



Hinckley & Bosworth
Borough Council

A Borough to be proud of

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

ETHICAL GOVERNANCE & PERSONNEL COMMITTEE

12 DECEMBER 2016

WARDS AFFECTED: ALL WARDS

PERSISTENT AND UNREASONABLE COMPLAINANT BEHAVIOUR POLICY

Report of the Monitoring Officer

1. PURPOSE OF REPORT

- 1.1 To present an updated policy in relation to persistent and unreasonable complainant behaviour.

2. RECOMMENDATION

- 2.1 The updated policy be approved.

3. BACKGROUND TO THE REPORT

- 3.1 In order to ensure an effective service for all customers, including complainants, the authority has a policy to assist in addressing persistent and unreasonable complainant behaviour.
- 3.2 Unreasonable behaviour is where the frequency or nature of a complainant's contact with the council takes up unjustifiable officer time and resources, making it hard for officers to handle their complaint and/or those of other people, or where their behaviour is offensive or abusive.
- 3.3 The policy has been reviewed in line with changes made to the Local Government Ombudsman's "managing unreasonable complainant behaviour" policy. The changes recommended are outlined in paragraphs 3.4 to 3.6 below.
- 3.4 The second paragraph of the first section has been amended to refer to the policy being applicable not only to formal complainants, but those making informal complaints or behaving unreasonably in their contact with the council. We are suggesting this change to reflect that we attempt to resolve issues before we reach the stage of encouraging customers to make a formal complaint and therefore the policy should to support officers in the often extensive contact with customers prior to instigating any formal processes.

- 3.5 The list of examples in the second section has been expanded in line with those in the Local Government Ombudsman's guidance. Whilst this list is not exhaustive, it is useful to have as many examples as possible.
- 3.6 In section 3, a stage has been inserted (at stage 2) whereby an informal warning will be issued to allow the customer the opportunity to address the issues to avoid the policy being applied.
- 3.67 It should be emphasised that the policy has been used infrequently and it is not envisaged that these amendments will lead to increased use, however it is important to have a policy in place to address unreasonable behaviour in all contact with customers.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

- 4.1 This report will be taken in open session.

5. FINANCIAL IMPLICATIONS (IB)

- 5.1 None.

6. LEGAL IMPLICATIONS (MR)

- 6.1 None.

7. CORPORATE PLAN IMPLICATIONS

- 7.1 This report supports all corporate aims.

8. CONSULTATION

- 8.1 Consultation has not taken place on this policy.

9. RISK IMPLICATIONS

- 9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Unreasonably disproportionate amount time spent dealing with some customers	Ensure policy is in place	Julie Kenny

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 The persistent and unreasonable complainant behaviour policy does not impact any particular ward, parish, community or group. All complainants are supported in making complaints and may do so in the way most suited to their individual needs or circumstances and these are also taken into account in the decision to apply the policy.

10.3 This is not a new policy, an equality impact assessment is not required.

11. CORPORATE IMPLICATIONS

11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

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