

Appendix A



Customer Case Management Policy
for Unacceptable Customer Behaviours and Actions

Revised July 2014

1. Introduction

The Council welcomes the opportunity to hear from and respond to its customers, and endeavours to put customers at the heart of all its service delivery.

In addition to regular consultation exercises with customers, the Council has in place a corporate Complaints, Comments and Compliments (3Cs) Policy that ensures consistency in our dealings with customers across all areas of the Council, and informs service improvements. The Customer Case Management Policy builds on the existing 3Cs Policy, by providing additional guidance to staff and setting out the process for handling unacceptable customer behaviour throughout the Council.

2. Why have a Customer Case Management Policy?

The Council does not normally limit the contact that people have with us. However, there may be occasions where a customer makes constant requests for complex information without apparent good reason or where they are acting in a manner to cause annoyance without the intention of resolving their query, or where service to other customers is impacted as a result of their behaviour. *The Local Government Ombudsman recommends that Councils adopt a framework for managing unreasonable customer behaviour and those guidelines have been followed in this policy.*

The common view of unacceptable behaviour is when a customer is abusive either verbally or physically. However, there are other behaviours which unreasonably impact on the business of the Council and affects service delivery to other customers. For example, where a customer makes constant requests for complex information¹ without apparent good reason; *or inappropriate content in, or excessive usage of, electronic communication on the same matter*, or where they are acting in a manner to cause annoyance without the intention of resolving their query. It is particularly this type of behaviour on which staff need guidance, in order to deal with the effects on the Council and themselves. It is in instances like this these that the Customer Case Management Policy may be invoked to help guide staff in ensuring consistency and fairness in dealing with these matters.

3. What is the scope of the Policy?

¹ This refers to information outside of that covered by the Freedom of Information Act. The LGO provides guidance, outside of the scope of this Policy, when dealing with unreasonable repeat requests relating to the FOI Act. *The FOI Act 2000 gives rights of public access to information held by public authorities. However, Section 14(1) of the Act protects public authorities from those who might abuse the right to request information.*

This Policy can be applied to any customer of the Council across all services and departments and in conjunction with other relevant Council Policies. The Policy applies to unacceptable behaviour by members of the public, including service users, but not by or between staff as this is covered by Employees' Conditions of Service and internal arrangements through Human Resources policies.

If any Member of the Council experiences unacceptable customer behaviour directed towards them they should refer to the 'Case Management Policy for Councillors' for guidance.

4. Equality and Diversity

If we are aware that a particular customer has a disability or may find it difficult to use our services for any reason, we should consider whether this may cause them to exhibit certain types of behaviour which might otherwise be deemed difficult or unacceptable.

If a customer has a disability their behaviour can still be defined as difficult or unacceptable under this procedure. However, we will always use reasonable adjustments when communicating with a customer with disabilities if appropriate.

5. What are Unacceptable Customer Behaviours and Actions?

The following definitions are not intended to cover all possible unacceptable or difficult customer behaviour; however, they are intended to provide a clear guide to support staff.

- Offensive or insulting customer behaviour – behaviour which is rude or unpleasant including repeated use of inappropriate language.
- Abusive or threatening customer behaviour – behaviour which is threatening or intimidating, either through the use of abusive or threatening language or a clearly threatening manner or tone intended to intimidate. Abusive or threatening behaviour is where a member of staff thinks that they have been personally abused or threatened as a result of a customer's behaviour².
- Difficult customer behaviour – this can be exhibited by any customer causing the person dealing with them difficulty for whatever reason. It is important to note that this may not be due to any unacceptable behaviour by a customer. This could be due to a customer refusing to accept a decision made by the Council or not agreeing with a policy which is already in place.

² This may include insinuating or libellous behaviour which may be dealt with within other more suitable, existing Council Policies.

