

## **MANAGING CUSTOMER CONTACT POLICY**

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**1. REVISION/REVIEW SHEET**

Issue	Brief description of reason for change	Document Owner	Date Issued
0.	New policy	Mared Dafydd	
1.	Policy review – minor changes	Ceri Elis Jackson	January 2019
2.	Update to refer to Adra and to include subsidiaries	Ceri Elis Jackson	September 2019
3.	Policy review – minor changes	Fflur Griffith	June 2022
4.	Policy review – Remove reference to customers being persistent complainants and change emphasis to managing customer contact. Incorporating best practice and Ombudsman guidance	Fflur Griffith	March 2023

## 2. PURPOSE / SCOPE

Excellent customer service is at the forefront of all we do at Adra. We aim to deliver high quality services and manage customer contact thoroughly, but proportionately. This policy sets out how contact with customers may be managed in the very small number of cases where the actions or behaviour of a customer is considered to be Unacceptable Behaviour or Unreasonable Contact that challenges our ability to deliver an effective service to all or has the potential to impact the health, safety and welfare of Adra staff or representatives.

The core purpose of this policy is to ensure equity and fairness, improve efficiency and manage risks. It applies to all areas of customer contact where members of staff or representatives have contact with customers either face to face, virtually, by phone or in writing (including electronic communication).

This policy applies to all contact with all staff and representatives including temporary and agency staff, volunteers, contractors, and persons on work experience. The policy also applies to contact with Board Members (including Co-optees).

This Policy applies to **Adra (Tai) Cyf** (the Parent) and any of its subsidiaries (including **Medra Cyf**)

## 3. RESPONSIBILITIES

The Director of Customers and Communities has the overall responsibility for making sure the policy is applied fairly and consistently and that links to other relevant legislation, guidance and policies are made.

All Adra staff and representatives are responsible for supporting the operation of the policy including any associated policy guidance, procedures and record keeping.

Adra has a zero-tolerance view of Unacceptable Behaviour and Unreasonable Contact where this has the potential to impact on the Health, Safety and Welfare of staff (or representatives). Consideration will be afforded to the levels of sensitivities and tolerance other colleagues may have if they were experiencing the same behaviour.

## 4. DEFINITIONS

### **Unacceptable Behaviour (often Abusive, Offensive, Upsetting or Threatening behaviour)**

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to contact with Adra. However, Adra has a duty to ensure the health, safety and welfare of its staff.

Everyone has the right to work in an environment free from Unacceptable Behaviour. We consider Unacceptable Behaviour to include but not limited to:

- Abusive or upsetting language including swearing or making unpleasant remarks
- Offensive references to cultural, racist, sexist, political, nationalist, homophobic or religious matters
- Rudeness, shouting or making demands to speak to the officer they hold responsible
- Causing disruption / distress to visitors or staff in offices/on site
- Refusing to leave offices/sites/meetings
- Harassment, following or stalking
- Threatening or intimidating behaviour
- Emotional abuse or manipulative behaviour
- Using electronic media e.g. emails, social media or websites for the purpose of criticism, finding personal information, making allegations, trolling or harassment etc
- Electronically recording meetings and / or conversations without the prior knowledge and consent of the other person involved.

This list is not exhaustive.

### **Unreasonable Contact**

Adra is committed to providing an excellent level of service (time and resources) to each customer. Unreasonable Contact can prevent staff from supporting other customers who need our help. We consider Unreasonable Contact to include but not limited to:

- Excessive contact – frequent or lengthy visits, telephone calls, emails, letters or social media contact;
- A scattergun approach – unreasonably pursuing multiple conversations or complaints with different staff / representatives
- Expecting or demanding responses within an unreasonable timescale

- Refusing to accept reasonable responses or that Adra cannot assist further
- Refusing to cooperate with Adra's Complaints and Concerns policy or Review of Decision provisions e.g continuing to contact Adra about the same/ similar matters after receiving a stage 2 complaint letter (Adra's full and final response)
- Demanding information that Adra have legitimately refused to provide or does not have
- Persistently disagreeing with or obstructing inspections, actions, decisions, or services from being completed
- Insisting on issues being dealt with in ways which are incompatible with the adopted policies, procedure or good practice.
- Making apparently groundless complaints or allegations about staff
- Persistently requesting that an issue or complaint is sent to or dealt with by someone who is not directly dealing with the matter
- Providing false information or falsified documents.

This list is not exhaustive

## **5. INFORMAL ACTION TO MANAGE CONTACT**

All Adra staff and representatives may take informal steps to manage contact e.g. terminate a call, archive emails or ask a customer to leave Adra offices / sites if subjected to the behaviours similar to those outlined in section 4 above. Before taking informal action, the customer will be warned once that their conduct is of concern, to allow them the opportunity to moderate their behaviour. If the behaviour persists, no further warnings will be given, and informal actions will be followed.

If the customer makes further contact and the Unacceptable Behaviour or Unreasonable Contact has not changed, contact may be restricted for up to one week. This decision will be recorded and communicated at the earliest opportunity.

In the event that the customer does not modify their behaviour, consideration will be given to formally managing contact.

## **6. FORMAL ACTION TO MANAGE CONTACT**

**Before** deciding to formally manage unacceptable behaviour or unreasonable contact consideration will be given to important matters such as the following:

- Whether informal actions outlined in section 5 would be appropriate

- If any personal circumstances or health conditions are impacting a customer's behaviour or contact.
- Whether reasonable adjustments or support of other agencies are necessary to support the customer.
- At all times, staff will aim to support customers with any specific difficulties and treat everyone with dignity and respect.
- If the communication with the customer has been adequate, clear and coordinated.
- If an issue is already being properly investigated in accordance with Adra's Complaints and Concerns Policy or other policies / procedures.
- If appropriate timescales and communications are being adhered to and if the customer has been notified of any possible delays.
- If the correct actions and decisions have been made / planned in relation to Adra's investigation of issues raised by the customer.
- Where new information is being provided, if it is significant or can affect the organisation's view on the issue being raised.

