



# Unacceptable Customer Actions Policy

## **1. Introduction**

- 1.1. This policy sets out Moray Council's approach to managing the relatively few customers whose actions or behaviours are considered to be unacceptable. The term 'customer' includes anyone acting on behalf of another person or who contacts our offices in connection with any aspect of the Council's services. The principles set out in this policy apply to the Council's dealings with its customers in all circumstances.

## **2. Policy Aims**

- 2.1. To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions the Council considers unacceptable. The Council believes that all customers have the right to be heard, understood and respected. The Council also considers that our employees and elected members have the same rights.
- 2.2. To provide a service that is accessible to all customers. However, where the Council considers a customer's actions to be unacceptable, the Council retains the right to restrict or change access to our services (where it is appropriate to do so).
- 2.3. To ensure that other customers, Moray Council employees and elected members are not disadvantaged by the acts of customers who behave in an unacceptable manner.
- 2.4. To ensure that the Council's effectiveness is not compromised by customers who act in a manner that makes excessive and unacceptable demands on Council resources.

## **3. Moray Council Pledge**

- 3.1. We will:
- Provide high quality customer service however you wish to contact us
  - Offer you choices in how you contact us to get information, request services or tell us what you think
  - Provide a responsive service where issues are resolved at the first point of contact wherever possible
  - Be polite, helpful, sensitive and discrete in all our dealings with you
  - Treat you fairly and equally, keeping our language clear
  - Keep your information safe
  - Respond to routine enquiries promptly or tell you why it will take longer. Urgent enquiries will be responded to as a priority, and we will keep you informed of progress
  - Use customer views including complaints to help improve and shape future service delivery
  - Check regularly that the terms of our Charter are being delivered to you

### 3.2. What we expect in return:

To deliver high quality customer services, we need your help. Here are some things you can do to make it easier for us to do our job:

- Give us all of the information we need to help you
- Let us know if you require additional assistance or support
- Attend appointments on time, letting us know if you will be late or can't attend
- Ask us to explain anything you are unsure of
- Communicate with our staff in a respectful manner
- Tell us how we can improve our services

## 4. Defining Unacceptable Actions

4.1. People may act out of character in times of trouble or distress. An action is not viewed as unacceptable purely because a person is forceful or determined. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands or unacceptable behaviour towards Moray Council staff. Moray Council has grouped these actions under three broad headings with an explanation as to how they will be managed:

### 4.2. Aggressive or abusive behaviour

4.2.1. We understand that customers can sometimes become angry. However, if that anger escalates into aggression towards staff or property, this is unacceptable.

4.2.2. We will try to remain calm and understanding of the customers' situation; however, any aggression or abuse directed towards staff or property will not be tolerated.

4.2.3. Aggressive or abusive behaviour includes language (whether verbal or written) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness.

4.2.4. Inflammatory statements, remarks of a racial or discriminatory nature and false allegations are also abusive behaviour.

### 4.3. Unreasonable demands

4.3.1. A demand becomes unreasonable when it starts to impact excessively on the work of staff dealing with the matter, especially if this disadvantages other customers or service users.

4.3.2. For example:

- Repeatedly demanding responses within an unreasonable timescale;
- Demanding responses from several members of staff on the same subject;
- Insisting on seeing, meeting or speaking to a particular member of staff when that is either not possible or it is inappropriate;
- Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns;

- Repeatedly posing a question, when a response has already been given, because the individual may not like the answer they have received.

#### **4.4. Unreasonable levels of contact**

4.4.1. The level of contact is unacceptable when the amount of time spent talking to a customer on the telephone, or reviewing and responding to written or electronic communication, impacts on the ability to deal with the relevant matter, or on the ability of staff to deal with other members of the public.

### **5. Managing Aggressive or Abusive Actions**

5.1. Our staff will try to help a customer as much as they can; they appreciate that they may be in an unpleasant situation. If the customer is persistently abusive or aggressive to our staff, they will terminate contact and request police attendance if necessary. Abusive or aggressive behaviour can be physical violence, verbal abuse or harassment towards a person or by wilful destruction of property.

5.2. Where correspondence is received by any means, including social media, which is abusive to staff or contains inflammatory or malicious allegations that are unfounded, we will inform the customer that their language or the content of the message is considered offensive, unnecessary and unhelpful. Where possible we will remove such language and in other cases we will ask the customer to edit their correspondence to remove any offensive text and resend it, otherwise we will not respond.

5.3. Where there are repeated incidents of aggressive or abusive behaviour, longer term decisions to restrict customer contact with the Council may be taken after careful consideration of the circumstances by a Head of Service or Depute Chief Executive/Chief Officer or nominated senior officer. In these circumstances, we will also take account of any services we are currently providing to the customer and whether they would be impacted. Wherever possible, the customer will be given the opportunity to change their behaviour before a decision to restrict contact is taken.

5.4. Where a customer has been identified as exhibiting unacceptable behaviour, this information will be shared with all departments who may have cause to deal with that customer. Where it is anticipated that a customer may become abusive or aggressive, a minimum of two staff members will be present. Such meetings may be required to take place in an open space covered by CCTV.

