



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Policy on managing unreasonable actions by customers

1. Introduction

- 1.1 We are committed to dealing with all contact and complaints fairly and impartially and to providing a high quality of service to those who contact us. We also have a duty to make sure that public money is spent wisely and achieves value for customers and the wider public, and to protect the safety and welfare of our staff.
- 1.2 Whilst most customers are reasonable, in a small number of cases people interact with services in a way that is unreasonable. This may include being unreasonably persistent in relation to their contact and submission of information which can prevent the council from providing services to the individual and impact its ability to serve other residents.
- 1.3 Throughout this policy, reference is made to unreasonable actions by customers. This can include behaviour that is unreasonable.
- 1.4 This policy replaces the “persistent and unreasonable complainant behaviour policy” and is applicable to behaviour not only during the complaints process, but to all other contact with the council.

2. Principles

- 2.1 This policy is based on the understanding that:
 - All customers contacting the council are treated with fairness and respect
 - In the absence of very good reasons to the contrary, all customers have a right to access public services
 - All complaints and contact from customers are considered on their merits
 - Unreasonable actions from customers do not preclude there being a valid issue. Someone may have a legitimate complaint or reason for contacting the council, but express it unreasonably
 - The substance of communication from a customer (what is alleged to have happened and its impact) should dictate the level of resources dedicated to it, not a customer’s demands or actions
 - Anger is an understandable and, to some degree, acceptable emotion among frustrated customers as long as it is not expressed through aggression, violence or the use of offensive or discriminatory language
 - Staff safety and well-being are paramount when dealing with unreasonable customer conduct

- The decision to change or restrict a customer's access to services as a result of their actions will only be made at a service management level and in accordance with this policy. It will be subject to review in accordance with section 4.5 of this policy
- Decisions to restrict access to services will be proportionate in relation to the impact the unreasonable actions have on the council's ability to deliver an efficient service and will still allow fair access to mandatory services.

- 2.2 This policy is prepared in conjunction with the council's complaints policy and with regard to the Housing Ombudsman and the Local Government & Social Care Ombudsman's complaint handling codes and relevant guidance.
- 2.3 This policy operates alongside the policy on Management of Unacceptable and Violent Customer Behaviour which applies to any incident directed against employees or anyone lawfully acting in the interests of the council.
- 2.4 The policy applies not only during the formal complaints process, but also in making informal complaints and service requests where dissatisfaction is expressed.
- 2.5 Where this policy refers to staff or officers, it also applies to elected members where appropriate.

3. Definitions

3.1 What are unreasonable actions?

- 3.1.1 Unreasonable actions are those which, because of the nature or frequency of contact with an organisation, hinder the organisation's delivery of services or consideration of complaints and contact.
- 3.1.2 The circumstances of each communication from a customer will be taken into account when considering whether the actions may be classed as unreasonable.
- 3.1.3 Consideration will be given to whether there are any underlying explanations for unreasonable actions, for example unmet communication or support needs. The council will have regard to its duty to make reasonable adjustments under the Equality Act 2010.

3.2 Unreasonable actions by representatives

- 3.2.1 Having a representative can be helpful for many people. A representative could be a friend or family member or a professional such as an advocate or solicitor. A representative must have consent or a lawful basis for acting on a customer's behalf.
- 3.2.2 We will not place restrictions on representatives unless there are good reasons for doing so, however some representatives may act in a way that is unreasonable which causes difficulties for the council, and also for the person they are representing.
- 3.2.3 We may apply this policy to representatives where this is warranted, however we will ensure the individual is not disadvantaged by this by:
- Offering to deal with the individual directly, taking account of any reasonable adjustments required or requested

- Offering to support the individual to find another representative (for example, an advocacy service)
- Asking the individual to nominate another representative.

3.2.4 The council reserves the right to refuse to deal with a representative if they are already subject to restrictions imposed under this policy or a preceding policy.

3.3 Examples of unreasonable actions

3.3.1 The following are examples of actions which may be considered unreasonable. The list is not exhaustive and each case will be considered on its own merits:

- Being abusive, threatening, or acting in a manner intended to intimidate staff. This includes any use of racist, sexist, homophobic or other discriminatory language
- Putting, or threatening to put information on social media or websites which includes personal information of the council's employees without their consent and/or making defamatory statements about employees online
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed correspondence every few days or more often, and expecting immediate responses
- Submitting repeat contacts or complaints with minor additions / variations which the customer insists constitute new issues or complaints
- Refusing to specify the grounds of a complaint, despite offers of help
- Refusing to cooperate with the complaint investigation process, for example not providing information requested that is important for the investigation
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- Making unjustified complaints about staff who are trying to deal with the issues, and / or seeking to have them replaced
- Frequently changing the basis of a complaint as the investigation proceeds
- Raising many detailed but unimportant questions and insisting they are all answered
- Providing false information and / or submitting falsified documents from themselves or others
- Adopting a 'scattergun' approach by pursuing parallel complaints or contact about the same issue with various officers or organisations
- The misuse of digital tools, including artificial intelligence, in a way that unreasonably increases the burden on council resources or obstructs the effective handling of a complaint.