**When** it is considered necessary to formally manage a customer's contact, Adra will consider whether it is appropriate to:

- Offer the customer a meeting with an officer of appropriate seniority to explore scope for a resolution and explain why their current behaviour is considered to be Unacceptable Behaviour or Unreasonable Contact.
- Share a copy of this policy with the customer and warn them that restrictive action may need to be applied if their Unacceptable Behaviour or Unreasonable Contact continues.
- Set up a strategy meeting to agree a cross-departmental approach.
- Designate a key officer to co-ordinate the organisation's response.
- Help the customer to find a suitable independent advocate especially if the complainant has different needs.
- Arrange support for affected staff if necessary

**Before** applying any restrictions, Adra will give the customer a warning in writing, informing them that if their actions continue, Adra may need to apply restrictions.

**All formal action taken will be proportionate to the nature and frequency of the customer's contact, taking the behaviour and their personal circumstances into account.**

The following are reasonable actions for managing a small number of customers contact with Adra. The list is not exhaustive and local case-by-case factors may be relevant in deciding appropriate action:

- Placing limits on the number and duration of contacts with staff.
- Offering a restricted timeslot for necessary calls.
- Limiting the customer to one medium of contact (telephone, letter, email etc).
- Requiring the customer to communicate only with a point of contact.
- Quarantining or blocking email addresses
- Blocking social media accounts
- Requiring personal contacts, home visits or meetings to take place in the presence of a witness.
- Requiring that the customer make an appointment before visiting offices.
- Refusing to register / process further complaints about the same matter.
- Referring the complainant to the Public Services Ombudsman for Wales.

This list is not exhaustive

## **7. OPERATING THE POLICY**

This policy will be applied by Managers within the Customers and Communities Directorate as they would most often be involved in managing customer contact. Members of the Senior Leadership Team will deal with any appeals against decisions made in accordance with this policy.

Other relevant policies may need to be considered when managing customer contact e.g. Complaints and Concerns Policy, Violence and Aggression at Work, Data Protection

The customer will be notified of formal action in writing of any actions taken, reason for the decision and implications on further contact with the organisation, how long any restrictions will last and how the customer can request a review of the decision.

A customer can request a review / appeal of the decision to formally manage and restrict contact. A member of the SLT, who was not involved in the original decision, will consider any appeals. They will advise the customer in writing that measures still apply, or a different course of action has been agreed.



If the customer is unsatisfied with the outcome of the review of decision / appeal, they can refer the matter to the Public Services Ombudsman for Wales.

## **8. EXCEPTIONS AND EMERGENCY CONTACT**

Any action taken to manage contact will take account of emergency circumstances such as emergency repairs or where there is a risk to health and safety. We will make sure that at least one method of contact remains available to every customer. All communication with the customer will clarify this point.

Members of staff who are concerned or worried about a customer's behaviour / contact e.g. customer is threatening, intimidating or harassing, should fill an Incident Reporting Form and present to their line manager. In cases where issues present a risk to staff safety or welfare, the case will be considered by the Staff Safety Register Group.

Where the behaviour / contact is so extreme that it threatens the immediate safety or welfare of Adra staff, other options will be considered, e.g. reporting the matter to the police or taking legal action. In such cases, the customer may not be given prior warning of that action.

## **9. INDIVIDUAL REVIEWS**

Decisions to formally manage Unacceptable Behaviour or Unreasonable Contact will be reviewed on a regular basis (but at least every 12 months). If the review shows that further restrictions are necessary, Adra will provide the customer with written notification of the amendments to the restriction(s), the reason for the decision and implications on further contact with the organisation, how long any restrictions will last and how the complainant can have the decision reviewed.

## **10. COMPLAINT**

Adra recognises your right to bring forward a complaint in relation to the exercise of this policy. Any such complaint will be dealt with under the CCpol01 – Complaints and Concerns Policy.

Adra will ensure that any decision relevant to this policy are reasonable and comply with relevant policy and legislation.

## **11. REVIEW OF DECISION**

Adra recognises the right to request a review of any decision relating to this policy. Any such review will be dealt with following our CCp04 – Review of Decision process

Adra will ensure that any decision relevant to this policy are reasonable and comply with relevant policy and legislation.

## **12. EQUALITY AND DIVERSITY**

Adra (Tai) Cyf recognises the needs of a diverse population and always acts within the scope of its own Equality and Diversity Policy.

All customers will be treated with fairness and respect even if we perceive actions or behaviour to be challenging. In the event that it is necessary to manage contact to provide an effective service, we will take into account any reasonable adjustments necessary to ensure compliance with equality legislation.

## **13. RECORDS**

Adra will keep adequate records of all contacts with customer where this policy is being considered or has been applied. Key information to be recorded includes:

- When a decision is taken to apply or not to apply the policy.
- When a decision is taken to make an exception to the policy after it has been applied.
- When a decision is taken (and the reason) not to put a further complaint from the same customer through the Complaints and Concerns procedure.
- When a decision is taken not to respond to further correspondence (having ensured that any further letters, faxes, e-mails, etc do not have any significant new information)

#### **14. POLICY REVIEW**

This policy will be reviewed at least every 3 years, or in response to changes in legislation, regulatory guidance, good practice or changes in other relevant Adra Policy. Adra also retains the right to review this policy from time to time in addition to the circumstances set out above.