



Customer Alerts Policy

1. Introduction

1.1 Staff at Dover District Council are trained to make reasonable allowances for a customer's behaviour, and we all accept that people under stress, or who are feeling angry or upset, may react in an abusive or aggressive way to the person with whom they are dealing.

However, there are a small number of cases where the nature and/or behaviour of the customer is so abusive and/or unreasonable that, even after making allowances for the cause of their behaviour, it is deemed inappropriate and unacceptable.

2. Aims of this policy

This policy will:

2.1 Help support the framework within which DDC manages the risks to our staff in order to enable them to carry out their roles safely.

2.2 Ensure that clear guidelines are in place for dealing with information, lawfully shared with us, that gives cause for concern about a customer.

2.3 Ensure that all customers who are considered to pose a threat to staff or others are flagged within our housing management system with a customer alert and given an appropriate status.

2.4 Ensure that those customers who are subject to this policy are informed of their status and the reasons for our decision, given the opportunity to have this decision reviewed and advised of the possible consequences to the service delivery.

2.5 Ensure that all records carrying a customer alert are reviewed every year and any information held that is considered out of date or not relevant is removed from our housing management systems.

2.6 Establish a system of recommended responses to the customer alerts that may include alternative working arrangements, e.g. officers to visit in pairs.

3. Definitions

3.1 The definitions provided in this policy are intended as a guide and not as a conclusive list. The actual assessment of risk ratings will be based on the customers' circumstances and a consideration of all available information lawfully provided to us.

3.2 For the purpose of this policy the term 'staff' includes directly employed members of our staff, contractors and relevant partner agencies. The term 'customer' means the resident of the property whether a tenant or leaseholder or any other known occupants or regular visitors or individuals accessing any of our services

4. Defining unacceptable behaviour.

4.1 DDC treat as abusive or threatening behaviour, any action taken by a customer that seeks to harass, verbally abuse or otherwise intimidate our staff. This can include the use of foul or inappropriate language, using offensive, sexist or racist language, placing offensive posts on social media which name staff, and which could include unauthorised or edited filming, recordings or photographs of staff. DDC will also treat as offensive; comments made by others to the original post where it contains inappropriate language, or offensive, sexist or racist language against DDC or its staff

This might include:

- Using threatening, offensive or foul language on the telephone
- Using threatening, offensive or foul language face to face
- Sending multiple threatening or offensive emails
- Leaving multiple threatening or offensive voicemails
- Using offensive or threatening posts on social networks
- Filming and or recording without permission and/or editing film/photographs of staff
- Making post on social media, online forums and websites and allowing offensive comments by others.
- Behaving aggressively towards an officer and leading them to believe that they may be subjected to a physical assault.

5. Dealing with abusive and threatening behaviour

5.1 During telephone calls

In situations where the language and content of telephone calls made by a customer to a member of staff becomes abusive or threatening, it is acceptable for that

member of staff to terminate the telephone conversation. In all cases the member of staff should remain polite and, wherever possible provide the customer with the opportunity to modify their behaviour, by informing the customer that unless they do so, the call will be terminated.

If a call needs to be terminated as a result of the customer's conduct, a file record must be kept, and your line Manager should be informed. In extreme cases, for example where there are direct and credible threats made during the call, the Manager may decide to refer this to the police.

5.2 Face to face meetings

The personal safety of DDC staff is of paramount importance and if, during face to face meetings, a customer's behaviour becomes aggressive, abusive, or they display high levels of distress, the meeting should be brought to an end as quickly as possible.

The decision to end a meeting should, if possible, be explained clearly and politely, so that the customer does not feel that they are being dismissed or their enquiry ignored. Unless it is clearly inappropriate to do so, they should also be informed that it may be possible to continue the conversation at a future meeting when they are less distressed.

Where a meeting is terminated because of the conduct of the customer, a note of the incident must be made, and the matter brought to the attention of the line Manager. In extreme cases, for example, where there are direct and credible threats or where there is an actual or near miss incident the Manager should be advised, and the matter may be passed to the police.

5.3 In correspondence

Staff in receipt of abusive or threatening correspondence need not reply, other than to acknowledge its receipt. All such correspondence should be brought to the attention of the line Manager.

The Manager will review the case and may decide to respond to the customer explaining that the tone of their correspondence is unacceptable, and that no further correspondence will be entered into unless the customer amends their tone. In extreme cases, for example, where there are direct and credible threats, this correspondence may be passed to the police.

