Customer Relationship Policy

Version	Description	Date	Approved
1.1	First Draft – Working Document	31/05/2023	
1.2	Updates to Draft – name change	13/10/2023	
1.3	Peer Review	31/11/23	
1.4	Final Draft	14/12/23	
1.5	My Council Board review	30/04/24	
1.6	Final Policy Document	30/05/24	

Overview

This policy covers:

Why we need a policy

1. The Highland Council has a customer service charter which reflects our commitment to offering a high-quality service and ensuring we treat everyone with dignity and respect. The Charter sets out what standards people can expect from us and the developing draft can be found here

2. We aim to support everyone engaging with us to do so positively to help us provide them with the best possible level of service. In some circumstances, we need to take action to protect our staff or service from behaviour which may impact our ability to provide a service or the well-being of our staff. This policy sets out how we identify and respond to those types of engagement.

Who is covered by this policy?

- This policy applies to all engagement with all external customers, including service users, stakeholders, organisations, and advocates.

- This policy applies to all engagement with all internal customers, including elected representatives.

- This policy **does not** apply to children or young people within an Education setting, see Promoting Positive Relationships Framework (2021).

- Engagement includes all forms of contact including verbal (over the phone, in person, etc.), written (letters, emails, social media, online forms, etc.) as well as contact at Council events, training sessions and online. Online comments about the Council or individual staff members, which are shared publicly or in a forum or in a way that means they are not private, will be treated as engagement even when they are not shared directly with the Council.

Complementing other Policies

3. This policy complements and works in tandem with other Highland Council policies and does not supercede existing codes of conduct. This includes:

   3.1. **Staff Code of Conduct 2024**

   3.2. **Code of Conduct for Councillors 2021**

What Customers can Expect from the Highland Council

4. Customer Charter
   The Highland Council are committed to providing a high quality and consistent customer experience by putting our customers at the center of everything that we do.

   Our Customer Charter sets out the roles, responsibilities, commitments, and

expectations for both customers and all involved in delivering customer contact: staff and contractors.

Wherever possible we will attempt to resolve requests and enquires to the satisfaction of our customers. However, it will not always be possible to meet every customer's expectation. This is because, a local authority is legally responsible for carrying out statutory obligations and to work within available resources and budgets.

Enabling positive engagement

5.   We are committed to ensuring that people are able to access our services using a range of options. We do this actively by considering accessibility when designing the way we provide our service.

6.   We support positive engagement and will enable positive engagement by providing information about how to access our services and how to request reasonable adjustments. We will explain clearly what we need from those engaging with our services to enable us to provide the best possible service.

7.   We will try to anticipate our service users' requirements and encourage all service users to inform us if they need reasonable adjustments to be made to the way we deliver our services for them.

8.   Enabling positive engagement includes supporting people to express concerns about our services in a constructive manner by ensuring:

   8.1.   we apply our [customer service complaints process](#) fairly and openly when individual concerns are raised;

   8.2.   Providing additional support, where appropriate, for example, advocacy, additional formats and nominated support

   8.3.   Call recording is in place in our Service Centre for quality and training purposes, and to provide protection for our staff.

9.   We understand that people who come to us may have experience of trauma or have specific needs and requirements. We will ensure our staff have appropriate training to identify where additional support may be needed and are supported to treat our service users with kindness and compassion.

10.   We will seek to defuse and de-escalate situations. Where appropriate, we will signpost to organisations and partners who can provide independent advice and support.

Our approach to managing engagement

11.   While we will work to support positive engagement, there are some situations that we need to respond to or manage because of the negative impacts on the wellbeing of our

staff and our ability to provide safe services for all of our service users. We also accept that individuals may be upset and distressed when they contact us, and we want to support them to engage courteously with our services and staff.

12. We will try where possible to maintain contact with customers. We will remain in contact by phone, email, and, when appropriate, in-person. If customers place unreasonable or vexatious demands on our services or Council staff, then we may need to manage contact with customers.

13. When we manage customer contact, we will ensure the steps we take are proportionate to the unacceptable behaviour and the impact on Council services and staff. This guidance gives general advice. We will explain clearly to the customer any decisions that will affect them. We will keep a record if it is not possible or appropriate to inform the customer of those decisions.

