



# Unreasonable Customer Behaviour Policy

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## 1. Introduction

Tararua District Council is dedicated to being accessible and responsive to all customers seeking assistance, making a complaint, or requesting information or services. A foundational principle of our Organisational Plan is that we put our customers at the heart of everything we do. Our success depends on:

- Performing our functions effectively and efficiently.
- Ensuring the health, safety, wellbeing, and security of our staff.
- Allocating our resources fairly across all customers.

In some cases, customer behaviour can become unreasonable or abusive, impacting our staff, services, and resources. This policy outlines how we manage such behaviour to protect our staff and ensure fair access to services, while remaining committed to our core principle of customer-centric service delivery.

## 2. Purpose

The purpose of this Policy is to protect the health, safety, wellbeing, and security of our staff, while ensuring that all customers have fair and equitable access to our services, and our interactions remain respectful, constructive, and efficient. And to:

- Assist staff in managing unreasonable customer behaviour effectively.
- Define unreasonable customer behaviour.
- Outline strategies to manage these behaviours.
- Ensure support and protection for staff dealing with such behaviour.

## 3. Scope

This policy applies to all interactions between Council staff and customers, including in-person, telephone, written, social media, and digital communications. It covers behaviours exhibited by any customer, whether an individual, group, or representative of an organisation, that are considered unreasonable and may impact the wellbeing of staff or disrupt the delivery of services.

## 4. What is Unreasonable Customer Behaviour?

Unreasonable customer behaviour is defined as behaviour that, due to its nature or frequency, negatively impacts the health, safety, wellbeing, resources, or equity for our organisation, staff, or customers. This includes:

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**Unreasonable Persistence:** Repeatedly contacting staff with excessive visits, phone calls, or emails, refusing to accept final decisions, or continually demanding reviews without new information.

**Unreasonable Demands:** Insisting on outcomes that are unattainable or not supported by evidence, demanding priority treatment, or making demands that consume excessive resources.

**Unreasonable Lack of Cooperation:** Failing to provide necessary information, acting dishonestly, or refusing to follow Council procedures.

**Unreasonable Arguments:** Insisting on unsupported claims, making false allegations, or refusing to accept reasonable explanations.

**Unreasonable Behaviour:** Includes aggressive or violent actions, threats, harassment, use of offensive, or derogatory language, unwarranted accusations, or personal attacks toward staff.

## 5. Examples of Unreasonable Customer Behaviour

Unreasonable customer behaviour can take many forms, including but not limited to:

### Unreasonable Persistence

**Repeated Requests:** Continuously contacting staff with excessive phone calls, emails, or visits, even after being asked to stop or after a final decision has been communicated.

**Refusal to Accept Decisions:** Persistently demanding a review of a decision without presenting any new and compelling reasons.

**Reframing Complaints:** Reframing a complaint in an attempt to reopen it after it has been thoroughly investigated and resolved.

**Cross-Department Contact:** Contacting different departments or individuals within Council to get a different outcome or more sympathetic response, even after a decision has been made.

### Unreasonable Demands

**Unattainable Outcomes:** Insisting on outcomes that are impossible, such as demanding someone be fired or prosecuted without reasonable grounds.

**Excessive Demands:** Demanding services or responses within an unreasonable timeframe that cannot be met given the resources available.

**Inappropriate Requests:** Insisting on speaking to senior management, elected members, or specific staff members when it is neither necessary nor appropriate, while acknowledging the

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critical role of community members' ability to connect with elected representatives. Repeated demands that bypass appropriate processes may delay resolution and divert resources.

**Emotional Manipulation:** Using emotional blackmail, such as threatening to harm oneself or others if demands are not met.

### Unreasonable Lack of Cooperation

**Disorganised Information:** Providing a constant stream of incomprehensible or disorganised information, making it difficult to address the issue at hand.

**Failure to Provide Necessary Information:** Refusing to provide essential information or documentation needed to resolve an issue.

**Dishonesty:** Acting dishonestly or misrepresenting facts to manipulate the outcome of a complaint or request.

**Non-Compliance:** Refusing to follow or accept Council's processes or advice without justifiable reasons.

### Unreasonable Arguments

**Unsupported Claims:** Making arguments based on conspiracy theories, pseudo law, or unsupported by evidence.

**False Allegations:** Making false, defamatory, or inflammatory allegations against Council staff.

**Refusal to Accept Valid Explanations:** Rejecting all valid contrary arguments or explanations provided by the council.

