

Unacceptable Customer Behaviour Policy

Written by Customer Service Manager – February 2020

1. Introduction

Gloucester City Council ('the council') believes that residents and visitors have the right to express their views and ask questions about the council's services. It believes customers' comments and suggestions are important in helping the council shape and improve the services it provides.

We also recognise that in times of trouble or distress people may act out of character when they approach us. The council does not view behaviour as unacceptable simply because someone is reasonably forceful, frank or determined in their approach.

Unfortunately, on occasion, some customers' behaviour towards council employees, councillors, contractors or other body providing services on behalf of the council and/or place demands on our services is unacceptable.

This policy sets out the council's approach to the small minority of our customers whose behaviour the council has assessed as being unacceptable and it is anticipated that its application will be limited. However, the Council has a duty to safeguard its employees, councillors, contractors and others providing services on the Council's behalf from unacceptable behaviour and this policy sets out the various actions we can take in order to manage such behaviour.

You are a customer of the council if you contact us for any reason or you are affected by anything we do.

2. Defining unacceptable behaviour

2.1 Abusive or offensive behaviour

Customers should not behave abusively or offensively even when under stress Some examples of unacceptable behaviour might include:

- Abusive or offensive language
- Shouting
- Offensive gestures
- Verbal or physical threats
- Punching, kicking, head butting, spitting
- Bullying or intimidating behaviour
- Attempting to assault someone
- Using, brandishing or throwing weapons or objects aiming to inflict harm or anxiety
- Stalking or other forms of harassment

- Publishing abusive or offensive information, comments or content on social media, websites, newspapers, etc.

Abusive or offensive behaviour also constitutes inappropriate remarks or references about City Council staff with regards to their:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy or maternity
- race
- religion or belief
- sex
- sexual orientation

2.2 Unacceptable demands on services

Some customers may make unacceptable demands on services due to the amount of information they ask for, the nature, scale or speed of service they expect and the number of approaches they make in relation to an issue(s). The council recognises that in some cases this may be unintentional and what amounts to unacceptable demands will depend on the circumstances surrounding the particular issue(s) and the customer's behaviour.

Examples of unacceptable demands might include:

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Sending the same or similar request to several members of staff
- Refusing to end a telephone call – and/or insisting on speaking to someone who is either not available or not the appropriate person (e.g. the Managing Director)
- Requiring responses to correspondence where the content is malicious
- The council can view these and other types of contact to be unacceptable if it impacts significantly upon workloads and/or the capacity to deliver an effective service, for example, taking an excessive amount of employees' time to the disadvantage of other customers or service users.

2.3 Unacceptable persistent contact

The council recognises that some of our customers will not or cannot accept that the council is unable to assist them further or cannot provide a level of service other than that already provided. Customers may persist in disagreeing with the action or decision taken in relation to their concerns or they may contact the council persistently about the same issue(s).

Examples of unacceptable persistent contact might include:

- Persistent refusal to accept a reasonable decision that has been made in relation to their complaint

- Persistent refusal to accept explanations relating to what the council can or cannot do
- Persistent refusal to follow the proper procedures explained to them in order to pursue their issue/concern
- Making an excessive number of telephone calls or visits to council offices
- Sending an excessive number of emails, faxes or letters
- Continuing to contact the council on the same issue(s) without presenting any new information
- Use of other names by the customer to try and access officers or councillors to raise the same issues
- It is not necessarily the manner in which such customers communicate with the council, but their persistence in doing so that goes beyond them being reasonably forceful or demanding. In certain instances, continuously contacting an individual member of staff or the council with telephone calls, texts, emails etc. or other unacceptable persistent behaviour may be considered to be harassment.

2.4 Unacceptable behaviour whilst engaging in public expression of views or acts of civil disobedience on council premises

Everyone has the right to access the services of the council without disturbance. Our commitment is to deliver services in a space that is welcoming and safe, and we ask all our customers and visitors for their co-operation in maintaining this environment. The council also recognises the importance of striking a balance between providing an opportunity for the lawful expression of views and opinions and unacceptable behaviour and actions that affect its employees, councillors, customers and visitors.