5.4 On social media profiles managed by Dover District Council

DDC aims to respond to all negative social media posts made on our corporate accounts within 24 hours or less. Any social media posts containing expletives, personal attacks/threats, personal details including name, address and contact details and/or racial slurs against our staff or others will be removed immediately and the abuse reported to the social media organisation. The person concerned will be contacted and asked to refrain from posting abusive comments.

5.5 Posts on other social media users accounts

Posts which contain abusive or threatening behaviour made on public pages or groups will be reported through the social media report methods, and where it is known, the resident will be contacted and asked to remove the post either in full (if required) or to remove the details referring to a member of staff. This action will be taken as soon as the post has been reported to the Communications Team.

Sometimes it isn't possible to view posts on social media users' private pages. However, if we become aware that private posts are being made that are derogatory or threatening to staff and we have the evidence to support this, we will investigate and based upon our findings we may:

- Report this immediately to the social media provider using their own report abuse protocols
- If we can attribute the post to a contactable/traceable person we will contact that person and ask them to refrain from doing this again.

To ensure the above is possible, we would ask that any evidence of offensive posts be sent to the Communications Officer and relevant Manager to investigate.

6. Responding to incidents of aggressive/abusive or intimidating behaviour

6.1 In all cases where the behaviour of an identifiable customer has been interpreted as abusive and or threatening towards a member of staff, their line Manager will contact the customer to explain why their behaviour is causing concern and ask them to modify their behaviour. The Manager will explain the actions that DDC may take if the behaviour does not change. A standard letter is available on request.

6.2 Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, DDC will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the customer warning of that action.

6.3 In situations where there is a credible threat to staff safety, the Manager will report this to the police and alert the member of staff of the threat, if they are not already aware of it.

6.4 In situations where the member of staff who is the subject of the abusive/threatening behaviour is away from the office, attempts will be made to contact them by telephone or social media to alert them to the situation. This is particularly important given that many staff live locally and could inadvertently meet the customer.

6.5 An incident risk assessment will be completed, and the Customer Service team asked to place a customer alert on the account with recommendations for future contact arrangements.

6.6 DDC will adopt a risk-based approach when applying alerts to customer records and in all cases a risk assessment will be completed at the point at which an alert is added to a record.

6.7 The risk assessment is used to determine whether incidents or behaviour warrant an alert, the level of risk an individual poses and what action would be proportionate to mitigate any risk.

6.8 Recommendations about future management of each customer will be made based on perceived risk, identified through the risk assessment, as below.

Level 1 - Low risk. Unpredictable behaviour causing fear of an assault or uneasiness. Staff are encouraged to listen to their 'gut instinct'.

Examples of behaviour or of disclosed information that MAY attract a level 1 customer alert include:

- a) Aggressive and threatening personal comments about staff members made by telephone, letter, email or using social media.
- b) Abusive behaviour which seeks to harass, verbally abuse or otherwise intimidate staff or others e.g. neighbours. This can include the use of foul or inappropriate language or the use of offensive and racist language.
- c) Known substance misuse where there is evidence that the abuse of the substance can result in changes in behaviour that may pose a risk to staff.
- d) Known needle stick risk in property. This reflects the risk of needles being disposed of improperly even where the use of needles is for a legitimate purpose.
- e) Vexatious and malicious complaints/allegations.

Level 2 - Medium risk. Abusive behaviour, including threats of physical violence

Examples of behaviour or of disclosed information that MAY attract a level 2 customer alert include:

- a) Threatening behaviour including personal threats to harm. This may include serious threats issued by the subject towards neighbours or officers in other agencies.
- b) Previous unspent convictions for violent and sexual offences disclosed by the customer, Police or Probation services. These include: Common Assault and Sexual Assault (where there is no violence involved).
- c) Having been identified by another agency as presenting a risk to staff (and we can substantiate that information as being accurate).
- d) Displaying behaviour that may indicate a mental health problem which we consider could be a potential risk to staff safety

Level 3 - High risk. Actual or attempted physical assault

Examples of behaviour or of disclosed information that MAY attract a level 3 customer alert include:

a) Specific incidents of violence or attempted violence demonstrated by the subject towards staff, neighbours, contractors or officers working for other agencies (where this can be substantiated).

b) Disclosed previous unspent convictions for serious violent and sexual offences. These include:

- Sexual assault
- Assault with intent
- Actual bodily harm
- Grievous bodily harm
- Knife and firearm offences.

