



## Unacceptable customer behaviour policy

### Introduction

Natural England deals with thousands of customer contacts every year quickly, effectively and without incident. We do not usually limit the contact customers have with us.

However, threatening, bullying, discriminatory or abusive behaviour towards our staff can sometimes make it necessary for us to manage or cease contact with a customer. Similarly we may have to limit this contact due to its frequency, repetition, duration or the content unreasonably hinders our ability to deliver our work effectively.

### Scope

This policy has been written to help identify unacceptable customer behaviour, take steps to manage or resolve it and if necessary to disengage from contact with a customer. In such instances we will disengage from contact with the individual on the particular issue(s) but not necessarily from contact with other parties in their business or at their address, unless there is a clear need.

We will always make every effort to ensure that we are accessible to all of our customers. Any sanctions on a customer's contact with us, described in this policy, will only be made in exceptional circumstances and where all reasonable efforts have been made to find an alternative solution.

This policy applies to unacceptable behaviour displayed by customers, not by or between staff.

### Responsibilities

Natural England is committed to dealing with all of our customers fairly and impartially, and providing them with a high quality service.

**The Chief Operating Officer** is the senior officer with overall responsibility for this policy in Natural England.

The **Customer Focus team** is responsible for the effective day-to-day management of this policy.

**Directors, managers / leaders** are responsible for ensuring that procedures and systems within their teams conform to this policy and to Natural England's procedures and standards of good practice in the area of customer service.

## **Our expectations of customers**

Our Customer Promise sets out what customers can expect from us in our behaviour towards and contact with them.

The promise also includes a section detailing the behaviour our colleagues should be able to expect from customers in return.

We define the terms used in our Customer Promise in Annex A and make decisions on their applicability on a case by case basis in consultation with line managers and colleagues.

## **Our position and process**

Steps have been designed to ensure that our response to unacceptable behaviour is proportionate and fair. It is important for colleagues to follow each of the steps, allowing for behaviour to improve before any significant sanctions are put in place. Individuals will never apply sanctions on their own. There are different levels of approval required and always at least two people at different grades involved in the decision.

All contact that causes concern will be recorded and added to a timeline log as evidence to support further action/ escalation.

The steps are summarised below.

### **1. Identify behaviour as unacceptable**

In instances where a customer's behaviour is unacceptable, we need to explain why and ask them to modify it. We will explain that if this does not happen we will apply sanctions to their contact with us. We will then monitor their behaviour and give them the opportunity for it to improve.

### **2. Sanctions on unacceptable behaviour**

If behaviour continues to be unacceptable after we have asked for it to be modified we will apply intermediate sanctions to the customer's contact with us. This could include any, or a combination of those listed in Annex B.

### **3. Publish, share and report sanctions**

In order for sanctions to be effective our colleagues also need to be aware that they are in place so that they can help to enforce them. Access to information on customers that have sanctions applied will be available to colleagues.

### **4. Review sanctions**

Sanctions should not continue indefinitely. There must always be opportunity for improvement and the lifting of sanctions. It is the responsibility of the team involved in applying sanctions and their line manager to review any sanctions applied.

### **5. Disengage**

Where intermediate sanctions have not resolved the issue of unacceptable behaviour, or where the behaviour is so extreme from the start that no other options are left, we can consider completely or partially (i.e. on a particular topic) disengaging from contact with a customer by issuing a disengagement notice.

### **6. Publish, share and report - disengaged**

Our disengagement notice will not deter some customers from contacting us again. However, once we have taken the decision to disengage it is important that we do not re-engage with them on the same issue unless we feel that either the notice needs to be reiterated, or the entire content of the contact is not on the same or similar topic.

### **7. Review disengagement**

As with intermediate sanctions, we should not hold customers on the disengaged list within the Customer Sanctions Log indefinitely without review. Disengagement should be reviewed after 12 months, however we should only re-engage if there had been no incidents or reoccurrences for a continuous period of 2 years. . This review is the responsibility of the person applying the sanction. Any changes made to the sanction must be followed up with.