4. Managing unreasonable actions

4.1 Informal warnings

4.1.1 Any member of staff may give an informal warning to an individual who acts in an unreasonable way.

4.1.2 In the majority of cases, an informal warning will be given before further action is taken.

4.1.3 Informal warnings will be recorded by the relevant manager and used as evidence when considering whether to issue a formal warning.

4.2 Formal warning

- 4.2.1 If an individual has failed to adhere to any informal warning from staff, the relevant service manager will gather the required evidence to support the issuing of a formal warning. They will also consider whether other actions may resolve the cause of any unreasonable actions, including:
- Whether the individual requires any reasonable adjustments under the Equality Act 2010
 - Offering to meet or speak with the individual to understand any concerns that may be causing them to act in an unreasonable way
 - Offering mediation if the individual requires ongoing services from the council.
- 4.2.2 The Complaints Manager will then decide whether a formal warning should be issued following interrogation of the evidence provided including other actions considered by the service manager.
- 4.2.3 A formal warning will be given in writing, where appropriate, and will explain:
- The actions the council considers unreasonable with examples
 - A time period within which future actions will be monitored and when, how and by whom any restrictions on contact or other actions will be reviewed
 - Consequences of the customer failing to address their actions
 - Details of the council's appeal process should the individual be unhappy with their warning.

4.3 Decision to restrict contact

- 4.3.1 The decision to restrict contact with an individual is a last resort after reconciliation and other support has been explored and warnings have been exhausted.
- 4.3.2 In some cases it may be appropriate to restrict an individual's contact with the council without warnings having been given.
- 4.3.3 The decision to restrict contact will be made by the Complaints Manager and will be given in writing where appropriate, having regard to any agreed reasonable adjustments. The decision letter will explain:
- Actions the organisation considers unreasonable with examples
 - A time period within which future actions will be monitored and when, how and by whom any restrictions on contact will be reviewed
 - Consequences of the individual failing to address their actions
 - Confirmation that the Complaints Manager has considered the individual's rights under human rights and equalities legislation
 - How to appeal the decision.

4.4 Right to appeal

- 4.4.1 If an individual is unhappy with the decision to restrict contact, they may submit an appeal to the Assistant Director People, Law & Governance.
- 4.4.2 The appeal must be submitted within 21 days of the date of the decision letter.

- 4.4.3 The Assistant Director People Law & Governance will respond to the appeal within 20 working days to inform the individual of the outcome of the complaint. The response will include details of how to complain to the Local Government & Social Care Ombudsman if they're not happy with the outcome of the appeal or the way the matter has been handled.

4.5 Reviews

- 4.5.1 The decision to restrict contact will be reviewed at the end of the time period within which we said we would monitor future actions. In most cases, this will be at least every 12 months.
- 4.5.2 We will write to the individual to advise them of our decision. If restrictions are to remain in place, we will explain our reasons.

4.6 Further action

- 4.6.1 Whilst in most cases, putting restrictions in place will help staff manage the impact of the individual's actions on the service, in a small number of cases the restrictions have no effect on a customer's actions.
- 4.6.2 In the most serious cases, further action may be necessary, particularly where a customer's actions have an adverse impact on staff welfare.
- 4.6.3 Where consideration is given to placing legal restrictions on an individual's contact or declining to provide a service at all, legal advice will be sought.

5. Restrictions on contact

5.1 Examples of restrictions

- 5.1.1 When deciding on appropriate restrictions, each case is considered on its own merits.
- 5.1.2 In most cases, it will be sufficient to restrict access to the service subject to unreasonable actions, however in some cases, council-wide restrictions will be necessary.
- 5.1.3 Restrictions may include:
- Restricting contact to an individual named officer or generic inbox, also known as a single point of contact
 - Placing correspondence on file without acknowledgement or reply
 - Restricting access to certain buildings or premises controlled by the council
 - Restricting contact to specified methods of contact, for example written contact only (having regard to any agreed reasonable adjustments)
 - Restricting the length and frequency of telephone calls
 - Restricting access to discretionary services.
- 5.1.4 Restrictions will be proportionate to address the unreasonable actions in each case.
- 5.1.5 In rare and limited circumstances, the council is able to withdraw mandatory services towards an individual on the grounds of unreasonable actions.

5.2 Dealing with further communication

- 5.2.1 If we decide to place correspondence on file without acknowledgement or reply, we will review the contents to ensure it does not contain significant new information or raise any safeguarding concerns. We will not advise the individual that their correspondence contains no new information.

6. Equalities

- 6.1 An equality impact assessment has been completed in relation to this policy.

Approved by the Ethical Governance & Personnel Committee, 8 September 2026