(This is not an exhaustive list and further offences could be considered for inclusion at the discretion of a Manager.)

c) Sex or violent offenders on release from prison where the offender management unit suggest this.

d) Where advised by the Police and/or Probation Service that a customer is a risk to members of staff and members of the public and is the subject of ongoing monitoring.

e) Suspected involvement in organised crime gangs (information provided by the Police) and not knowing who will be at the property if a member of staff carries out a home visit.

f) Previous unspent convictions for other serious criminal offences involving serious violence and/or the use of offensive weapons, knives and firearms.

7. Restricting contact from abusive and/or threatening customers

7.1 The restrictions that may be put in place for contact must be proportionate and justifiable but may include:

- a) Accepting telephone calls only through a third party e.g. solicitor, councillor or friend acting on their behalf
- b) Not accepting telephone calls from the customer, requiring them to correspond by letter or email
- c) Restricting access to our offices except by appointment
- d) Requiring contact to take place with one named member of staff only
- e) Restricting telephone calls to specified days/times/duration
- f) Requiring any personal contact to take place in the presence of an appropriate witness
- g) Stopping or restricting, posting on the DDC social media sites

In the most serious of cases, where there is evidence of harassment of staff during their work, action for possession or injunctive relief may be sought.

8. Case management

8.1 In all cases where a customer alert is to be applied to an account, the line manager of the individual reporting an incident will discuss the case with that officer and complete a risk assessment. The risk assessment considers both the 'Severity of Incident' and the 'Future Risk' that the customer poses.

8.2 Where Information is provided by an external source during or prior to the commencement of tenancy, the nominated Manager will decide if the information meets the customer alert criteria and complete a risk assessment accordingly.

8.3 The severity of any incident or information disclosed will generally inform the level of customer alert given and may highlight potential risk of future incidents occurring. However, the incident should be considered in context so that incidents that meet the criteria for level 2 or 3 alerts could translate into a level 1 alert if the circumstances that led up the incident are unlikely to be repeated.

8.4 Managers will give reasons for their decision and indicate on the risk assessment any recommendations for future contact with the individual concerned. This may also include a record of any legal action that may be considered for breach of tenancy in relation to the incident(s).

8.5 The risk assessment should identify recommendations for future staff contact with the customer. This may include one or more of the following:

- No further home visits
- Visit in pairs
- Only male/female officers to attend
- Member of staff to be accompanied by a manager
- No face to face contact
- Contact only in writing
- Removal from all corporate social media sites and reports of abuse made

8.6 All copies of completed risk assessments and incident forms will be held securely and will be available to the customer on request. Customer alerts will be placed on the housing management system along with the level of customer alert and any recommendations for future case management.

8.7 In urgent situations where it is felt that there is a very real and credible threat to staff safety, an alert will be added to the account pending a full risk assessment.

9. Advising customers of their status and appeals

9.1 When a decision to place a customer alert on an account has been reached the line Manager of the officer reporting the incident (or the manager who is the recipient of information from an external source) will write to the customer concerned advising them that they or the condition of their property have been assessed as presenting a potential risk to members of staff and provide details of why this decision has been reached. This notification letter will be hand delivered to the property and a note made on the system to advise the time and date that the letter was delivered. This prevents denial of having received the alert notification letter.

9.2 The notification will offer the customer the right to appeal this decision within 14 days of receipt of the notification letter.

9.3 If an appeal is made, a manager, more senior than the one that made the original decision will review the case and the evidence used to support the decision to place a customer alert on an account. A decision whether to uphold or refuse the appeal will be sent to the customer within 14 days of the receipt of appeal.

9.4 In rare and exceptional circumstances, (e.g. where requested by the Police, Probation Service, or the service of a Court Order,) the customer will not be informed of the decision to identify them as a risk. DDC will exercise discretion in such cases and will fully document the reasons why this decision has been reached.

10. Review Arrangements

10.1 All customer alerts will be reviewed annually. The alert level will be reassessed and if the risk is considered to have been reduced, the incident that gave rise to the alert is no longer relevant or there is evidence that there is no longer an ongoing risk then the alert on the customer's account will be removed

10.2 Where there is a reduced level of risk to members of staff, then the reviewing Manager will consider whether it is appropriate to reduce the customer alert level. The Manager will also review the Recommended Control Measures and Contact Measures to confirm whether these are still proportionate to the risk posed by the customer, including members of their household or visitors to their property.

