prosecution of staff
Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved
Pursuing First Choice Homes and at the same time with a Member of Parliament/a councillor/the authority's independent auditor/the Standards Board/local police/solicitors/the Ombudsman
Seeking to coerce, intimidate or threaten staff or other people involved, whether by use of language, tone of voice or behaviour including body language
Submitting repeat feedback, after the feedback process has been completed, essentially about the same issues, with additions/variations which the customer insists make these 'new' which should be put through the feedback process
Using new feedback to resurrect issues which were included in previous feedback
Persistence in contacting the First Choice Homes and demanding responses or action long after the feedback has been closed and all rights of review and appeal have been exhausted