

# Unreasonable Customer Behaviour Policy

## 1.0 What is this policy for?

We usually have a good relationship with our customers, however this policy outlines how we will respond to the small number of customers who display unreasonable behaviour.

Unreasonable behaviour occupies the time of colleagues who are unable to then support other customers. Without a clear policy Magenta Living cannot consistently manage customer behaviour and could be at risk of reprisal from the Housing Ombudsman should action be disproportionate.

This policy explains how Magenta Living will manage unreasonable behaviour when it is demonstrated by a customer.

## 2.0 Details of the policy

This policy:

- 2.1 Will explain what unreasonable behaviour is and what actions are available to manage such behaviour when demonstrated by a customer.
- 2.2 Applies to all customers, including tenants, applicants, leaseholders, representatives and members of the public. For the purposes of this policy, a customer is anyone who has contact with Magenta Living. This includes people with a tenancy or other agreement with us, customer representatives, members of the public, and anyone acting on behalf of a customer. The policy also applies when customers contact Magenta Living directly or through organisations working on our behalf.
- 2.3 Applies to all forms of contact:
  - Telephone
  - Face-to-face
  - Written (letters, email)
  - Digital and social media

- 2.4 Applies to behaviour directed at Magenta Living colleagues and contractors or partners acting on our behalf.
- 2.5 Supports a fair, consistent and respectful approach to managing contact and is particularly relevant where concerns are raised through the complaints process.
- 2.6 In applying this policy, Magenta Living will act in line with the Housing Ombudsman Complaints Handling Code, helping to ensure customers are listened to and treated appropriately throughout.

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### 3.0 Definitions

#### 3.1 **Unreasonable Behaviour**

Magenta Living has adopted the Housing Ombudsman definition of unreasonable behaviour as:

*'Behaviour may become unreasonable if it is so demanding or persistent that it places unreasonable demands on the landlord and impacts the level of service that can be offered to others'.*

Examples of unreasonable behaviour are:

- Unreasonable demands e.g., asking for large volumes of information, asking for responses within a short timeframe (excluding statutory timescales e.g., Subject Access Requests), refusing to speak to an individual (without valid reason), insisting on always speaking to the same person or making repeat contact regarding issues that are outside of Magenta Living's area of responsibility.
- Unreasonable persistence e.g., refusing to accept the answer provided, continuing to raise the same subject matter without providing new evidence, continuously adding to, or changing the subject of a complaint
- Verbal abuse, aggression and/or violence – e.g., derogatory remarks, rudeness, inflammatory allegations, or threats of violence – instances should be reviewed in line with the Anti-Social Behaviour Policy
- Unreasonable volume e.g., overload of letters, emails or contact via social media, including the length of messages or phone calls. As a rule, the time spent assisting a customer or investigating and resolving a complaint should be proportionate to the nature of the query or complaint, and consistent with the outcome being sought. If the time required is disproportionate due to the behaviour of the customer, appropriate restrictions may be introduced.

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#### 3.2 **Complaints**

All customers have the right to raise concerns or complain to Magenta Living about an interaction they have had with us that has fallen short of their expectations and/or has not complied with our policies. All

Complaints will be reviewed in line with our Complaints Policy, available here:

- [Complaints Policy](#)

In most cases, complaints are processed in line with our policy and resolved, however in a minority of cases, the complainant may act in a way that is deemed unreasonable.

### 3.3 Subject Access Requests

In some circumstances, repeated Subject Access Requests (SAR) are made by the same customer. Although we will always comply with the Information Commissioners Office (ICO), they have released guidance on when we can refuse to comply with a SAR due to behaviour of the subject making the request.

Full guidance can be found here [Manifestly unfounded and excessive requests | ICO](#).