### **6. Managing Unacceptable Actions**

6.1. Unacceptable actions adversely affecting our ability to do our work and provide a service to others may result in restricted contact with the Council in order to manage them. We may restrict contact to

- in person
- by telephone or fax
- by letter, text or email
- any combination of these.

We will try to maintain at least one form of contact. In extreme situations, we will tell the customer in writing that their name is on a 'no personal contact' list. This means that contact with the Council will be restricted to either written communication or through a third party.

- 6.2. Where a customer unreasonably and repeatedly phones, visits offices, raises the same issue, or sends excessive written or electric communication about which the relevance is not clear, we may decide to:
- Limit customer contact to telephone calls at set times on set days;
  - Restrict contact and written communication dealings to a nominated member of staff;
  - See the customer by appointment only;
  - Restrict contact to written correspondence only;
  - Refuse to deal with further calls, written or electronic communication
  - Advise the customer that further irrelevant documentation will be destroyed;
  - Advise the customer that their information is being logged , however no further correspondence will be sent
  - Take any other action that is considered appropriate to the circumstances.
- 6.3. Where continued correspondence on a wide range of issues is excessive, the customer may be advised that only some of these issues will be considered in a given period and the customer will be asked to limit or prioritise their requests accordingly.

## **7. Deciding to Restrict Customer Contact & Advising the Customer**

- 7.1. When a member of staff makes an immediate decision to end contact with a customer in response to unacceptable behaviour, the customer will be advised that contact is ceasing because of their unacceptable behaviour. The staff member will then submit an email to their line manager detailing the circumstances as this may inform future decisions to restrict contact.
- 7.2. Decisions to restrict contact with the Council will only be taken after careful consideration of the situation by a senior manager. Wherever possible, we will give the customer the opportunity to modify their behaviour or action before a decision is taken. Customers will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.
- 7.3. A report will be submitted by Service Departments to the Corporate Management Team in order to keep them aware of the number of cases where the Unacceptable Customers Actions Policy has been applied.

## **8. Appealing a Decision to Restrict Contact**

- 8.1. Where a customer has been informed that contact is to be restricted, they will be advised of their right of appeal.
- 8.2. Any appeal must be made in writing and submitted to the Depute Chief Executive/Chief Officer or nominated senior officer of the service where the unacceptable action occurred. This must be made within 10 working days of the date of the letter advising restricted contact. Only in exceptional circumstances will an appeal made outwith this timescale be considered. A written letter of appeal should clearly set out why the customer feels the decision to restrict contact is unreasonable.
- 8.3. The appeal will be considered by the Depute Chief Executive or nominated senior officer for that service. If a conflict of interest is identified then a Depute Chief Executive or nominated senior officer from another service will consider the appeal. The Depute Chief Executive or nominated senior officer considering the appeal will be provided with all the background information and any further information they require in order to review the case. Any reversal or amendment of the restriction arrangements will be at the discretion of the Depute Chief Executive or nominated senior officer considering the appeal.

The Chief Officer or their nominated senior officer will consider appeals in the same manner for Children Services.

- 8.4. The customer will be notified in writing of the outcome within 10 working days of receipt of their appeal. The Depute Chief Executive/Chief Officer or nominated senior officer reviewing the case's decision is final.
- 8.5. Thereafter all paperwork in relation to the process will be held by the Council's Corporate Complaints Officer.

## **9. Recording and Reviewing a Decision to Restrict Contact**

- 9.1. We will record all incidents of unacceptable actions which have resulted in contact being restricted. Where it is decided to restrict contact, an entry noting this will be made on the complaints database.
- 9.2. A decision to restrict contact as described above may be reconsidered if the customer demonstrates a more acceptable approach. The Corporate Management Team will review the status of all restricted contact arrangements on a regular basis.

If you need information from the Moray Council in a different format, such as Braille, audio tape or large print, please contact:

如果閣下需要摩里議會用你認識的語言向你提供議會資訊的話，

請要求一位會說英語的朋友或親人與議會聯繫

Jeżeli chcieliby Państwo otrzymać informacje od samorządu rejonu Moray w swoim języku ojczystym, Państwa przyjaciel lub znajomy, który mówi dobrze po angielsku, może do nas

Se necessita de informação, do Concelho de Moray, traduzida para a sua língua, peça o favor a um amigo ou parente que fale Inglês para contactar através do:

Jeigu Jums reikalinga informacija iš Moray regiono Savivaldybės [Moray Council], kurią norėtumėte gauti savo gimtąja kalba, paprašykite angliškai kalbančių draugų arba giminaičių susisiekti su mumis

Чтобы получить информацию из Совета Морэй на Вашем языке, попросите, пожалуйста, Вашего друга или родственника, говорящих по английски, запросить ее

Si necesitas recibir información del Ayuntamiento de Moray en tu idioma. Por favor pide a un amigo o familiar que hable inglés que:



Complaints Officer  
Chief Executive's Office  
High Street  
Elgin  
IV30 1BX



01343 543451



[Complaints@moray.gov.uk](mailto:Complaints@moray.gov.uk)



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