

OUR APPROACH TO UNACCEPTABLE BEHAVIOUR

This guidance sets out the approach of the Housing Ombudsman Service (HOS) to the very few users whose actions or behaviour we consider unacceptable. The term user includes anyone who contacts our office in connection with complaints and disputes.

We do not view behaviour as unacceptable just because someone is assertive or determined. There may have been upsetting or distressing circumstances leading up to a customer approaching the Ombudsman and people may act out of character. However the actions of some customers who are angry or persistent may result in unreasonable demands on, or behaviour towards our staff and we will take appropriate action to manage such behaviour. We have grouped the behaviour under two broad headings:

Aggressive or abusive behaviour

Our staff understand the difference between anger and aggression. For example many complainants feel angry about the events that resulted in them contacting us. However, it is not acceptable when anger escalates into aggression towards our staff. Aggression is not restricted to acts that may result in physical harm. It also includes behaviour or language that may cause staff to feel afraid, threatened, or abused.

Examples of aggressive behaviour include:

- threats
- physical violence
- personal abuse
- derogatory or discriminatory remarks
- rudeness

We also consider inflammatory statements and unsubstantiated allegations to be aggressive behaviour.

Unreasonable demands

Customers may make what we consider unreasonable demands if they impact substantially on our work through the amount of information they seek or provide, the nature and scale of service they expect, or the regularity or number of approaches they make.

Examples of this behaviour include:

- asking for responses within an unreasonable timescale,
- insisting on communicating with a particular member of staff,
- continual phone calls, emails, or letters,
- repeatedly changing the substance of the complaint or raising unrelated concerns.

We also consider that customers who will not or cannot accept that the Ombudsman is unable to assist them further or provide a level of service other than that provided are making unreasonable demands.

Examples of this behaviour include:

- persistent refusal to accept a decision,
- persistent refusal to accept explanations relating to what the Ombudsman can or cannot do,
- or continuing to pursue a case without presenting any new information.

The way in which these customers approach us may be reasonable, but it is their persistent behaviour in continuing to do so that is not.

How we manage unacceptable behaviour will depend on the nature and extent of it.

Steps we may take include, separately or in combination:

- restricting contact in person, by telephone, fax, letter or electronically or by any combination of these
- restricting the frequency of contact

A customer can appeal a decision to restrict contact.