



# Cardiff Council

## Unacceptable Actions by Customers

**“This document is available in Welsh / Mae’r ddogfen hon ar gael yn  
Gymraeg.”**

### 1. Introduction

We will respond with patience and understanding to the needs of customers but there are times when customers make unreasonable demands or behave in unacceptable ways. This policy sets out our approach to the relatively few customers whose behaviour is considered unacceptable.

In this policy the term ‘customer’ includes anyone acting on behalf of a customer.

### 2. Policy Aims

This policy aims to ensure that a consistent and fair approach is taken in relation to:

- a. the type of behaviour that might be regarded as inappropriate;
- b. how inappropriate behaviour is dealt with; and
- c. the sanctions or restrictions the Council may impose in response to a customer’s inappropriate actions or behaviour.



### **3. What is unacceptable behaviour?**

It is difficult to produce a comprehensive list of the actions that would be deemed inappropriate. However, we have given examples of unacceptable behaviour under two broad headings below. Ultimately it will be a matter for the Council's Corporate Complaints Team to decide whether a particular customer's actions or behaviour are inappropriate, having regard to the circumstances of each case.

#### **a. Aggressive or Abusive Behaviour**

The Council expects staff to be treated with courtesy, dignity and respect. As an employer committed to equality and diversity we have a zero tolerance approach towards any harassment or victimisation of our employees.

As part of this, we also expect our customers to respect legal protections that employees have Equality Act 2010 due to:

- age,
- disability,
- gender reassignment/affirmation,
- marriage and civil partnership,
- pregnancy and maternity (including same sex),
- race, religion or belief or non-belief,
- sex,
- sexual orientation,
- and Welsh language which is a protected characteristic in Wales.

The Council also understands the difference between aggression and reasonable annoyance that a customer may feel in connection with a complaint.



Reasonable annoyance in relation to a complaint is to be expected, but when this turns into inappropriate behaviour or aggression it is not acceptable. Violence, threats or abuse towards staff (or anyone else) is always unacceptable.

Examples of behaviour that would fall under this heading include:

- shouting;
- making threats;
- using physical violence or intimidation;
- verbal abuse;
- derogatory remarks;
- inflammatory statements; and
- unsubstantiated allegations.

Violence includes acts of aggression that may result in physical harm; it also includes behaviour or language that may cause staff to feel afraid, threatened or abused. It can also include acts or threats against property, such as breaking furniture or sending computer viruses.

#### **b. Unreasonable Demands**

Customers may make what are considered to be unreasonable demands on the Council through the amount of information they seek, the nature and scale of service they expect or the volume of correspondence they generate. The Council accepts that persistence is not necessarily a form of unacceptable behaviour. What amounts to unreasonable demands will always depend on the circumstances of the complaint and the seriousness of the issues raised by the customer.

Examples of behaviour that would fall within this heading include:

- inappropriate frequent visits, phone calls, emails or letters;
- insisting on seeing or speaking to a particular member of staff when a suitable alternative has been offered;
- routinely ignoring the procedures for dealing with queries or complaints (for example, copying the same correspondence to a number of people at the Council, thereby making it difficult for us to provide a co-ordinated response);
- demanding a response within an unreasonable time-scale;
- not accepting that the issues raised are not within the Council's remit despite having been informed that this is the case;
- being unable to identify the precise issues a customer wants the Council to deal with or investigate despite the Council having taken reasonable steps to assist the customer with this task;
- inappropriately changing the substance of a query or complaint while the Council is dealing with it;
- frequently raising peripheral and, possibly, trivial matters that do not relate to the main query, complaint or Council services;
- pursuing a complaint after the Council's Complaint Policy has been fully implemented and exhausted; and
- insisting that the Council has not provided an adequate response to a query or complaint, despite evidence that the Council has provided a comprehensive response.

#### **4. What happens when a customer's behaviour is deemed unacceptable by the Council**

There are relatively few customers whose actions are considered by the Council to be unacceptable.



How these actions are managed depends on their nature and extent. In the event of an officer of the Council considering a customer's actions to be unacceptable:

- a. They may immediately inform the customer that their behaviour is inappropriate and politely terminate any conversation or phone call with the customer.
  
- b. If violence, abuse or harassment is used or threatened the incident may be reported to the police and/or may result in the customer being added to the Council's list of potentially aggressive persons. This will always be the case if physical violence is used or threatened.

If the behaviour is seriously or consistently inappropriate (or otherwise adversely affects the Council's ability to do its work effectively) an officer may refer the customer to the Corporate Complaints Team. The Team shall then consider whether action should be taken to restrict or manage the customer's behaviour. In such cases the steps outlined at paragraph 5 shall be followed.

## **5. Management of unacceptable behaviour**

If an officer of the Council is of the opinion that a customer's actions or behaviour are unacceptable they shall, in the first instance, discuss this with their line manager in order to consider any informal steps that can be followed to resolve the concerns.

In the event that no informal steps are appropriate or informal attempts to resolve the concerns do not work, the officer may make an application for formal steps to be taken. In such circumstances the officer will produce a written summary of the actions and behaviour that they consider to be inappropriate and submit it to the Corporate Complaints Team for determination.



The Corporate Complaints Team shall consider the report and provide a written response indicating whether the customer's actions have been deemed inappropriate by the Council. If the customer's actions are deemed inappropriate, the Corporate Complaints Manager shall write to the customer to set out:

- a. the behaviour that is considered to be inappropriate; and
- b. the action that will be taken as a result of the inappropriate behaviour.

Where a customer has acted inappropriately the Corporate Complaints Team may impose restrictions and conditions to resolve the problems caused by the inappropriate behaviour including the following steps:

- a. Restricting:
  - i the manner in which the customer may contact the Council
  - ii the times at which the customer can contact the Council
  - iii the people the customer can contact at the Council
  - iv the duration of calls or meetings with the customer.
- b. Informing the customer that the Council will not respond to further communication relating to certain matters or that the Council will only respond to communication relating to specific matters.
- c. In extreme situations, the customer will be told in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with the Council to either written communication or communication through a third party.
- d. Where a customer continues to correspond on a wide range of issues and this correspondence is considered excessive, the customer may be told that only a



certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

- e. Taking any other action that the Corporate Complaints Manager considers appropriate. The Corporate Complaints Manager will, however, always tell the customer what action is being taken and why.

When imposing restrictions the aim will be to do this in a way, wherever possible, that allows a complaint to progress to completion.

Any restriction imposed shall be subject to regular review (at least every six months) and the timing of such reviews will be set out when the Corporate Complaints Team writes to the customer to explain the restrictions.

Any step required to be taken by the Corporate Complaints Team under this policy may also be undertaken by any officer that the Corporate Complaints Manager authorises for that purpose.