

RANGITĪKEI DISTRICT COUNCIL

UNACCEPTABLE CUSTOMER CONDUCT POLICY

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Unacceptable Customer Conduct Policy

INTRODUCTION

Rangitikei District Council believes that the community has a fundamental right to express their views on, and ask questions about, the council's activities.

This includes things such as our services, policies, processes, decisions and projects. Its important members of the community feel safe holding the council to account, and critical that the council continues to acknowledge the importance of being transparent and accountable.

We also recognize that in times of stress or trouble, people can behave in ways they normally wouldn't. This occasionally extends to dealing with our staff or contractors in a way that's unreasonable.

This policy defines our approach for dealing with the very small minority of people whose behavior becomes unacceptable. It also lays out the actions we might take to manage unreasonable customer conduct.

There's no one size fits all approach: every issue and every member of our community is different and needs to be dealt with in a respectful manner that's appropriate for their background, viewpoint and beliefs.

SCOPE

This policy applies to all interactions with:

- Council staff
- Contractors
- Elected Members

DEFINING UNREASONABLE CUSTOMER CONDUCT

Unreasonable customer conduct (UCC) is any behaviour by a customer which, because of its nature or frequency, raises substantial mental and physical health, safety, resource or equity issues for our organisation, our staff, other members of the community, and the person involved.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unacceptable behaviours or language

Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a member of the community that has a disproportionate and unreasonable impact on our organisation, staff, services, time or resources.

Some examples of unreasonably persistent behaviour include:

- an unwillingness or inability to accept reasonable explanations, including final decisions that have been comprehensively considered and communicated
- persistently demanding a review simply because it is available and without presenting the reasons for review
- pursuing and exhausting all available review options and refusing to accept further action cannot or will not be taken on their complaints
- reframing a complaint in an effort to get it taken up again
- bombarding staff with phone calls, social media posts or messages, visits, letters, emails (including being copied in on correspondence) after repeatedly being asked not to do so
- contacting different people within our organisation or externally in an attempt to get a different outcome or more sympathetic response to their issues

Unreasonable demands

Unreasonable demands are any demands made by a member of the community that have a disproportionate and unreasonable impact on our organisation, staff, services, time or resources.

Some examples of unreasonable demands include:

- issuing instructions and making demands about how we have handled or should handle their complaint, the priority it was given or should be given, or the outcome that was or should be achieved
- insisting on outcomes that are not possible or appropriate in the circumstances, such as calling for someone to be sacked or prosecuted, an apology or compensation when there is no reasonable basis for expecting this
- insisting on talking to a senior manager or the chief executive, mayor or elected members personally when it is neither appropriate nor warranted
- emotional blackmail and manipulation with the intent to intimidate, harass or shame staff, or to portray themselves as being victimised, when this is not the case
- demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.

Unreasonable lack of cooperation

Unreasonable lack of cooperation is the lack of willingness or ability of a person to cooperate with our organisation, staff or processes that results in a disproportionate and unreasonable use of our services, time or resources.

Some examples of unreasonable lack of cooperation include:

- sending a constant stream of incomprehensible or disorganised information without clearly defining any issues, or explaining how they relate to the core issues being complained about
- providing little or no detail or presenting information in a sporadic or disorganised manner
- refusing to follow or accept our suggestions or advice without a clear or justifiable reason for doing so
- arguing frequently or with extreme intensity for a preferred solution, even when this goes against a reasonable explanation
- displaying unhelpful behaviour, such as withholding information, acting dishonestly or misquoting others

Unreasonable arguments

Unreasonable arguments include any arguments that are incomprehensible, false or inflammatory, or that disproportionately and unreasonably impact upon our organisation, staff, services, time or resources.

Arguments are unreasonable when they:

- are not supported by sufficient evidence or are based on conspiracy theories
- have an impact that is disproportionate to the amount of time, resources and attention that the person demands
- are false, inflammatory or defamatory

Unacceptable behaviours or language

Some conduct is unreasonable in all circumstances because of it compromises the health, safety and security of our staff, the person, or the community.

As a good employer, Rangitikei District Council has ZERO tolerance towards any harm, abuse or threats directed at its staff, contractors or elected members.

Unreasonable behavior includes:

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- harassment, intimidation or physical violence
- rude, confronting, disrespectful, or threatening correspondence
- threats of harm to self or third parties, threats with a weapon, or threats to damage property (including bomb threats)
- stalking (in person or online)
- emotional manipulation.

MANAGING UNREASONABLE CUSTOMER CONDUCT

Our response to unreasonable conduct will be tailored to each person's understanding, interactions with council, and personal circumstances.

We will generally manage unreasonable conduct by limiting or adapting how we interact with or deliver services to a member of the community by managing one or a combination of:

Who they have contact with

This could include limiting a person to a single contact person within our organisation

What they can raise with us

Including restricting what subjects we will consider and respond to

When they have contact with us

Including limiting a person's contact with Council to a particular time, or length of time, or putting restriction around the frequency they can contact us.

Where they have contact with us

We may limit the locations where we will meet with someone face-to-face. This might be a particular office or secure location

How they can contact us

We may choose to restrict the channels a person has to make contact with us. For example, this could involve restricting them to emailing a particular email address, redirecting emails to particular council staff member, prohibiting access to our offices, taking no action to any issues raised, or in extreme cases terminating access to council services.

Other strategies

However, we also understand that these techniques may not be applicable to every situation. So if the situation requires it, we will be open to using alternative methods or techniques to manage the situation.

APPLYING THIS POLICY

It's important that we apply this policy fairly and transparently to avoid accusations of "gagging" the community or unfairly restricting a member of the community's ability to communicate with us.

We also need to give the person concerned the time and opportunity to change their behaviour by being clear about what conduct we feel is unreasonable and what we would consider acceptable.

Our principles when assessing instances of UCC

- remaining impartial and open-minded
- being transparent and honest
- ensuring that any restrictions are proportional to the unreasonable behaviour
- taking ownership if the council has contributed to the issue, or made a mistake
- giving the person involved the opportunity to address their behaviour

If a staff member believes that a member of the community has demonstrated unreasonable conduct, they should raise this issue with their team manager immediately in line with the UCC process guidelines.

Notification

We will notify any person that we apply this policy to in writing as soon as possible. The notification will include a detailed explanation of any restrictions we have applied to their contact with us, the reasons for these restrictions, the standard of behaviour we expect before reviewing the restrictions, and remind them of their right to appeal to the Ombudsman.

Review

Any arrangements made via this policy will be reviewed by the Chief Executive at least every six months. The person concerned will be invited to be involved in this process, unless the Chief Executive determines that this will provoke further unreasonable conduct

The Ombudsman

Rangitikei District Council will keep records of all cases where this policy is applied for reporting purposes. This data will be made available in line with our obligations under the Local Government Official Information and Meetings Act 1987 and the Ombudsmen Act 1975.

If the person concern is unhappy with the UCC process they may seek external review from the Ombudsman to ensure we've acted fairly, reasonably and consistently.

RELATED POLICIES AND PROCESSES

- Complaints Policy (In progress)
- Customer Charter (In progress)
- UCC guidelines(In progress)
- Managing Unreasonable Complainant Conduct