

UNREASONABLE CUSTOMER CONDUCT

Intent To provide customers and Council Employees the framework within which Council will manage unreasonable conduct.

Scope This policy applies to all employees, including contractors and volunteers who have interactions with customers.

Provisions

Council is committed to being accessible and responsive to all customers who approach Council for assistance with a request for service, request for information or with a complaint. Council acknowledges the right of persons to provide feedback, both positive and negatively, on its services and/or to lodge a complaint about a decision or other action it takes. Council may also have interactions with other customers who aren't seeking a service, information or a complaint but may be utilising our facilities or services for other purposes or have interactions through other means.

The success of Council's services depends on:

- Our ability to perform our functions in the most effective and efficient way possible
- Our ability to limit the scope of our services to matters which fall within the jurisdiction of Council
- The health, safety, security and well-being of our employees, contractors, and volunteers
- Our ability to respond to a timely manner, given the resources available

Most customers act reasonably and responsibly in their interactions with Council, even when they are experiencing high levels of distress, frustration and anger about their requests or complaints.

The [Code of Practice for managing the risk of psychosocial hazards at work](#) state that customers that enter into a workplace have the same responsibilities as employees when interacting with Council. Customers who interact with Council employees are responsible for:

- Providing Council with accurate, relevant, and timely information
- Treating our employees with courtesy and respect by behaving appropriately and avoiding the use of abusive language and/or threatening behaviour
- Keeping us informed when anything changes e.g. personal details, licences, requests, services or updated information
- Providing feedback and suggestions on service improvements, conduct, performance and avoiding personal criticism of employees

In return Council employees are committed to:

- Honouring the trust of our residents and each other by treating everyone with professionalism, equity and dignity
- Taking responsibility in all that we do for our community
- Ensuring transparency with open and honest communication through relevant, accurate, clear, and complete information
- Communicating with you in a timely and responsive manner
- Endeavouring to reach a resolution with you the first time you contact us
- Respecting your rights in accordance with the *Right to Information Act 2009* and maintaining Council's obligation of confidentiality and privacy under the *Information Privacy Act 2009*
- Actively pursuing continuous improvement and understanding of the needs of our community now and in the future
- Consulting with representatives of the community to create an ongoing dialogue between Council and the community

- Encouraging input from the community on Council's performance and services through a variety of means
- Maintaining a centralised complaint handling system to respond to service failures and expectations

Some customers behave in ways that are inappropriate and unacceptable. They are aggressive and/or verbally abusive towards employees, make threats of harm or violence, cause physical injury to employees, bombard employees with unnecessary or excessive phone calls or emails, make inappropriate demands on time and resources or refuse to accept decisions and recommendations. Work-related violence and aggression include a range of actions and behaviours that create risks to the health, wellbeing and safety of workers, examples include:

- Aggressive behaviour including yelling or physical intimidation
- Verbal abuse or threats
- Pushing, shoving, tripping, grabbing and throwing objects
- Using or threatening to use a weapon
- Armed robbery
- Sexual assault

Violence and aggression at work can cause physical or psychological injuries and can sometimes be fatal. It can also result in economic and social costs to the victim, their family, businesses, and the wider community. Like all work health and safety risks, it must be managed. When customers behave this way, we consider that their behaviour is unreasonable conduct.

We define unreasonable conduct as any behaviour by a person which, because of its nature or frequency, raises substantial health, safety, resource, or equity issues for the people involved in the complaint process. Unreasonable conduct can happen anywhere. It is not limited to telephone communications or face-to-face interactions; it can also take place online or in written correspondence.

Unreasonable conduct into five broad categories –

- 1. Unreasonable persistence** - continued, incessant and unrelenting conduct by a member of the public that has a disproportionate and unreasonable impact on Council, employees, services, time and/or resources.
- 2. Unreasonable demands** - demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on Council, employees, services, time and/or resources.
- 3. Unreasonable lack of cooperation** - an unwillingness and/or inability by a customer to cooperate with Council, employees and our request and complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources.
- 4. Unreasonable arguments** - any arguments that are not based on reason or logic, that are incomprehensible, false, or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon Council, employees, services, time and/or resources.
- 5. Unreasonable behaviours** - conduct that is unreasonable in all circumstances regardless of how stressed, angry or frustrated that a customer is because it unreasonably compromises the health, safety and security of our employees, other service users or the member of the public themselves.

Work health and safety laws are designed to ensure the health and safety of workers and others in the workplace. 'Health' includes physical and psychological health. Council will not tolerate harm, abuse or threats towards employees all incidents are regarded as serious and will not be ignored.

Responding and Managing Unreasonable Conduct

Council may undertake actions to respond and manage customers who demonstrate unreasonable conduct. These responses may include limiting or adapting the ways that Council interacts with, and/or delivers services to the member of the public by:

- Limiting the member of public to a sole contact point
- Restricting the subject matter of communications that Council will consider
- Limiting when and how a member of the public can contact Council
- Limiting face to face interactions
- Completely restricting a member of public's access to specific services / facilities

Reviewing a Decision to Limit or Restrict Access

Customers are entitled to a review of a decision to limit or restrict their access to Council services. This review will be undertaken by an independent management representative who were not involved in the original decision to limit or restrict their access. The member of public will be advised of the outcome of their review by letter.

If a member of the public continues to be dissatisfied with the decision, they may seek an external review from the Queensland Ombudsman.

◆◆◆◆◆

This policy is to remain in force until otherwise determined by Council.

Director responsible for review:

Director People & Organisational Performance

Originally Adopted: 02/10/2024

Current Adoption: 02/10/2024

Due for Revision: 02/10/2028

Revoked/Superseded:



John Andrejic
Acting Chief Executive Officer