Refusal to comply with a SAR can be due to it being:

- Manifestly Unfounded** – the request is malicious in intent or being used to harass the organisation. E.g., the customer makes a request and offers to withdraw it in return for a benefit, the customer makes unsubstantiated accusations against Magenta Living, targeting of a particular colleague, regularly submits a SAR with the intention of causing disruption.
- Manifestly Excessive** – requests are clearly or obviously unreasonable. This can be determined by balancing the burden or cost involved in processing the SAR with the customer's desired outcome.

If a Magenta Living colleague believes a SAR is manifestly unfounded or excessive, they should contact the Data Protection Officer for advice.

### 3.4 Social Media

Customers interact with Magenta Living through a number of channels including social media channels. These channels are regularly monitored and any direct messages or comments on posts are responded to as and when deemed appropriate.

Magenta Living will not respond to all individual posts. Customers who refuse to accept answers provided through other Magenta Living communication platforms and who consistently use social media to persist with grievances by posting publicly or via direct message may be blocked. This action could be taken due to an unreasonable volume, 'spamming' over several social media

accounts or posting or commenting on unrelated posts on Magenta Living's accounts.

We aim to protect all colleague's reputation from any form of personal abuse. Customers who mention colleagues by name in a derogatory manner on social media may be blocked. We will not tolerate offensive, abusive, or unreasonable posts mentioning Magenta Living colleagues by name.

We aim to answer all queries raised on our social media channels where possible within a suitable timeframe. This can sometimes take time while collecting information from colleagues within the organisation, to answer the query correctly and as with all social media platforms, we often do not know the name or address of the person making contact. Where customer contact via social media is deemed unreasonable due to the volume or withholding of details so a response is impossible, Magenta Living has the right to cease communications via social media and block the user if appropriate.

### **3.5 Recording Magenta Living Colleagues**

Customers are prohibited from:

- Filming colleagues without their consent when they visit their homes or are carrying out their duties in the community.
- Recording conversations with colleagues without notifying them that they are being recorded

Colleagues will disengage with customers who record them without notification.

### **3.6 Management of Unreasonable Complainants**

#### ***Mitigating Factors***

When considering unreasonable behaviour, it is important to consider each case individually as behaviour may be influenced by:

- Mental health or distress
- Disability or communication barriers
- Personal circumstances or trauma.

The colleague determining whether behaviour is unreasonable should work with other partner agencies (where known) to resolve the customer query or complaint before using the unreasonable behaviour process.

#### ***Informal Action***

Reasonable attempts should be made to discuss the situation with the customer. Informal action could include temporary measures such as

terminating a phone call or walking away from a face-to-face interaction. The use of an advocate or representative should be discussed with the customer. An explanation of the formal steps that could be taken if their behaviour does not improve should be provided. The message can be delivered verbally, by letter or by email.

### ***Formal Action***

Where informal action fails and the customer continues to demonstrate unreasonable behaviour, Magenta Living will issue a formal letter explaining why their behaviour is unreasonable in line with this policy. The letter will include examples of their unreasonable behaviour and what restrictions will now be in place. Any limits on contact with a customer will not impact on the delivery of essential services e.g., periodic electrical testing, annual gas servicing and essential repairs. Examples of restrictions Magenta Living may introduce are:

- Providing a single point of contact for all communication.
- Limiting contact to a single format e.g., writing, email or phone only.
- Limiting the number of occasions, they can contact Magenta Living per week/month (unless it is an emergency).
- Limiting contact to a certain time of day.
- Declining to give any further consideration to the issue unless additional evidence is provided.
- Only considering a specific number of issues in each period.
- If the customer is not contractually tied to Magenta Living (e.g., they are a member of the public or a customer's representative) direct communication could be ended.
- Deletion of posts made on social media where offensive language is used or a colleague targeted in a derogatory manner.
- Imposing a block on offending associated social media accounts.
- Reporting customers to the Information Commissioner's Office if they breach data protection law by recording colleagues without their consent.
- Requesting customers remove social media footage or images posted without the consent of those included.
- Referral to Tenancy Enforcement who may seek an injunction against the customer in extreme circumstances.

