

**NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY  
PROPOSED POLICY ON UNACCEPTABLE ACTIONS BY CUSTOMERS**

The Authority is committed to providing customers with an effective and efficient service and treating customers with respect. However, Authority employees also have a right to be treated with respect. The Authority will not tolerate any form of violence towards its employees, including foul or abusive language. If anyone acts in a threatening manner, we will ask them to leave and, if necessary, we will report the incident to the police.

**1. Policy Aims**

- 1.1 To ensure that other customers and Authority staff do not suffer any disadvantage from customers who act in an unacceptable manner.
- 1.2 To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions we consider unacceptable. We believe that all customers have the right to be heard, understood and respected. We also consider that Authority staff have the same right.
- 1.3 To provide a service that is accessible to all customers. However, we retain the right, where we consider customer actions to be unacceptable, to restrict or change access to our services.

**2. Defining Unacceptable Actions by Customers**

- 2.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our offices. We do not view behaviour as unacceptable just because a customer is forceful or determined. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands on the Authority or unacceptable behaviour towards staff. It is these actions that we consider unacceptable and aim to manage under this Policy. These actions are grouped under three broad headings

**Aggressive or Abusive Behaviour**

- A. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.
- B. Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.
- C. We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. The anger felt by many customers involves the subject matter of their complaint. However, it is not acceptable

when anger escalates into aggression directed towards Authority staff. Staff should report any such incidents to the Authority's Chief Officer.

### **Unreasonable Demands**

- A. Customers may make what we consider unreasonable demands on our officers through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.
- B. Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly changing the substance of the complaint or raising unrelated concerns.
- C. We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of our officers, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions.

### **Unreasonable Persistence**

- A. We recognise that some customers will not or cannot accept that the Authority is unable to assist further or provide a level of service other than that provided already. Customers may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.
- B. Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what the Authority can or cannot do and continuing to pursue a complaint without presenting any new information. This persistent behaviour is unreasonable.
- C. We consider the actions of persistent customers to be unacceptable when they take up what the Authority regards as being a disproportionate amount of time and resources.

## **3. Managing Unacceptable Actions by Customers**

- 3.1 There are relatively few customers whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict customer contact with the Authority in order to manage the unacceptable action. We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our Complaints Process. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We will try to maintain at least one form of contact. In extreme

- situations, the Chief Officer may advise the customer in writing that their name is on a personal contact' list. This means that they must restrict contact with the Authority to either written communication or through a third party.
- 3.2 Should a customer appear at any office having been informed not to contact the Authority except in writing and refuses to leave, security and if necessary the police will be called to remove them.
  - 3.3 The threat or use of physical violence, verbal abuse or harassment towards Authority staff is likely to result in ending of all direct contact with the customer. Incidents may be reported to the police. This will normally be the case if physical violence is used or threatened.
  - 3.4 We do not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens we will tell the customer that we consider their language offensive, unnecessary and unhelpful. We will ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party.
  - 3.5 Authority staff will end telephone calls if the caller is considered aggressive, abusive or offensive. Either the staff member taking the call or their supervisor has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.
  - 3.6 Where a customer repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, without good cause, we may decide to only take telephone calls from the customer at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the customer in the future; require the customer to make an appointment to see a named member of staff before visiting the Authority's offices or that the customer contacts the Authority in writing only; return the documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed; take other action that we consider appropriate. We will, however, always tell the customer what action we are taking and why.
  - 3.7 Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, then the customer is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
  - 3.8 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute the Authority's decision relating to their complaint. The customer is told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the customer on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the complaint.

#### **4. Deciding to Restrict Customer Contact**

4.1 Authority staff who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

4.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Authority are only taken after careful consideration of the situation by the Chief Officer. Wherever possible, we will give a 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

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

5.1 We will record all incidents of unacceptable actions by customers. Where it is decided to restrict customer contact, an entry noting this will be made in the relevant file and on appropriate computer records.