

Definition: Habitual, Persistent and Aggressive Customers



It is difficult and unwise to give prescriptive definitions of habitual, persistent and aggressive customers. However customers (and/or anyone acting on their behalf) may be identified as habitual, persistent or aggressive where previous contact or current contact shows that they exhibit one or more of the following behaviours which tend to lead to unreasonable demands on the Council and its staff:

- 1) Persisting in the pursuit of a complaint where the Council's procedure has been fully and properly implemented and exhausted. (*E.g. where investigation of the complaint has been concluded and no mistake or admission has been identified or the Council has identified/accepted a mistake/omission and has apologised and put things right*).
- 2) Changing the substance of a complaint or continually raising new issues or seeking to prolong contact by continually raising further concerns or questions which are not legitimate upon receipt of a response whilst their complaint is being addressed. (*Caution must be taken not to discard new issues that are significantly different from the original complaint. These may need to be addressed as separate complaints*).
- 3) Involving numerous services and organisations in their complaint by making the same complaint from different angles or via different routes (e.g. Chief Executive, District Councillor, County Councillor, Portfolio holder) which makes it harder to investigate and resolve. This can happen consecutively or concurrently.
- 4) Unwilling to accept documented evidence of actions taken by Council officers as fact e.g. site reports, visit logs.
- 5) Denying receipt of an adequate response in spite of correspondence specifically answering their questions, if denial of receipt by mail is referred to we will re-send correspondence via registered post.
- 6) Failing to accept that facts can be difficult to verify when a long period of time has elapsed.
- 7) Failing to clearly identify the precise issues that they wish to be investigated, despite reasonable efforts by Council officers to help them specify their concerns and/or where the concerns identified are not within the remit of the Council to investigate or take action.
- 8) Focusing on a trivial matter to an extent which is out of proportion to its significance and continuing the focus on this point. (*It is recognised that determining what is a 'trivial' matter can be subjective and careful judgement must be used in applying this criterion*).
- 9) Threatening to use or using actual physical violence or abusive language towards staff at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter only be progressed through written communication. All such incidents must be documented and referred to the Council's Risk Manager for possible inclusion on the Incident Register.
- 10) Having an excessive number and length of contacts with the Council service concerned in the course of addressing a single complaint placing unreasonable demands on staff. (*Contact may be in person, by telephone, letter, e-mail or fax. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this reason using judgement based on the specific*

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circumstances of each individual case and the contacts of other customers of a similar nature.)

- 11) Harassing or being personally abusive or verbally aggressive on more than one occasion towards staff dealing with their complaint. *(Staff must recognise that customers may sometimes act out of character at times of stress, anxiety, or distress and should make reasonable allowances for this. Staff should document all incidents of racial harassment following the Racial Incident Reporting procedure and the Incident Reporting procedure if appropriate).*
- 12) The tape recording of meetings or face-to-face /telephone conversations without the prior knowledge and consent of the other parties involved.
- 13) Making unreasonable demands or having unreasonable expectations and failing to accept that these may be unreasonable *(e.g. insisting on responses to complaints or enquiries being provided more urgently than is reasonable or normal recognised practice and/or demanding meetings that would not be reasonably expected to resolve the issue raised.)*