### **Extreme behaviour**

Where behaviour is so extreme that it is an immediate threat to the safety and welfare of staff or others, a Director will consider whether it is necessary to report the matter to the Legal Team and/or the Police to consider taking legal action. In such cases we may not give prior warning to the customer involved but the Director should inform them of any steps taken as soon as appropriate.

## **Agents / contractors**

Agents or contractors working on behalf of clients are difficult to disengage from as they can be covering a number of topics and/or clients. In these cases it may be difficult to fully disengage with an agent/contractor, so we would have to disengage on a specific issue which is likely to affect their client. Therefore, before we do this we would need to contact the client and explain that their agent/contractor is showing unacceptable behaviour and that unless this behaviour is modified it may have a detrimental effect on their project, application or agreement.

We may also consider contacting the agent/contractor's employer if they are not self-employed and/or the professional body or similar organisation that represents the agent/contractor to make a formal complaint as part of the sanctions process.

## **Site owners**

Customers that own a site that Natural England is involved with or pays towards may also be difficult to fully disengage with as some contact will need to continue. This is where partial disengagement should be considered rather than full disengagement. If contact continued to be unacceptable, but full disengagement is not possible, the colleague in contact with the customer may consider speaking to the Legal Team for advice.

## **Appeals**

A customer can challenge the decisions we make if they disagree with them by raising a complaint - this will be reviewed as a Stage 3 complaint. They can do this only once at stages 2 and 5 of the Unacceptable Customer Behaviour Policy.

## **Further information**

Further information relating to this policy and specific questions should be directed to [customer.feedback@naturalengland.org.uk](mailto:customer.feedback@naturalengland.org.uk)

## Annex A – Definition of the terms in used in our statement to customers

Behaviour whether intentional or not	Definition
Threatening	Intimidation or behaviour that causes the individual or group fear of harm of injury.
Bullying	Persistent actions, criticism or personal abuse in public or private which humiliate, intimidate, frighten or demean the individual or group or is trying to have that effect.
Discriminatory	Failure to afford equal respect to an individual or group on the basis of age, disability, gender, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership, and pregnancy and maternity.
Abusive	Unwanted and offensive behaviour or language which affects the dignity of the individual or group it is aimed at.
Frequency	Extremely regular, persistent contact which interferes with our ability to complete tasks and deliver services, particularly when an answer has been given or a timeframe for response made clear. For example many short emails in one or two days or complex emails two or three times per month (on the same/similar topic(s)).
Repetition	Repeated contacts on the same issue, possibly to different staff members, where we have already addressed the issue as far as we are able, have given a date by which we will do so or have exhausted our complaints process and those of the Parliamentary and Health Service Ombudsman (PHSO) and/or the Information Commissioner’s Office (ICO).
Duration	Contact on the same issue, or variants of the same issue, over a prolonged period of time where the contact is unnecessarily complex and time consuming, draining resources. This could be with a number of different staff members or all to one person.
Nature	Where the contact is any of the above.

## Annex B – Intermediate Sanctions

Sanctions		Sign off level
1	<p><b>Contact in a specified form only</b> (e.g. email or letter)</p> <p><i>e.g. if the customer is unreasonable on the telephone but manageable in writing</i></p>	<p><b>Line Manager of staff member corresponding with the customer</b></p>
2	<p><b>Contact with appropriate named person only</b></p> <p><i>e.g. particularly for prolonged or frequent contact, where a customer has taken the same issue to numerous people</i></p>	
3	<p><b>Restricting telephone calls to specific days and/or times</b></p> <p><i>e.g. if frequency is still an issue, potentially terminating calls at other times</i></p>	
4	<p><b>Asking the customer to enter into a written agreement about the nature and/or content of their future contact</b></p> <p><i>e.g. for where we want to restrict what the customer contacts us about</i></p>	
5	<p><b>Asking the customer to contact us through a third party of their choosing</b></p> <p><i>e.g. appropriate where the customer has been aggressive or threatening</i></p>	
6	<p><b>Restricting contact to specified dates</b></p>	