14. When making decisions, it is important to remember that we need to assess behaviour reasonably and consistently. Although at times our resources may be under more pressure than others, any assessment should take into consideration whether we would be able to deal with the behaviour if we were operating effectively and at our standard level of service. We may also take into consideration whether the issue is due to staff training requirements.

15. At all times, we will work to ensure our response is proportionate and necessary and shall use the most appropriate method for to deal with the incident and associated impacts.

16. The decision whether or not to take a management approach does not affect the right of any member of Council staff to end contact they find personally distressing or uncomfortable. This is because it is not appropriate for anyone to continue to engage if they are becoming distressed or it is having other negative impact on them. This is the case even if we decide that the matter does not require escalation for management consideration. There is more information on this in the supporting staff section below.

Restorative approaches, recovering the relationship

17. Where possible, we should seek to act in ways that recovers the relationship.

18. For example, if contacting by phone or in person (oral conversations):

    18.1.   staff may seek to defuse and de-escalate by suggesting breaks if conversations are becoming heated.

    18.2.   intervene early before behaviour escalates.

    18.3.   make proactive and reasonable adjustments to our services to help individual service users manage any anxiety and stress.

This list is not intended to be exhaustive. Actively managing expectations can help to prevent issues from arising in the first place.

19.   Reasonable adjustments should be made when appropriate to help individuals remain actively and positively involved with our service and, in some cases, we may take a multi-disciplinary approach, involving staff from across our Council.

20.   This may also include seeking assistance on a pseudonymised basis from professionals outside the organisation or third sector experts where we consider the person is vulnerable and restrictions would have a disproportionate impact.

21.   It can be detrimental to positive engagement to continue a conversation which has become circular or repeats statements already made by other colleagues. If this happens, we will inform the service user that we will end the conversation and seek to re-engage again later, if appropriate. We will then immediately end the conversation.

Actively managing behaviour whilst delivering our services

22.   When restorative approaches are not possible, appropriate or have been tried and been unsuccessful, an active management approach will be taken. Active management seeks to maintain our ability to deliver our services while minimising the impact of the situation that is causing the disruption. It is important to note that this may not be the fault of an individual but because of circumstances out with their control or the nature of the business being progressed.

23.   The approach used should be tailored to the individual and the situation, this may include for example:

   23.1.   restricting contact by channel (e.g., phone or email) or to a named person

   23.2.   not providing direct contact details or staff names (when there is a risk this will lead to harassment)

   23.3.   communicating through a third party, which may include a representative or an advocate rather than direct contact

   23.4.   directing phone calls to an automated service (when phone contact is blocking others from accessing our service or is abusive)

   23.5.   restricting time/volume of contact.

This list is not intended to be exhaustive.

24.   To ensure consistency, a decision to actively manage a situation needs to be made by a Supervisor/Team Leader/Manager, which may lead into an investigation under our Violence and Aggression procedure. All such restrictions require to be supported by evidence and can be challenged by an appeal to the Executive Chief Officer/Head of Service/Strategic Lead of the relevant Council service.

25.   Restrictions are normally subject to review at appropriate intervals while we are

providing a service. We retain the discretion to not include a review if the reason for the restriction means that would not be appropriate (for example if it is to protect staff from violence). The timing and circumstances where review would be considered should be explained clearly to the person who is under restriction at the time the restriction is put in place.

Protecting our staff and others

26. There are some situations that we are not able to accept, and we will always take action. We have **zero tolerance** of threats, violent and abusive behaviour towards staff. This is to ensure their own safety and wellbeing and to protect all Council employees and visitors to our offices.

27. Care will need to be taken by staff to des-escalate where possible, as we recognize that when experiencing significant distress, behaviour can be a form of communication.

28. Staff are encouraged to implement the "**Restorative approaches, recovering the relationship"** section above to de-escalate**.** Where appropriate, staff are empowered to use techniques to actively manage behaviour.

29. If behaviour escalates to a point of perceived harm, then action is required to be taken.

30. There is advice below on identifying situations that we do not find acceptable.

31. Staff always need to take action to respond to or disengage when these situations happen and should always raise with a manager what has happened and any steps, they were able to take.

    31.1. A decision can then be made to update the violent incident register.

    31.2. Updating the register is important to help mitigate future risks of threats, aggression and violence towards our employees.