- Unreasonably persistent contact – repeated contact with the Council raising the same issues or a variation of the same issues each time. Taking a ‘scatter gun’ approach and contacting many different staff, services and other bodies about the same issue. Unreasonably persistent behaviour could include repeat requests for information and unreasonable or inappropriate use of staff resources
- Unreasonable demands – expecting resolution or response within unreasonable timescales, expecting staff to provide administrative support, for example, writing emails or letters on behalf of the customer or taking lengthy messages. Customers who demand to speak with senior members of staff which would not normally be appropriate for that enquiry/contact.
- Discriminatory - failure to afford equal respect to an individual on the basis of disability, gender, race, religion, age, sexuality and marital status.

6. How the Council Manages Unacceptable Customer Behaviours and Actions

Staff members should always refer behaviours which they believe are unacceptable to their line manager who will decide how to address the issue. Staff are not authorised to apply sanctions for this type of behaviour.

To progress the issue, the customer’s name and contact details along with an account of numbers/types of contact and behaviours should be brought to the attention of the Head of Service for the department affected. The Head of Service will then meet with the Customer & ICT Services Business Manager and the Executive Director, Resources & Support Services who will jointly decide whether or not it is appropriate to invoke the Customer Case Management Policy.

Prior to any sanctions under the Customer Case Management Policy being invoked, the Customer & ICT Services Business Manager will write to the customer (via letter or email if appropriate) to *explain that their correspondence will be monitored for a period of three months, or less if deemed appropriate.* The following information will be provided to the customer:

- The behaviour that has caused concern;
- The expectations of the Council with regards to future contact and behaviour from the customer
- The time period for which their contact will be monitored – ***usually*** three months;
- The name and contact details of the person who will be their single point of contact from the date of the letter. This person will be the Customer & ICT Services Business Manager assisted by the Customer Relations Officer;
- The potential outcome, including any sanctions, if the customer’s behaviour does not significantly change;
- A copy of the Customer Case Management Policy.

Once the letter has been received, in normal circumstances, the customer will be expected to only contact the Council via the nominated staff member, normally the Customer & ICT Business Manager who will monitor the frequency and content of the contact for a period of three months or less, if deemed appropriate. However there may be instances where, for purposes of service delivery, correspondence may continue between the customer and a designated officer in the service area e.g. where a customer continues to submit and receive planning advice regarding an application. Such correspondence will also be monitored by the Customer & ICT Services Business Manager for compliance with the Policy. During this period the Customer & ICT Business Manager may invite the customer to attend a meeting if it is felt that this may help to resolve the situation.

The Customer & ICT Business Manager will inform by email, the Chief Executive, Executive Directors, Heads of Service, Business Managers and Elected Members once a customer is being monitored in line with the Customer Case Management Policy. Officers are responsible for ensuring that staff know what action should be taken if the customer contacts them. In normal circumstances they would be immediately referred to the Customer & ICT Business Manager.

If after three months or less, as detailed in the letter or email sent to them, the Executive Director, Resources and Support Services and the Customer & ICT Business Manager deem that contact has been acceptable, a letter or email will be written to the customer to thank them for their co-operation and to inform them that their contact will no longer be monitored.

The Customer & ICT Business Manager will inform by email, the Chief Executive, Executive Directors, Heads of Service, Business Managers and Elected Members once a customer is no longer being monitored in line with the Customer Case Management Policy and this information should be passed on to all staff.

If after three months or less, as detailed in the letter or email sent to them, the Executive Director, Resources and Support Services and the Customer & ICT Business Manager deem that the customer's contact has continued to be unacceptable, the Chief Executive may decide to apply one of the following sanctions:

- Extend the monitoring period.
- Limit the contacts to a certain number per week/month, in a specified form (telephone/email/letter etc.) and during a particular time slot.
- In extreme circumstances ask the customer not to contact the Council for a period of time after which the Customer Case Management Policy will be invoked again to monitor contact for a further period of three months.

The customer must be informed in writing (via letter or email if appropriate) by the Customer & ICT Business Manager of any sanctions.

The Customer & ICT Business Manager will inform by email, Executive Directors, Heads of Service, Business Managers and Elected Members when any sanctions are put in place and officers should ensure that all members of staff have clear instructions as how to proceed if the customer contacts them.

If the Chief Executive decides they will have no further contact with a customer, the Customer & ICT Business Manager must take all reasonable steps to advise all Council staff and Elected Members of future arrangements for handling that customer.