

**BOLSOVER DISTRICT COUNCIL**

**Meeting of the Executive 3<sup>rd</sup> March 2025**

**Policy and Procedure on the Management of Unreasonable Complaints or Customers (Draft)**

**Report of the Portfolio Holder for Customer Services**

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| <b>Classification</b>  | This report is Public                     |
| <b>Contact Officer</b> | Lesley Botham – Customer Services Manager |

**PURPOSE/SUMMARY OF REPORT**

Executives' approval is sought to implement a new Policy and Procedure for the Management of Unreasonable Complaints or Customers.

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**REPORT DETAILS**

**1. Background**

1.1 This policy and procedure is aimed at providing a framework:

- To identify what might be classed as an unreasonable complaint or contact from a customer;
- To manage the Council's limited resources to help ensure that customer have access to our limited resources to help ensure that customers have access to our limited resources in a way which is proportionate to the issues being raised and the need for other customer to be able to access these limited resources;
- To set out openly how we deal with unreasonable complaints or customers. What steps we will take if action is required and who can authorise these actions;
- Which we can provide to customer where this policy and procedure is applied so that the customer can understand the process. This may help to manage the customers' expectations and behaviour.

1.2 The council aims to deal with complaints and customers in a way which is fair and impartial. On occasion customers may behave unreasonably or make unreasonable complaints. Unreasonable customers or complaints can hinder the proper consideration of their cases and may delay consideration of other customers' cases. Unreasonable complaints or customers can have significant resource implications for the Council.

## **2. Details of Proposal or Information**

- 2.1 Customers may sometimes act out of character at times of anxiety or distress and/or their conduct may relate to a disability. Reasonable allowances should be made for such factors. Ultimately, however, the council does not expect its staff to suffer behaviour or complaints by customers which is/are unreasonable in content, tone or persistence. In appropriate circumstances the Council will take proportionate action to protect the wellbeing of its staff, members and contractors and also the integrity of its processes and limited resources.
- 2.2 If the Council considers that any unreasonable conduct or complaint is or might be related to a disability, or because the customer's first language is not English, the Service Director should be consulted for advice and assistance to manage the issues arising under this policy and procedure where appropriate.
- 2.2 When considering this policy and procedure the Council will also have regard to other relevant policies and procedures operated by the Council which may include:
- Customer Service Code of Practice and Standards
  - Complaints, Comments and Compliments Policy
  - Equality and Diversity Policy
  - Physical aggressive customer behaviour – Violent Incident Report Form, for inclusion on the Employee Protection Register (EPR).

When this policy is engaged it shall take precedence over these policies in the event of any uncertainty as to different processes to be applied.

- 2.3 It is to be emphasised that this document is a framework. It is not intended to be prescriptive since it is recognised that in those rare situations where customers behave unreasonably or make unreasonable complaints such that this policy and procedure is or might be engaged, each case will need to be considered on its own facts.
- 2.4 This policy and procedure has been drafted with regard to the Local Government and Social Care Ombudsman's and Housing Ombudsman current guidance note on managing unreasonable complainant behaviour.
- 2.5 It is anticipated that this policy will be invoked in only a very small number of cases.
- 2.6 Further details can be found in the report in **Appendix 1**.

## **3. Reasons for Recommendation**

- 3.1 To note the development of the Policy and Procedure on the Management of Unreasonable Complaints or Customers.
- 3.2 To provide Members the opportunity to give comments for consideration as part of the development of the Policy.

#### 4 Alternative Options and Reasons for Rejection

4.1 None.

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### **RECOMMENDATION(S)**

That Executive approve the Policy and Procedure on the Management of Unreasonable Complaints or Customers and implementation.

Approved by Councillor Mary Dooley, Portfolio Holder for Customer Services

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### **IMPLICATIONS:**

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| <b><u>Finance and Risk</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  |
| <b>Details:</b><br>None for this report.  |
| On behalf of the Section 151 Officer  |
| <b><u>Legal (including Data Protection)</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>                         |
| <b>Details:</b><br>None for this report.  |
| On behalf of the Solicitor to the Council   |
| <b><u>Staffing</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  |
| <b>Details:</b><br>None for this report.  |
| On behalf of the Head of Paid Service   |
| <b><u>Equality and Diversity, and Consultation</u></b> Yes <input type="checkbox"/> No <input type="checkbox"/>                             |
| <b>Details:</b>   |
| <b><u>Environment</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>   |
| Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. |
| <b>Details:</b><br>N/A  |

**DECISION INFORMATION:**

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|---|---|
| <p><input checked="" type="checkbox"/> <b>Please indicate which threshold applies:</b></p> <p><b>Is the decision a Key Decision?</b><br/>A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p><b>Revenue (a)</b> Results in the Council making Revenue Savings of £75,000 or more or <b>(b)</b> Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p><b>Capital (a)</b> Results in the Council making Capital Income of £150,000 or more or <b>(b)</b> Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p><b>District Wards Significantly Affected:</b><br/><i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i><br/>Please state below which wards are affected or tick <b>All</b> if all wards are affected:</p> | <p>Yes <input type="checkbox"/>      No <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/>      (b) <input type="checkbox"/></p> <p>(a) <input type="checkbox"/>      (b) <input type="checkbox"/></p> <p>All <input type="checkbox"/></p> |
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| <p><b>Is the decision subject to Call-In?</b><br/><i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <b>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</b></p> <p><b>Consultation carried out:</b><br/><i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input type="checkbox"/>    Deputy Leader <input type="checkbox"/>    Executive <input type="checkbox"/>    SLT <input checked="" type="checkbox"/><br/>         Relevant Service Manager <input checked="" type="checkbox"/>    Members <input type="checkbox"/>    Public <input type="checkbox"/><br/>         Other <input type="checkbox"/></p> | <p>Yes <input type="checkbox"/>      No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/>      No <input type="checkbox"/></p> |
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| <p><b>Links to Council Ambition: Customers, Economy, Environment, Housing</b></p> |
| <p>Customer Services - Providing Excellent and Accessible services</p>            |

**Links to Council Ambition: Customers, Economy, Environment, Housing**

**DOCUMENT INFORMATION:**

| <b>Appendix No</b> | <b>Title</b>  |
|--------------------|---|
| 1                  | Policy and Procedure on the Management of Unreasonable Complaints or Customers. |
| 2                  | Zero Tolerance and Standards Letter.  |
| 3                  | Compliments, Comments and Complaints Policy - April 2024.                       |

**Background Papers**

***(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).***