Some examples of unacceptable behaviour in these instances might include:

- Using any foul, abusive, threatening, intimidating or discriminatory language or behaviour towards council employees, councillors, customers and/or visitors
- Harassing and/or bullying council employees, councillors, customers and/or visitors
- Disorderly conduct which can include, but is not limited to, causing a disturbance, shouting, causing a nuisance to council employees, councillors, customers and/or visitors and/or otherwise hindering the day to day business of the council, its employees, councillors, customers and/or visitors
- Congregating in the building and/or obstructing thoroughfares and emergency routes and access points and otherwise hindering the day to day business of the council, its employees, councillors, customers and/or visitors
- Entering or attempting to enter restricted and/or non-public areas of the building

- Recording or photographing people without their permission
- Wilful damage to any council property, defacing or spoiling council property and/or interfering with council property
- Failing to follow instructions of council employees or security staff when instructed to leave the premises
- The council reserves the right to remove any person from its property and to take the necessary action to prevent any person/s from entering its buildings or property.

3. How we manage unacceptable behaviours

We aim to manage behaviours through engagement, support and finally enforcement.

Engage

In many cases there are underlying issues that have caused a person to engage in unacceptable behaviours. We consider it important to understand reasons for behaviours as opposed to criminalising individuals at the first opportunity. Engagement with individuals through commissioned outreach services and support agencies will take place initially to understand issues and resolve them where possible, then signpost and assess what assistance they are able to access and introduce them to support.

Support

There can be many support needs identified for one individual and sometimes complex issues can be present which require help from a varied range of services. This often takes time to do, during which outreach services may continue working with individuals and encourage their engagement.

Once the appropriate support has been identified, it may be provided through statutory means such as Gloucester City Council's homelessness team. Other support may be accessed, for example through supported housing or tenancy support, health services and charitable organisations including the faith sector. The services available to a person vary depending on their needs.

Enforce

We do recognise that some individuals categorised in this policy may behave unacceptably and if this is the case then, as with any other person doing so in our City, firm action should be taken to prevent a negative impact on the wider community and staff. In most cases, where an offence is committed it is the Police who would generally enforce the relevant legislation however, restriction to access services may be evoked.

Enforcement plays an important role in enabling Gloucester City Council to achieve its priorities and community outcomes which are:

- To create strong communities and reduce crime and disorder.
- To enhance the environment.
- To promote a thriving economy and seek to maintain a fair-trading environment.
- To protect consumers.
- To deliver value for money.
- To carry out enforcement in a fair, practical and consistent manner.

3.1 “Face to face” contact

Council employees, councillors and contractors are empowered to ask a customer to leave the council’s premises if they feel that the customer is behaving unacceptably. The person dealing with the customer has the right to make this decision. In most cases the person involved will advise the customer that their behaviour is unacceptable and ask them to leave if it does not stop.

When customers are entering council premises to exercise their democratic rights council employees may ask to inspect the personal bags or cases of customers entering the premises.

Council or security staff might ask customers to leave if they are not adequately supervising any children or adults accompanying them.

Customers may be refused entry if they attempt to bring animals, other than guide or assistance animals, into the building.

3.2 Telephone calls

The use of abusive and offensive language towards council employees, councillors and contractors will not be tolerated. Council employees and councillors will end any telephone call if they feel the caller is being aggressive, intimidating, abusive or offensive. The person taking the call is empowered to make this decision. The caller will be advised that their behaviour and/or language are unacceptable and that the call will be politely ended if it continues. The call may also be ended if the customer refuses to conclude the conversation and persists in staying on the line. There may be rare occasions when the person involved is unable to give a warning that the call will be ended if the customer’s unacceptable behaviour/language continues, in which case they are empowered to end the call immediately.

3.3 Correspondence

The council will not process any correspondence (email, letter or facsimile) that is abusive. If communications of this nature are received, we will tell the customer that their communication is considered to be inappropriate and offensive. The customer will be asked to stop corresponding in this way and state that if they do not stop, the council will

not respond to any further communication from them. The council may also consider requiring all future contact to be made through a designated third party.

4. Restricting Customer Access

Where there is a concern about the behaviour of customers that may fall within the scope of this policy, the council will, in the first instance, ask the customer in writing to modify their behaviour.

