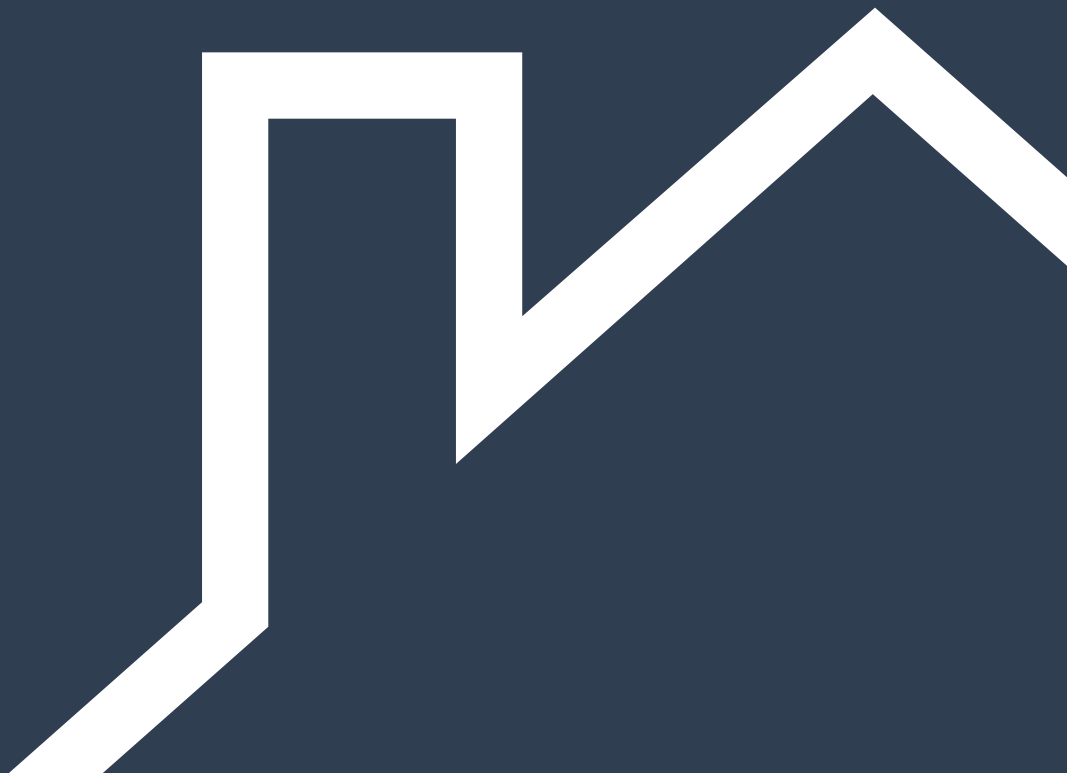




NEW HOMES
OMBUDSMAN SERVICE

Unreasonable Behaviour Policy



1. Unreasonable behaviour policy

- 1.1 At the New Homes Ombudsman Service [NHOS], we are committed to dealing with customers both fairly and impartially and recognise that dealing with complaints can be a difficult time for all of those involved. We do however believe that our staff deserve to be treated in a courteous and respectful manner.
- 1.2 This policy outlines the approach we will take in a number of situations where we believe that staff are being treated unreasonably.
- 1.3 There are many examples of unacceptable behaviour that are not specified in detail in this policy. The New Homes Ombudsman will exercise her discretion to determine whether behaviour is considered unacceptable and the relevant action to take.

2. Examples of unreasonable behaviour

- 2.1 The following are examples of unreasonable behaviour.

Unreasonable demands

- 2.2 A demand becomes unreasonable when it has, or may have, a substantial negative impact on the work of the New Homes Ombudsman such as:
 - demanding responses within unreasonable time scales
 - insisting on seeing or speaking to a certain member of staff where this is not possible, or they are not available or not the appropriate person with whom to speak
 - Demanding a deviation from the Scheme Rules

Aggressive or abusive behaviour

- 2.2 We understand that complaints are important to customers and accept that at times, customers may not be satisfied with an outcome or response received from NHOS. However, we will not tolerate violent, abusive or offensive language or actions by customers.
- 2.3 Each situation will be judged on a case-by-case basis, however the following are examples of language or behaviour that is considered unreasonable and unacceptable:
 - insulting
 - degrading
 - racist
 - sexist or homophobic
 - making allegations that staff have committed criminal, corrupt or perverse conduct without evidence



Excessive levels of contact

2.4 Customers may contact NHOS for a progress report on their case or to provide us with relevant updates. However, there are instances where contact can become excessive and can impact our ability to carry out the service we offer.

2.5 Examples include:

- repeated calls, emails or letters to our offices where we have given an indication on when we will respond or where the matter has been dealt with in full and we are unable to progress concerns any further
- persistent use of our complaints process
- contacting multiple members of staff about the same query without good reason

Refusal to co-operate

2.6 When reviewing cases, NHOS will need to be able to communicate with all parties involved. Our team may need to contact complainants about a complaint and ask important questions or request documentation that is key to resolving your complaint effectively.

2.7 Parties that refuse to co-operate or communicate with us are behaving unreasonably as it impedes our ability to fully fulfil our role as an Ombudsman.

Vexatious complaints

2.8 Occasionally we receive complaints that are vexatious. This is where it is clear to the New Homes Ombudsman that the complaint is without merit but is being submitted to harass or annoy the organisation being complained about or NHOS itself.

3. Actions we may take

3.1 In instances where the behaviour detailed above is demonstrated to us and we consider such behaviour to be unreasonable, we may take one or more of the following actions which we consider to be reasonable [this is not an exhaustive list]:

- stop communicating with the party in question
- explain why the behaviour displayed is unreasonable and take any action we deem necessary, including alerting the police or other relevant authorities in exceptional circumstances
- request a representative to communicate on behalf of the party in question
- refuse to deal with the complain





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