    31.3. It is important to note that in some situations, the only appropriate action is to end contact immediately.

    31.4. Where the situation permits (eg during a telephone conversation) the service user should be informed that contact will be ended immediately prior to doing so.

    31.5. In an in-person situation, employees should assess the situation and where appropriate immediately remove themselves from the situation if they feel threatened or violated, they consider the matter could escalate, or continuing the conversation will serve no purpose as the matter has been dealt with.

Phone or face-to-face contact

32. During phone or face-to-face contact staff should issue a warning before ending contact if it is safe and they consider it appropriate to do so, but a warning is not required if it would be unsafe to do so or the language is intense, deeply upsetting or extreme.

33. Staff may also, if a call has been paused, issue a warning that the recording will

resume if the behaviour continues.

34. If staff are informed, they are being recorded or are being live- streamed, they need to end contact politely but immediately. Recording is acceptable for personal use, and we can support that, however only limited staff are able to speak publicly on behalf of the organisation. As noted below, depending on the surrounding circumstances, this could also come under the category of harassment.

Written or email correspondence to the Council

35. If we receive violent or abusive correspondence, the sender should be informed this is unacceptable. This could be done by a manager or from an account that is not linked to an individual if this has been aimed at an individual staff member.

36. We should not respond directly to the violent or abusive correspondence but will deal with the casework related information within it. In some cases, particularly if there is an indication of a risk to health or safety or a public interest, we may use evidence that is supplied with the correspondence as part of our investigation but that should not be the default position. See below for specific advice on how to store any abusive correspondence that may need to be kept for evidential purposes.

37. The decision that correspondence is unacceptable should be made by a Supervisor/Team Leader/Manager to ensure consistency. Where this behaviour is repeated despite warnings, or an individual instance is regarded as at the higher end of abusive we may need to take steps to restrict methods of contact with the Council.

Online, web and social media

38. This is a fast-moving and changing area; nevertheless, the principles outlined in this policy will still apply.

39. The Social Media policy applies and can be found [here](#)

40. The Council will follow the best practice advice available at the time of any incident and note and record the reasons for our decisions. Actions may include:

    40.1. blocking accounts or using other technical options available on the relevant platform to minimise exposure

    40.2. using the relevant social media platform's own reporting mechanisms to seek to have the content removed

    40.3. limiting contact with the individual through other channels to reduce risk to staff – this could include ensuring the person is not provided with contact details

    40.4. direct threats on social media should be dealt with like any physical threat (see below).

Physical threats

41. When a physical threat is made, we will normally report it to the police. This includes threats against staff, buildings and resources of the Council.

42. It should be noted that deciding to contact the police is a matter of personal judgment and in some cases may not be appropriate.

43. However, this is an important safeguard and the person who receives the threat, and particularly anyone who has been personally threatened, should not make a decision to not inform the police alone.

44. It should be made by a manager who should clearly record the decision. The manager should take into account not only the views of the staff member but also consider the impact on other staff who may come into contact with the individual. If other staff have witnessed the event, they should all be asked to put this on record.

45. If no manager is readily available to decide to call/not call the police in a situation, staff are permitted to do so.

Identifying types of unacceptable engagement we need to manage

46. It is important we are consistent when we take approaches to manage engagement and below are examples of when we may need to use one of the approaches above. This list is not exhaustive, and we can manage types of engagement or behaviour not listed if it is impacting negatively on individuals or our ability to provide a service.

Violence

<u>Violence towards staff or others will not be tolerated</u>

47. Violence is not restricted to acts of aggression that may result in physical harm. It also includes actions or language (whether verbal or written) that would reasonably cause someone to feel offended, afraid or threatened.

Abuse

<u>Abuse of staff or others will not be tolerated</u>

48. Abusive language includes all language that is designed or could be perceived as designed to insult or degrade, is racist, sexist or homophobic, or which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any supporting evidence.

49. Language which makes unfounded allegations about an individual's professional ability or capability or seeks to belittle or denigrate them personally is also unacceptable.

50. *Violent or abusive comments sent to the Council which are not aimed at us but at third parties are still unacceptable because of the effect that listening or reading them*

may have on our staff.

