



Communication Standards Policy

Introduction

Torbay Council believes that residents and visitors to Torbay have the right to express their views and ask questions about Council services, indeed customers' comments and suggestions are imperative in helping us to shape and improve the services we provide.

This policy sets out our approach to the minority of customers whose communication we consider unreasonable or unacceptable, and the action we will take in order to manage the situation.

This document should be read in conjunction with the Council's Violent and Threatening Behaviour at Work policy (VATB) that can be found in the corporate Health and Safety manual.

The principles set out in this policy only apply to our dealings with people when they have contact with the Council.

Our Commitment to Our Customers

We seek to:

- Put the customer at the heart of all we do
- Ensure fair and open access for all residents, visitors and members of the business community to our services including those in our community who are hard to reach or have difficulty in dealing with us as an authority
- Ensure other customers and our employees do not suffer any disadvantage from customers who act in an unacceptable manner
- Meet the standards set out in our Customer Care Standards leaflet

Our Aims

The behaviour we aim to manage using this policy results from the actions of customers whose anger, numbers of requests, persistence, or the frivolous nature of issues raised, result in unreasonable demands on the Council and/or unacceptable behaviour towards staff.

We recognise that in times of trouble or distress people may act out of character, and we will not view behaviour as unacceptable just because a customer is forceful or determined. We also understand, and will take into account, that the state of a person's mental health can affect their behaviour.

Unreasonable or Unacceptable Communication

Abusive or offensive language

We do not accept that employees should be subjected to blasphemy or offensive language even when part of a speech that comes to the fore when the customer is under stress, as this may offend the employee. What is deemed to be offensive will necessarily differ, but can include cultural, racial or religious references. Every employee has the right not to suffer language they would consider as offensive.

Unmanageable demands

Although not always intentionally, customers may make what we consider unmanageable demands due to 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.

Examples of this include demanding responses within an unreasonable time-scale; insisting on seeing or speaking to a particular employee; excessive telephone calls, emails, faxes or letters; sending

duplicate requests to more than one employee; or, requiring responses to correspondence where the content is malicious.

We will consider this contact to be unacceptable and/or unreasonable if it starts to impact substantially upon workload, for example by taking up, in comparison to the issues raised, an excessive amount of employees' time to the disadvantage of other customers or service delivery.

Unreasonable persistence

We recognise that some customers will not or cannot accept that we are unable to assist them 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 concerns or they may contact us persistently about the same issue.

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 we can or cannot do; and, continuing to contact the Council without presenting any new information. It is not necessarily the manner in which these customers communicate with the Council that is unreasonable but their perseverance in contacting us after our decision has been already explained .

We consider that persistence becomes unreasonable when it takes up what we regard as a disproportionate amount of time and resources.

Managing Communication

How we decide to manage the communication referred to in this policy depends on the nature and the impact it has on individual employees or the Council as a whole, however, we may need to manage the unacceptable action by restricting the customer's contact with us. Restrictions that may be considered are; informing a customer that they can only contact us; in person, by telephone, fax, letter or electronically; limiting the frequency responses to correspondence will be sent; and, or appointing a named officer to be the customer's single point of contact. We will always try to maintain at least one form of contact. In extreme circumstance we may refuse to have any personal contact with a customer. In these cases the Council will only respond to communication through a third party.

Abusive or offensive language

The threat or use of verbal abuse or harassment towards employees is likely to result in the ending of all direct contact with the customer. Incidents may be reported to the Police. This will always be the case if physical violence is threatened.

Correspondence

We will not deal with correspondence (letter, fax or electronic) that is abusive to employees 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 if they do not stop, further correspondence will not be responded to. We reserve the right to require future contact to be through a third party.

Telephone calls

Our employees will end telephone calls if they feel the caller is being aggressive, abusive or offensive. The employee taking the call has the right to make this decision. In most cases the caller will be advised that the behaviour is unacceptable and that the call will be ended if the behaviour does not stop but on the rare occasion when the employee is unable to continue with the call they have the right to disconnect the call without warning .

Face to face

Our employees will ask a customer to leave Council property if they feel the caller is being aggressive, abusive or offensive. The employee dealing with the customer has the right to make this decision. In most cases the officer will advise the customer that their behaviour is unacceptable and that they will be asked to leave if the behaviour does not stop.

When dealing with an incident of abusive or offensive language you should also refer to the VATB Policy.

Unreasonable demands

Where a customer repeatedly telephones; visits Council offices; sends irrelevant documents; or, continually raises the same issues, we may decide to adopt one or more of the following restrictions:

- Only take telephone calls from the customer at set times on set days or by arrangement.
- Arrange for one named employee to deal with all future calls or correspondence from the customer.
- Limit communication to writing only.
- Only respond to communication on a monthly basis.
- Inform the customer that their correspondence will be read, to ensure no new issues have been made, acknowledged and filed.
- Require the customer to make an appointment to see a named employee before visiting the office.
- Return documents received to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.
- Take other action that we consider appropriate.

Unreasonable persistence

Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, we may decide to adopt one or more of the following restrictions:

- Inform the customer that we will limit the number of issues we will consider in a given period.
- Ask the customer to limit or focus their requests accordingly.
- Arrange for one named employee to deal with future calls or correspondence from the customer.

A customer's action may be considered unreasonably persistent if, after all internal review mechanisms have been exhausted, they continue to dispute the Council's decision relating to the issues raised. In these circumstances, the customer will be told that they will be required to make any future contact on the issue in writing. Any correspondence will be read and filed but only acknowledged or responded to if new information relating to the issue is provided.

Restricting Contact

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact will only be taken after careful consideration by an Executive Head; Commissioner; Deputy Chief Executive; or, Chief Executive.

Before restricting a customer's contact you must complete the Restricting Contact Authorisation Form.

To ensure equality for all our customers an impact assessment, to consider potential problems a restriction may pose on the customer, must be carried out before a restriction is determined.

When a decision has been made and approved customers will be told in writing:

- Why a decision has been made to restrict future contact.
- The restricted contact arrangements.
- If relevant, the length of time that these restrictions will be in place.

Please note: Employees 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 the Council's Violence and Threatening Behaviour at Work policy.

Appealing a decision to restrict contact

A customer can appeal a decision to restrict contact. The appeal will be considered by an Executive Head; Commissioner; Deputy Chief Executive; or, Chief Executive not involved in the original decision. They will advise the customer in writing whether the restricted contact arrangements still apply or a different course of action has been agreed.

Recording and reviewing a decision to restrict contact

Where it is decided to restrict contact, an entry noting this will be made in relevant files held by the Council. The name and contact details of the customer and the restriction applied will also be added to the Restricted Contact Central Register which is held by the Information Governance Team. The name will only be held on the Register for the period the restriction applies.

The Restricted Contact Central Register will be reviewed annually. If the customer demonstrates a more acceptable approach restrictions to contact may be revoked.

Policy Availability and Review

Copies of this policy are available on request. The Council may make a charge in accordance with the Council's fees and charges policy.

Copies in other languages and formats are available upon request.

- **The term 'employee(s)' means employees, elected members, service users, partner organisations, volunteers or contractors for the purposes of this policy.**