

Policy on managing and responding to customers' unreasonable or unacceptable behaviour

- 1 We welcome people raising concerns or complaints about our work. And we want to support our customers when they do this. However, on rare occasions, our customers may demonstrate unreasonable or unacceptable behaviour.
- 2 We know that our customers may raise concerns that make them feel frustrated or upset. Our [Customer Enquiries and Complaints Team](#) will always respond to these concerns quickly and fairly, in line with our [Corporate Complaints policy](#). At the same time, we need to ensure that our employees are not unnecessarily exposed to unreasonable or unacceptable behaviour. In exceptional cases, in order to manage a customer's unreasonable or unacceptable behaviour, we may need to restrict their access to our services. We won't do this until we've explored all other options first. We'll ensure that we act in line with our [reasonable adjustments policy](#), where this applies.
- 3 No matter what the situation, we'll always respond to any concerns raised in line with our NMC [values and behaviours](#).
 - 3.1 **Fair** – we'll listen to our customers' questions and concerns, and answer them whenever we can. We'll also ensure that our colleagues are properly supported if a customer behaves in an unreasonable or unacceptable way.
 - 3.2 **Kind** - we'll be kind and compassionate in the way we approach situations, including being clear in our actions and responses. We'll always try to support colleagues and customers appropriately.
 - 3.3 **Ambitious** – we'll always try to understand, respond to and resolve complex situations, which may involve balancing a range of different interests and viewpoints.
 - 3.4 **Collaborative** – we'll work collaboratively with customers and colleagues to resolve situations and to communicate openly wherever possible.

How we define unacceptable and unreasonable behaviour

- 4 We consider that the following behaviour is unacceptable:
 - 4.1 Any violence or the threat of violence towards NMC employees.
 - 4.2 Any abuse or intimidating behaviour toward NMC employees, including the use of:
 - 4.2.1 racist or derogatory language

- 4.2.2 homophobia, transphobia or biphobia
- 4.2.3 behaviour that's hostile or prejudiced toward staff based on a person's disability or perceived disability
- 4.2.4 abusive and offensive language including body language, persistent swearing or any form of discriminatory language.

We consider that the following behaviour is unreasonable:

- 4.3 unreasonable demands to the disadvantage of other customers where we can't give any further information or the matter is outside our remit
 - 4.4 behaviour which needs a disproportionate amount of time and resources to address. For example, this could include setting unreasonable timescales for responses, sending excessive correspondence without substance, demanding replies in a particular format that's not needed
 - 4.5 Continued refusal to accept explanations or decisions without providing any new information or evidence
 - 4.6 trying to reopen a complaint without providing substantial new information
 - 4.7 continuing to raise a complaint after the corporate complaints policy has been exhausted
 - 4.8 raising continuous complaints about our service when the dissatisfaction is actually with one of our regulatory decisions
- 5 In making a decision about whether certain behaviour is unacceptable or unreasonable, we will consider:
- 5.1 the history of our interactions with the individual
 - 5.2 any service failures or errors we have made and whether we have apologised and learned from them
 - 5.3 whether we have followed our complaints policy and other related procedures such as internal review mechanisms

How may we restrict access?

- 6 The following is a list of restrictions that may be applied, either on their own or together, depending on the circumstances of any individual case. We'll always consider the least restrictive measure first, before considering any other reasonable options. We will ensure that any restrictions are in line with relevant regulations, such as the Equality Act 2010.
- 6.1 We may decide only to take telephone calls from the customer at set times or on set days.

- 6.2 We may change the customer's point of contact at the NMC. And that NMC employee will be the only person to deal with calls or correspondence from the customer.
- 6.3 We may ask the customer to communicate with us in writing only.
- 6.4 We may put measures in place to divert or block telephone calls or other types of communication.
- 6.5 We may advise the customer that we'll read their correspondence but not necessarily acknowledge or respond to it, if we feel that we've already answered all of their questions or concerns reasonably. We would still respond to any outstanding complaints, information requests or whistleblowing issues in line with our usual policies and procedures.
- 6.6 We may restrict the customer's access to specific communication channels. We may, as a last resort, choose to terminate communication with the customer if their behaviour continues to be unreasonable or unacceptable after all other options have been exhausted.
- 6.7 We may tell the customer that they're not allowed to visit NMC premises without being invited first.
- 6.8 There may be very exceptional cases in which we need to bring legal proceedings. For example, to prevent abusive behaviour or harassment against NMC employees. Or to apply for a civil restraint order if someone repeatedly brings legal proceedings against the NMC which the Court certifies as being "wholly without merit".
- 7 We will document any restrictions applied and the reasons for them in the customer's file.
- 8 The list in paragraph 6 is not exhaustive. There may be other action that's appropriate for us to take.
- 9 Where the person communicates by email, we can ask our IT department for advice about using technology to manage correspondence, if we feel that's appropriate. For example:
 - 9.1 blocking incoming email messages from certain addresses
 - 9.2 diverting incoming email messages from certain addresses into a designated inbox.
- 10 In some cases, a person may have multiple lines of contact with different NMC teams. We'll speak to all teams known to be dealing with a person before deciding to restrict access. This is so we can consider the impacts on any other teams, and support decision making about if and how access should be restricted. In particular, we must ensure that we don't inadvertently block members of the public

from raising legitimate concerns, making information requests or serving relevant Court documents on the NMC.

Communication of restricted contact and review

- 11 If we decide to restrict contact, we'll write to the person concerned, explaining the restrictions to them and the reasons. If the person needs a reasonable adjustment to the way we communicate with them, we'll do this in line with our [reasonable adjustment policy](#).
- 12 We'll review any decision we make to restrict a person's contact with us. We'll do this every 6 months, and we will write to the customer to inform them if the restriction is lifted or amended in any way.

Application of the policy

- 13 This policy is effective from April 2024 and will be reviewed annually.