

POL 0023: Dealing with Difficult People

Purpose

Customer satisfaction is one of the Shire's values however, at times, a customer's demands or expectations may exceed the Shire's ability to deliver. This policy explains how the Shire will deal with customers who -

1. Cannot be satisfied;
2. Make unreasonable demands;
3. Constantly raise the same issue with different staff; and/or
4. Are rude, abusive, inappropriate or aggressive/intimidating.

The intent is to ensure Shire services are available to all and that resources are being used efficiently and effectively when interacting with ratepayers, residents and community members.

Scope

This policy is a guideline for all Shire employees.

Definitions

N/A

Practice

Service Commitment

Councillors and staff will -

1. Treat each person as a valued customer;
2. Provide a safe, accessible and inclusive environment for all members of the community;
3. Provide customers with as much relevant information as possible, ensuring it is accurate and timely;
4. Acknowledge and apologise for mistakes that have been made or excessive time that has been taken in responding to a customer enquiry;
5. Always express appropriate concern and empathy for a customer's problem or situation;
6. Understand and empathise with the customer's position and try to see the situation from their perspective;
7. Explain the rationale of any Council Policy, Protocol or Procedure that guides the actions the Shire must adhere to; and,
8. Where possible, identify and offer alternative options/solutions.

Policy Threshold Considerations

Prior to enacting this Policy, Councillors and staff must ensure they have complied with the provisions of the Council Policies listed below -

1. *Code of Conduct*;
2. *Customer Service Charter* – Organisation minimum expectations in relation to customer service;
3. *Complaints Handling Policy* outlining the actions to be followed when a complaint is received; and,
4. *Records Management Policy* – all interactions being recorded.

Other items that must be considered prior to provisions of this Policy being implemented are as follows -

1. Has the complaints policy been correctly implemented and no material element of the complaint overlooked or inadequately addressed?
2. Has the behaviour of the person become so habitual, obsessive or intimidating that it constitutes an unreasonable demand on Shire resources?
3. Have staff and/or members of the public been made to feel threatened or uncomfortable by behaviours exhibited requiring an immediate response?

Where a Shire staff member feels threatened or intimidated, the staff member must remove themselves from the situation in the safest way possible and immediately report their experience to their Supervisor.

It is not appropriate to limit access to services purely due to a complaint being made about Council, Shire staff or Shire services. An investigation is required to determine the veracity of the complaint and any subsequent actions.

Internal Review or appeal procedures must be exhausted before service or access restrictions are placed on the person/s (for an ongoing occurrence). The potential cessation or restriction of a service must be recorded and a full report provided to the CEO for approval.

Difficult People Categories

1. A person who cannot be satisfied

Despite the best efforts of Council and/or Shire staff, some members of the public may not be satisfied with the action taken or the service provided by the Shire in the resolution of a complaint or service request.

If, in the opinion of the Chief Executive Officer, a member of the public cannot be satisfied where all appropriate avenues of internal review or appeal have been exhausted and the person continues to write, telephone and/or visit the Shire, the following actions may be taken.

The Chief Executive Officer will notify the person in writing advising that if the person continues to contact the Shire regarding the matter, the Shire may -

- a. Not accept any further calls from the person;
- b. Not grant any further interviews;
- c. Require all further communication to be put in writing; and
- d. Continue to receive, read and file correspondence but only acknowledge or otherwise respond to it, if -

- i. The person provides significant new information relating to their complaint or concern; or
- ii. The person raises new issues which, in the Chief Executive Officer's opinion, warrant fresh action.

2. A person who makes unreasonable demands

Demands or levels of contact are deemed to be unreasonable when the matter begins to impact excessively on the work of Staff and Councillors or the time dealing with the issue impacts on service levels available to other customers. This can be due to -

- a. The quantity of information the customer is requesting;
- b. The nature and scale of service the customer is seeking; or
- c. The number of approaches the customer makes.

If a customer is seen to be making unreasonable demands, the following actions may be taken.

The Chief Executive Officer will notify the person in writing advising them of the Shire's concerns, and ask that they limit and focus their requests. If the customer continues to place unreasonable demands on the organisation, the Shire may -

- a. Not respond to any future correspondence and only take action where, in the opinion of the Chief Executive Officer, the correspondence raises specific, substantial and serious issues; or
- b. Only respond to a certain number of requests in a given period.

3. A person who constantly raises the same issue with different staff

A person who is dissatisfied with the action taken or service provided and continues to raise the same issue with different staff.

If, in the opinion of the Chief Executive Officer, a person is continually raising the same issue with different staff, the following actions may be taken.

The Chief Executive Officer will notify the person in writing that -

- a. Only a nominated person will discuss their concerns in the future;
 - b. An appointment must be made with the nominated person if they wish to discuss their matter; and
 - c. All future contact with the Shire must be in writing.
4. A person who is rude, inappropriate, intimidating, angry, threatening or harassing

For a range of reasons, a person may display inappropriate, rude, angry, harassing or intimidating behaviour whilst using Shire facilities, attending a Shire activity, or during other interactions with Councillors, Shire staff, customers and/ or clients.

Shire staff can take the following actions when subjected to a person who displays the above behaviour during the course of their duties -

- a. Ask the person to stop their current behaviour and warn the person that if the behaviour continues the conversation, interview or access to the facility/activity will be terminated;

- b. Cease the conversation or interview if the rude, angry or harassing behaviour continues after a warning has been given;
- c. Where this behaviour continues to occur at a Shire facility/activity, the person will be asked to leave; and
- d. Call the Police, should the situation require.

Where a conversation or interaction is terminated, or a person is asked to leave a facility, in accordance with this Policy, the staff member must notify the relevant Director/Manager as soon as practicable with a report on the matter. It is the responsibility of the relevant Director/Manager to notify the Chief Executive Officer of any reported incident.

Where a person or persons have been asked to leave a Shire facility or activity, the Chief Executive Officer may notify the person in writing, advising them of Council's concerns and that they could be banned from Shire facilities and future functions if the behaviour continues to occur.

If, in the opinion of the Chief Executive Officer, correspondence received by the Shire contains personal abuse, inflammatory comments or material clearly intended to intimidate, this correspondence will be returned to the sender and not otherwise acted upon.

General Management of Policy

If the Chief Executive Officer determines that service or access restrictions are necessary in line with this policy, the customer must be notified accordingly and given an opportunity to make representations about the proposed course of action to the Chief Executive Officer and, if applicable, the Director of the appropriate Directorate.

The Chief Executive Officer must advise the Council as soon as practicable of the relevant circumstances and action taken if a decision is made to withdraw service or limit/refuse access in accordance with this policy.

In circumstances related to 'difficult people' which have not reached a point of service being withdrawn, which may present a risk of reputational damage or other detriment being suffered by the Shire, the Chief Executive Officer will inform Council.

The duration of any service or access restrictions will be at the discretion of the Chief Executive Officer.

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Document Information

Responsible Position	Director Corporate & Community Services
Risk Rating	Medium

Referencing Documents

- *Local Government Act 1995*

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
Jan 2020	1	D19/9389	New policy	O0120-013	Jan 2022
Feb 2022	2	D19/9389[v2]	Update responsible officer. Minor changes to grammar throughout.	O0222-033	Feb 2024
Mar 2024	3	D19/9389[v3]	Change responsible officer, remove policy references in threshold section, and include a paragraph within the General Management of Policy section to ensure that Council is made aware of circumstances which may present a risk of reputational damage or other detriment to the Shire	O0324-025	Mar 2026
Feb 2026	4	D19/9389[v4]	Biennial review, no change.	O0226-031	Feb 2028