In extreme cases where a customer shows or threatens physical violence or harassment against a Magenta Living colleague or representative, Magenta Living may report the incident to the police or seek legal action via the Tenancy Enforcement Team.

All restrictions will last for 12 months and will be reviewed annually. If behaviour has improved, the restrictions will be lifted, and the customer informed. If the behaviour has persisted, the period of restriction will be extended, and the

customer informed as to why this decision has been made. Any decision to extend the period of restriction will require approval by a Director.

In all cases, we will:

- Consider individual circumstances and vulnerability
- Make reasonable adjustments where appropriate
- Ensure any action taken is fair, proportionate and not discriminatory

Formal decisions will be subject to appropriate approval to prevent bias and ensure consistency.

### ***Approval of Action***

Prior to formal action being taken, independent approval must be gained from a Director or Chief Officer. They must review the information relating to the case and approve or decline the recommended formal action. This must be documented and recorded alongside evidence to support the decision.

Formal action will never restrict access to emergency repairs or essential services required by the customer to live safely in their home.

### ***Right of Appeal***

Where restrictions are placed on a customer, they will be entitled to one instance of appeal against that decision. The appeal will be heard by an Director who has not previously been involved with the customer.

If the appeal relates to a Subject Access Request (SAR), customers have the right to complain to the Information Commissioners Officer (ICO) who will consider the case.

### ***Data***

If a restriction is placed on a customer, the information will be recorded on our systems and shared where necessary with internal colleagues and external contractors. Data will only be shared where it is necessary to manage the unreasonable behaviour exhibited.

## **3.6 Implementation**

The policy will be effective from <month to be inserted> 2026 following Executive Leadership Team approval.

Colleagues will be made aware of the policy and a copy will be available on the intranet. The policy will be uploaded to the Magenta Living web site for customer reference.

#### **4.0 Who was consulted and how was it done?**

- 4.1 The proposed policy was circulated for customer views. This was done via Magenta Voice. Their views have been fully considered and incorporated where applicable / appropriate within the body of the policy.

#### **5.0 Equality Impact Assessment (EIA)**

- 5.1 Magenta Living is committed to:
- Treating all customers with dignity and respect
  - Ensuring compliance with the Equality Act 2010
  - Preventing discrimination and bias in decision-making

All actions are subject to equality considerations and impact assessment where appropriate

- 5.2 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including nationality, ethnic or national origins), religion, belief or non-belief, sex or sexuality, or by association with someone with any of these characteristics or perception of having any of these characteristics.

- 5.3 An EIA was undertaken on <date to be inserted> by <staff role to be inserted>. It was reviewed by the Equality Impact Assessment Review Group on <date to be inserted> and the final agreed rating was red / amber / green. (See the full EIA document for further details).

#### **6.0 How we make sure this policy is effective**

- 6.1 This policy's effectiveness will be measured using the following performance indicators xx and xx / benchmarking of xx / demonstrating VFM by xx / customer feedback / complaints etc. Results presented to xx Board / Committee.
- 6.2 Non-compliance with this policy may lead to disciplinary action, including dismissal and findings of maladministration by the Housing Ombudsman in how we have applied the policy.

## 7.0 Colleague Training

7.1 For this policy awareness training is required for everyone

7.2 It will be completed annually etc

7.3 Completion will be monitored by HR with a monthly report sent to people managers showing who has completed the training and who is outstanding.

## 8.0 Documents related to the policy

8.1 This policy should be read alongside:

- Complaints Policy (including Ombudsman compliance)
- Equality, Diversity and Inclusion Policy
- Safeguarding / Vulnerability policies
- Anti-Social Behaviour Policy

These can be found

## 9.0 Version control / Amendment log

Date of change:	Revised Version Number:	Change made:	Reason for change:
			e.g. Regulation change
			e.g. Approval body change