**Personal Attacks:** Challenging the professionalism or integrity of staff with the intent to undermine them or alter the outcome of a decision.

### Unreasonable Behaviour

**Aggressive Conduct:** Acts of aggression, such as verbal abuse, physical intimidation, physical violence, or threats of violence.

**Harassment:** Harassing or stalking Council staff, either in person or online, including on social media platforms.

**Abusive Language:** Using derogatory, racist, sexist, or defamatory language in any form of communication with Council staff.

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**Threats of Harm:** Making direct or indirect threats to harm council staff, other customers, or oneself, including threats with weapons or threats to damage property.

These examples are not exhaustive, but they provide a clear illustration of the types of behaviour that are considered unreasonable.

## 6. Managing Unreasonable Customer Behaviour

Council will apply both informal and formal strategies to manage unreasonable behaviour:

### Informal Strategies

Informal strategies aim to minimise the impact of unreasonable conduct, including:

- Asking customers to moderate their language, tone, or frequency of contact.
- Asking customers who refuse to moderate their behaviour, to leave, or end the conversation.
- Assigning a single point of contact for the customer.

These strategies are designed to facilitate cooperation and resolution but are not considered restrictions under this policy.

### Formal Strategies

If informal strategies fail, or if the customer’s behaviour poses an immediate threat to staff safety, formal restrictions may be applied. Formal strategies must be approved by the Chief Executive or Group Manager.

**These restrictions and actions must be tailored to individual circumstances and will not exceed what is necessary to manage the behaviour effectively.**

These strategies include:

**Limiting Contact:** Restricting the customer's interactions to specific channels, times, or staff, to minimise the impact on staff and resources.

**Restricting Access:** Modifying or limiting the customer’s access to Council premises or services to ensure staff safety and the effective management of resources. This may involve restricting physical access to Council offices or limiting the ways in which a customer can communicate with the council (e.g., written correspondence only).

**Using Legal Tools (Including Trespass):** Applying legal mechanisms, such as trespass orders or other legal tools, to manage unsafe behaviour and protect staff and other customers.

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Coordination with the police is essential when serving a trespass notice, as it must be served in person.

**Social Media Management:** Monitoring and moderating the council’s social media pages to address any comments that are threatening, abusive, or otherwise violate Council’s standards of conduct. This may include hiding or deleting offensive comments, banning users from the page, and reporting threats to the appropriate authorities. Any behaviour that violates the Harmful Digital Communications Act 2015 will be addressed accordingly, including referral to the Police when appropriate.

**Coordination with Police:** In cases of severe threats or violence Council will involve the Police to ensure the safety of all involved.

**Communicating Formal Actions:** All formal actions taken in response to unreasonable customer behaviour must be communicated in writing to the customer. These communications must be signed by the Chief Executive or a Group Manager and must be filed according to procedures outlined in the Record Keeping section.

## 7. Procedural Fairness

Before restrictions are applied:

- Any underlying issue must be addressed fairly.
- Customers should be informed about the behaviour of concern and expected changes (this must be recorded see Record Keeping section below).
- Customers must be given an opportunity to modify their behaviour.

Immediate restrictions may be applied in cases of severe behaviour, such as violence or threats.

## 8. Right of Appeal

The decision to implement formal restrictions under this policy is final and there is no internal right of appeal available. The process for implementing formal restrictions is rigorous and contains a review which is then signed off with a decision by the Chief Executive or their delegate.

We will advise the customer that if they are dissatisfied with the process or decision, they may seek an external review from the New Zealand Ombudsman. The Ombudsman may investigate the decision to ensure that we have acted reasonably and observed the principles of good administrative practice, including procedural fairness.

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The restrictions are not permanent and will be periodically reviewed. The details of this review are set out below.

## 9. Periodic Reviews

When any restrictions are put in place, a review date will be set. A review should be completed no later than 12 months from the date the restrictions are put in place. This will be based on the circumstances of the case and the severity of the situation.

The status of a customer’s restrictions will be reviewed by the Chief Executive or a Group Manager on or before the review date.

If the customer is invited to participate in the review process, this will be in writing only.

