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## Unreasonable use or behaviour policy

### *Introduction*

1. LEASE is committed to dealing with customers impartially, professionally and courteously. We aim to provide a high quality of service to everyone we deal with. Occasionally, there may be instances where we deal with a customer whose behaviour or use of the service we consider is unreasonable. We have a duty to ensure that staff and volunteer advisers are properly protected, in accordance with our health and safety obligations and our general responsibility to safeguard their welfare. We do not expect our staff to tolerate this type of behaviour.
2. This policy sets out how we will work with all customers fairly and consistently for benefit of both customers and staff.

### *LEASE's commitment to customers*

3. LEASE provides free advice on residential leasehold and park homes law . Advice is available on the website in the form of downloadable guides, FAQs, podcasts and webinars, as well as interactive training. We also offer professional training services, a list of professional practitioners in the sector and other services. Customers can contact LEASE by telephone, in writing or in person and our staff will respond to all with understanding, courtesy and professionalism.
4. We aim to provide sufficient advice and guidance to help customers to understand:
  - what the law is
  - how it applies in the situation
  - what to do next, including instructing professional advisers if necessary
5. Our advice is provided to enable and empower customers to address the issue, however:
  - we cannot act directly for you
  - we cannot provide any direct services in surveying, valuation or legal proceedings or conveyancing or other direct representational services usually provided by a solicitor, surveyor or other leasehold professional.

### *What is unreasonable use or unreasonable behaviour?*

6. Customers may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading to an enquiry coming to LEASE. We do not view behaviour as unreasonable just because a customer is forceful or determined. However, we do consider behaviour that results in unreasonable demands on LEASE or unreasonable behaviour towards our staff to be unacceptable.

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7. The following behaviour is deemed unacceptable when liaising with our staff:
- Being unreasonably persistent – ringing us frequently or arranging meetings to raise points already addressed; sending us voluminous repetitive or irrelevant emails or letters;
  - Rudeness – swearing (generally or directed at a member of staff), persistent interruption, name calling or general discourtesy;
  - Anger – shouting;
  - Aggressive behaviour – threats of physical harm to person(s) or property; behaviour which indicates that physical harm to person(s) or property is imminent or actual physical aggression.

*Avoiding unreasonable behaviour*

8. We aim to avoid customers feeling that they need or want to behave unreasonably towards us by communicating clearly, professionally and with respect. Therefore, we will manage customers' expectations of the service we provide from the outset of our work with them. For example, we explain the likely/realistic timescales of our contact wherever possible. Where we say that we will endeavour to do something by a particular date, we will make sure that we do so. And in the unlikely event that we cannot do what we have said, we will inform customers about this and explain why.
9. Where staff feel that they need help in dealing with telephone queries they cannot answer or unreasonable behaviour, they can ask for help from a member of the management team or more experienced colleagues or look to schedule a call back to the customer at a more convenient time when the caller has had time to reflect.

*Dealing with unreasonable behaviour*

10. Where customers behave unreasonably, we will ask them to change their behaviour. For example, if someone shouts or swears at a member of staff during a telephone call, we will ask them not to do this. If they persist in doing this, we will warn them that we will terminate the call and if they persist, we will follow that through. The staff member who terminates the call will report this to their line manager at the time that this happens. Whether the call is terminated or not, a detailed written note of the telephone conversation should be made.
11. Where customers are unreasonably persistent, for example by telephoning us several times a day for a number of days in succession, or by sending us voluminous or repetitive emails or letters, we will ask them to reduce their contact with the office to that which is absolutely essential. If our request is ignored, we will take steps to limit their contact with the office. Such steps might include requiring contact in a particular form – for example by letter only; requiring telephone contact on specified days or at specified times; or insisting that contact is only made with specific staff member(s). In exceptional circumstances, we may refuse to have further contact with individuals who are

unreasonably persistent or abusive. Where we put limitations on contact with the office, this will be sanctioned by the Chief Executive.

12. When a decision has been made by the Chief Executive to reduce or curtail access to our service, the customer will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the customer has a record of the decision.
13. Where customers make unreasonable demands, for example for a particular outcome to an enquiry; or for us to deal with an enquiry/case in a particular way, we will explain clearly our reasoning as to why we cannot do this.
14. Where we receive threats against individual staff members/voluntary advisers or office property, they will be reported to a line manager immediately. The line manager will immediately consider what action should be taken. This may include informing the police or other emergency services.
15. In the event that a line manager is not available when such an event arises, any member of staff/voluntary adviser will act in accordance with this policy and take steps that they see fit to ensure that they and/or other members of staff remain as safe as possible.
16. Wherever possible, we will give the customer the opportunity to change their behaviour or action before a decision is taken. In the event that action needs to be taken to deal with unreasonable behaviour, we will make a detailed note of events, including the unreasonable behaviour and any action taken to mitigate it. This will be recorded on the customer's record and we will do this as soon as possible after the event.

#### *Recording and reviewing decisions*

17. We will record all incidents of unacceptable actions by customers. Where it is decided to restrict customer contact, an entry noting this will be made in the relevant file. A decision to restrict customer contact as described above may be reconsidered if the customer demonstrates a more acceptable approach. The Chief Executive will review the status of all customers with restricted contact arrangements on a regular basis. In addition to this a central register will be maintained logging all incidents of unreasonable actions, which will be reviewed periodically.

*Last updated April 2015*