10.3 Customer alerts are attached to customer details on the computer system but will be removed by Customer Services when a customer no longer has a tenancy or licence with DDC or when the decision on review or appeal is that the alert is no longer necessary and or justifiable.

10.4 If no further information is received from the customer or other agencies within the time period, then the alert will remain on the record.

11.Vulnerable Tenants

11.1 DDC take the safety and welfare of their staff very seriously but recognise that in some cases the vulnerable customers that we deal with may require further support from other agencies to help them sustain their tenancies.

11.2 On occasion, some of our vulnerable customers may have been involved in incidents of violence or aggressive behaviour for a number of reasons including:

- Unrealistic expectations of what we can do for them
- Mental illness
- Certain medical conditions
- Reaction to authority
- Alcohol, drug and/or solvent misuse or withdrawal
- Stress or frustration

In these cases, we will endeavour to balance the need to protect staff with the need for ongoing support for vulnerable customers.

12. Information Sharing

12.1 While there may be occasions when it is necessary or reasonable to share information with other organisations or individuals, we will not share special category information without the written consent of our customers or unless we have any other lawful basis for doing so.

12.2 Data may be shared with the partner agencies, the police, Kent Fire & Rescue Service, local authorities on the following basis:

- a) In order to comply with any specific legislation e.g. our duties under the Health and Safety at Work Act 1974
- b) To certain government agencies which may include the Information Commissioner or the Local Government/Housing Ombudsman
- (c) To a third party by order of the Court
- (d) Where there are safeguarding concerns and or referrals made
- (e) Where our contractors may have staff working in council-owned homes that are potentially at risk.

12.3 Special category data will only be shared if we have a customer's consent or have entered into a data sharing agreement.

13. Equality and Diversity

13.1 We believe that all our customers, regardless of background or ability, deserve to have the same opportunity to benefit from the services we provide. We will ensure that customers with a need are able to communicate with us and will be treated by our staff in a manner that takes their needs into account.

13.2 It is an aim of DDC that:

- all customers receive equal access to services irrespective of age, race, sex, disability, faith or sexual orientation
- all staff are trained on equality and diversity issues and are equipped to deal with our customers' specific needs

14. Policy monitoring and review

14.1 This policy will be reviewed annually or, if necessary, in response to relevant changes in legislation, organisational structure, development of good practice, or to address operational issues.

14.2 Overall monitoring and review of the policy will be undertaken in consultation with staff, as well as tenants and other partners.

15. Privacy Notice

15.1 Dover District Council is the Data Controller of the personal and special category information that is processed. Customer alerts information are based on the risk reports completed on each property and that is how the information is collected.

15.2 Customer Alerts are kept on the addresses of individuals who are considered to represent a possible threat to the safety or well-being of the Council's staff and contactors. It is used to identify potential risks to staff or contractors from an individual or premises before making contact or conducting a visit.

15.3 Personal and special category information collected include:

- Name
- Address
- Contact Information
- Medical Information (if there is something medically which results in a customer alert being raised e.g.: Mental Health)
- The categorise of data subjects includes tenants/members of the public who may be known to frequent an address.

15.4 Data may be shared with partner agencies, the police, Kent Fire & Rescue Service, local authorities for purposes detailed in the information sharing section. There may also be occasions where we collect information relating to criminal offence data under GDPR Article 10. This will be shared from the police directly with us e.g. someone that may pose a threat to staff. This may result in 2 people having to visit or no home visits to be made at all. This information will be held securely and handled confidentially and notifications of this to staff will be on customer alerts.

The information is collected in order to protect staff to ensure they are not put at any risk; this is why we may have to process special category and criminal offence data. We only process this when we have identified a lawful basis to do so and have an appropriate policy document detailing how this information complies with data protection legislation.

15.5 Our lawful basis for processing personal information are:

- For the performance of a task carried out in the public interest

For when we are processing special category information, we also have to identify a condition under GDPR article 9, this is:

- 2.(g) For reasons of substantial public interest

15.6 To ensure that information held is secure and only accessed by the relevant staff, there is restricted access to the files where documents are held. All information will be held securely and disposed of confidentially.

15.7 All Customer Alerts will be reviewed annually.

15.8 Please refer to our Corporate Privacy Notice at www.dover.gov.uk for further details of how we process your personal information and your rights.