The customer will not be invited to participate in the review process if it is likely that the invitation will provoke further unreasonable behaviour.

If the outcome of the review is that the restrictions will continue, council will write to the customer to inform them of the details of the restrictions. Where the senior manager decides the restrictions should continue due to the continuance of unreasonable behaviour consistent with this policy, the customer will be provided with the reasons for the decision and the length of restrictions.

## 10. Responsibilities

### Chief Executive

**Overall Responsibility:** The Chief Executive holds overall responsibility for the effective management of workplace health and safety within Council, as outlined in the Health & Safety Policy. This includes ensuring that staff wellbeing is prioritised and Unreasonable Customer Behaviour Policy is effectively implemented and that appropriate measures are taken to protect staff from unsafe behaviour.

### Executive Leadership Team (ELT)

**Policy Communication and Implementation:** The ELT is responsible for ensuring that the Unreasonable Customer Behaviour Policy is communicated and implemented across Council. This includes making sure that managers and staff have the necessary training, systems, and resources to manage unreasonable customer behaviour effectively.

**Oversight of Escalated Cases:** Group Managers oversee cases escalated by managers, including making decisions about implementing formal strategies that limit customer access to Council services or premises and the periodic reviewing of restrictions.

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## Managers

**Staff Training and Understanding:** Managers are responsible for ensuring that all staff understand their roles and responsibilities under the Unreasonable Customer Behaviour Policy. They must ensure that staff receive regular training on dealing with difficult situations, including de-escalation techniques and personal safety.

**Support and Guidance:** Managers must provide support and guidance to staff dealing with unreasonable customer behaviour. This includes debriefing after incidents, offering access to the Employee Assistance Programme (EAP), and other support services as needed.

**Incident Reporting:** Managers are responsible for ensuring that all incidents involving unreasonable customer behaviour are reported and accurately documented. They must also make decisions on actions to be taken, escalating to a Group Manager when formal actions, such as legal measures or customer access restrictions, are required.

## All Staff

**Policy Adherence:** All staff are responsible for adhering to the Unreasonable Customer Behaviour Policy. They must be aware of the procedures for managing difficult interactions and know when to escalate situations to a manager, especially if there is a threat of violence, legal issues, or continued unreasonable behaviour despite initial interventions.

**Accurate Documentation:** Staff must accurately document all incidents of unreasonable behaviour, including the actions taken and the customer’s response. This documentation is critical for tracking incidents and ensuring appropriate follow-up actions are taken.

## 11. Record Keeping

Accurate record keeping is essential for the effective management of unreasonable customer behaviour. Good records are crucial because such behaviour may occur across different departments and through various communication channels, such as face-to-face interactions, emails, phone calls, or social media or other online platforms. The following protocols must be followed:

**Report Threats or Aggression Using Safe365:** Any incidents involving threats, aggression, or similar unsafe behaviours must be reported in Safe365. This ensures that the incident is documented in line with the council’s health and safety procedures and allows for appropriate follow-up actions to be taken.

**Document Other Unreasonable Customer Behaviour in Content Manager:** Incidents involving other forms of unreasonable customer behaviour should be recorded in the Content Manager container relevant to the specific customer or situation. The record title must

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include the keywords "unreasonable customer behaviour" to facilitate easy identification and retrieval of these records.

**Record Decision-Making in Content Manager:** All decisions made in response to incidents of unreasonable customer behaviour must be documented. This includes the rationale behind decisions to escalate the matter, apply restrictions, or involve legal mechanisms. Maintaining a clear audit trail of decision-making is essential for transparency, accountability, and future reference.

**Sharing Information:** Information regarding unreasonable customer behaviour should be shared with other council staff who may come into contact with the customer or handle their requests/complaints. This ensures that all relevant staff are informed and can take appropriate precautions when interacting with the customer.

## 12. Relation to Other Council Policies

This policy complements other council procedures for handling customer issues and complaints. It is intended to be used after standard procedures have been exhausted.

- Health & Safety Policy
- Complaints Policy
- Enforcement Policy
- Privacy Policy

## 13. Policy Review

This policy will be reviewed at least every 2 years to ensure its effectiveness and relevance.

## 14. Other Matters

The policy does not apply to elected members' management of unreasonable customer behaviour.

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