

Policy

Dealing with Difficult People

Version 1.1

Adopted by Council at its meeting on xxxxx

Minute No: xxxxx

Division: Technology and Corporate Services
Section: Corporate Governance
File Reference: Council Policies/Protocols/Procedures
Historical Reference: V1.0 adopted by Council 12/2/2008

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Dealing with Difficult People

Objectives

The purpose of this policy to provide information to councillors and staff in dealing with difficult people.

In their interactions, councillors and staff must hear, understand and respect the needs of individuals.

Service Commitment

Councillors and staff will:

- Treat each person as a valued customer;
- Give customers as much relevant information as possible, and ensure that it is accurate;
- Never be afraid to acknowledge and apologise for mistakes made by the Council;
- Never be afraid to express appropriate concern and empathy for a customers problem or situation;
- Try to put themselves in the customers position and try to see the situation from that perspective; and
- Explain the rationale of any Council Policy, Protocol or Procedure to ensure that Council is not hiding behind an inflexible system.

Policy Threshold Considerations

Councillors and staff must have complied with the provisions of the following Council Policies:

- Access to Information;
- Complaints Handling
- Correspondence ,response to; and
- Customer Service Charter.

prior to invoking the provisions of this policy.

Two further key threshold considerations must be considered before the provisions of this Policy are to be implemented:

- Has the complaints policy been correctly implemented so far as possible to this point and no material element of the complaint been overlooked or inadequately addressed?
- Has the behaviour of the person become so habitual, obsessive or intimidating that it constitutes an unreasonable demand on Council's resources?

It is clearly inappropriate to limit access to services merely because they have made a complaint about Council or its staff.

Internal Review or appeal procedures must be exhausted before service or access restrictions are placed on difficult people.

Difficult People Categories

1. People who cannot be satisfied

Despite the best efforts of Council, some members of the public will not be satisfied with the action taken or the service, despite the service or complaint action being properly implemented and exhausted in accordance with the relevant Council Policy/policies.

If in the opinion of the General Manager, a member of the public who cannot be satisfied and where all appropriate avenues of internal review or appeal have been exhausted and the person continues to write, telephone and/or visit Council, the following actions may be taken

Administrative Procedure

The General Manager will notify the person in writing advising if the person continues to contact Council regarding the matter, Council may:

- not accept any further calls from the person;
- not grant any further interviews;
- ***exclude them from being eligible to address Council at Community Access;***
- require all further communication to be put in writing; and
- continue to receive, read and file correspondence but only acknowledge or otherwise respond to it, if:
 - the person provides significant new information relating to their complaint or concern; or
 - the person raises new issues which in the General Manager's opinion, warrant fresh action.

The time period for this notification will be at the discretion of the General Manager

The person shall be given an opportunity to make representations about Council's proposed course of action to the General Manager.

2. People who make unreasonable demands

Members of the public who make unreasonable demands on Council, whether by the amount of information or the nature and the scale of services they seek, or the number of approaches they make, can significantly and unreasonably divert Council's resources away from its other functions or create an inequitable allocation of resources to other customers.

If in the opinion of the General Manager, a member of the public who is making unreasonable demands on Council and the person continues to write, telephone and/or visit the Council the following actions may be taken

Administrative Procedure

The General Manager will notify the person in writing advising them of Council's concerns and requesting that they limit and focus their requests and that if the customer continues to place unreasonable demands on the organisation, Council may:

- ***exclude them from being eligible to address Council at Community Access;***
- not respond to any future correspondence and only take action where, in the opinion of the General Manager the correspondence raises specific, substantial and serious issues; and
- only respond to a certain number of requests in a given period.

The time period for this notification will be at the discretion of the General Manager

The person shall be given an opportunity to make representations about Council's proposed course of action to the General Manager.

3. People who constantly raise the same issue with different staff

Members of the public who are dissatisfied with the action taken or service taken and constantly raise the same issue with different staff.

If in the opinion of the General Manager, a member of the public who is constantly raising the same issue with different staff the following actions may be taken

Administrative Procedure:

The General Manager will notify the person in writing that:

- ***they may be excluded from being eligible to address Council at Community Access;***
- only a nominated person will deal with them in future;
- they must make an appointment with that person if they wish to discuss their matter; and
- all future contact with Council must be in writing.

The time period for this notification will be at the discretion of the General Manager

The person shall be given an opportunity to make representations about Council's proposed course of action to the General Manager.

4. People who are Rude, Angry and Harassing

For a range of reasons, a small proportion of the public will display rude, angry or harassing behaviour in their interactions with Council staff.

Where such behaviour becomes offensive to the extent that it interferes with the ability of Council to provide an equitable service, it may be necessary to give clear messages that such behaviour is unacceptable.

If in the opinion of any staff member, any person who makes rude, angry or harassing comments or statements in telephone conversations or interviews:

Administrative Procedure

The staff member may:

- warn the caller that if the behaviour continues the conversation or interview will be terminated; and
- terminate the conversation or interview if the rude, angry or harassing behaviour continues after a warning has been given.

Where a conversation or interview has been terminated in accordance with this procedure, 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 General Manager of any reported incident.

If in the opinion of the General Manager, any correspondence to Council which contains personal abuse, inflammatory comments or material clearly intended to intimidate, this correspondence will be returned to the sender and not otherwise acted upon.

People who have been deemed a Difficult Person in accordance with one of the categories as defined in this Policy may be excluded from being eligible to address Council at Community Access.

General Management of Policy

Where the General Manager determines to withdraw services or limit/refuse access to Council in any of the categories specified in this policy, the General Manager must advise the Council as soon as possible of the relevant circumstances and the action taken.

Where appropriate, the General Manager should advise the Department of Local Government, ICAC and NSW Ombudsman of any relevant circumstance and the action taken.