If a customer's behaviour continues to cause concern after being given an initial warning, then the council will look to restrict access.

Where a customer's behaviour is so extreme that it poses an immediate threat to the health, safety or wellbeing of staff or other service users, the customer may not receive prior warning that access to council services may be restricted. The council will however provide written confirmation of its decision to the customer, where possible.

Sometimes a customer's behaviour can cause significant alarm, distress or concern that a criminal act may have taken or be about to take place. When such situations arise, the council will consider reporting the matter to the police or other relevant authorities. We will base our decision on an assessment of risk. The underlying principle will be the need to protect our staff and others from harm or the threat of harm.

In any of the circumstances outlined above it is possible that all direct contact with the customer will be ended; they may be banned from entering council premises, and only written communications will be permitted and on certain specified terms. The council may also consider legal action as appropriate, which may include an injunction to prohibit certain behaviours,

If the council does decide to restrict a customer's access, it may decide to adopt one or more of the following actions (or any other action deemed appropriate):

- Request the customer to only send communication to a dedicated council email address and/or only use a dedicated council telephone number
- Place time limits on telephone calls and/or personal contacts
- Require that any personal contact takes place in the presence of a witness (including telephone calls)
- Record all telephone calls and/or personal contacts
- Arrange for a named member of staff to deal with all calls or correspondence from the customer
- Require the customer to make an appointment to see a named employee before visiting council premises
- Limit communication to written only
- Inform the customer that their correspondence will only be read (to ensure no new issues have been raised), acknowledged and filed or dealt with periodically.
- Inform the customer that all contact must be through a designated third party

- Apply a “warning flag” on the service user’s electronic record to classify them as using unacceptable behaviour
- Block or redirect the customer’s telephone number or email address
- Ban the customer from entering council premises

To ensure the council complies with its Public Sector Equality Duty, consideration will be given as part of the restricting customer access process to the potential impact in relation to any known protected characteristic(s) pertaining to the customer, before the decision is made.

If a decision is made to restrict a customer’s access, they will be advised in writing. The customer will also be advised as to when the decision to restrict their access will be reviewed in accordance with the severity of the behaviour. This may be anytime up to 12 months from the warning and will be what is considered reasonable given the severity and impact of the behaviour.

The written communication to advise the customer of restricted access will also provide them with details of who to contact should they wish to appeal this decision.

5. Appealing a decision to manage contact

It is important that a person has an opportunity to appeal a decision to manage contact. Any appeal should be made in writing to the Head of Service. The appeal should be made within ten working days of the notification of the decision to manage contact. The Head of Service will consider the appeal from the papers and advise the person in writing of the decision which may be that managed contact should continue or it may be a different course of action if that is more appropriate given the merits of each individual case.

5. Monitoring contact and review

Any continued contact with the service area outside of that which has been agreed will continue to be recorded for monitoring purposes.

6. Record Keeping

Appropriate records will be retained by the Council for a period of 12 months or longer as may be appropriate in the most serious cases from the date of the last incident and will then be destroyed. The details of the case, the action that has been taken will be recorded on the appropriate systems. The council will also inform staff and contractors in all appropriate departments of:

- The name and address of each customer whose behaviour has been deemed to be unacceptable.
- When the restriction came into force and ends.
- What the nature of the restriction is and

- When the customer was advised of the restriction.

7. Transparency

Gloucester City Council's website clearly states how it uses data and shares with third parties.

The Unacceptable Customer Behaviour Policy Privacy Statement explains how information is shared why and to whom. This can be readily found on the City Council's website.

8. Policy Monitoring and review

Copies of this policy are available on request and can be found on the Council's website.

This policy will be reviewed on a bi-annual basis to ensure that the aims of the policy are being achieved and that it is being applied in a proportionate and appropriate manner.

The Council will develop and use systems and processes for sharing information with other relevant agencies and bodies as appropriate and in accordance with the Privacy Statement referred to above.

Document information

Owner:	Customer Service Manager
Author:	Customer Service Manager
Created Date:	March 2020
Reviewed:	March 2022
Next Review date:	March 2024
Approval:	Director of Communities
Version:	1.2