51. *Comments made about the Council or Council staff on social media which are designed to be, or which it is reasonable to assume may be, shared or made public are also covered for the same reason, even if they are not shared directly with us.*

Harassment

52. Harassment of staff, whether accompanied or not by violence or abusive comments, is not acceptable.

53. Harassment would include:

    53.1. repeatedly contacting or continuing to contact individual staff members when previously asked not to

    53.2. contacting staff outside of the office to seek to influence them

    53.3. targeting and naming them publicly, including but not limited to social media.

Contact outside the office

54. Any contact with a complainant outside the office should be discussed with a manager who should decide whether this should be recorded. This includes contact via social network sites and includes social contact in public places. This, in part, reflects the need to ensure there is no appearance of bias and that any conflicts of interest that may not have been apparent at the point of allocation are picked up (for example, where there is significant social overlap).

55. However, it also helps to quickly identify any pattern of the complainant seeking direct contact in an inappropriate manner.

Naming and targeting staff publicly

56. We encourage those who wish to criticise the Council online do not name staff publicly. Naming of individuals online may require further actions being taken, including restrictions being put in place.

57. Statements that individuals intend to record and then use that recording publicly or to live stream would be regarded as harassment even if there is no directly abusive content to the statement.

Demands on our office

58. A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the Council. An example of such impact would be that the demand takes up an excessive amount of staff time and, in so doing, disadvantages other service users/stakeholders and prevents us from providing a service to the person making the demands within a reasonable timescale.

59. Examples of actions grouped under this heading include:

 59.1. repeatedly demanding responses within an unreasonable timescale

 59.2. insisting on seeing or speaking to a particular member of staff when that is not possible

 59.3. repeatedly changing the substance of their issue or raising unrelated concerns.

Levels of contact

60. Sometimes the volume and duration of contact made to the Council causes problems. This can occur over a short period, for example, a number of calls in one day or one hour. It may occur over the lifespan of a complaint when someone repeatedly makes long telephone calls to us or inundates us with information that has been sent already or that is irrelevant to the service we are providing or sends repeated emails raising the same or similar issues.

61. We consider that the level of contact has become unacceptable when the amount of time spent on the telephone, or responding to, reviewing and filing emails or written correspondence or managing the contact impacts on our ability to provide a service to that person or organisation, or to provide a service to others.

Refusal to co-operate

62. We would like people to work with us. This can include agreeing with us the service we are providing, the issues we will look at; providing us with further information, evidence or comments on request; or helping us by summarising their concerns or completing a form for us.

63. Repeated refusals to co-operate makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request. However, we consider it is unreasonable to bring a matter to us, or ask us to provide a service, and then not respond to reasonable requests.

64. Repeated use of the complaint processes: This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision. We consider access to a complaints system to be important, and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable, but we reserve the right to do so in such cases. Such decisions can only be made by the Chief Executive or Depute Chief Executive.

Supporting staff

65. Staff will receive training to defuse and actively manage situations. They are encouraged to seek support if any contact causes them concern or distress.

Empowering staff to end contact they find distressing

66. All staff have the authority to end any engagement or interaction which they find personally distressing or difficult at the point of occurrence. Staff should not feel they need to continue to engage in contact if it is having a negative impact on them or which is making them feel uncomfortable. This is the case whether or not they consider it meets the zero tolerance criteria. Whenever possible and appropriate, staff should seek to end the engagement professionally and politely. This can include:

66.1. explaining they find the situation uncomfortable or distressing and explaining what they need to happen to be able to continue

66.2. ending a call

66.3. ending an interview/meeting

66.4. not reading an email or other correspondence to the end

66.5. disengaging from social media.

67. When this occurs, they should take a note and discuss with their line (or, if not available, other) manager as soon as possible.

Supporting staff

68. When a zero-tolerance incident has occurred or active management approach has had to be used, all staff involved are encouraged to have a de-brief meeting with their line manager and agreed actions from that discussion noted. This ensures that we are providing support to all colleagues. Staff will be able to take a short time away from all contact if requested and may request to no longer have contact with a specific individual.

69. The Council has a number of policies in place to support the wellbeing of staff and have access to an employee assistance programme. Staff who experience an incident should be reminded of these options and supported to access them if they wish.

Requesting removal from direct contact or from a case

70. Staff can ask for correspondence to be sent in the name of a senior manager or to be removed completely from involvement in engagement in a particular case or interaction. This may be appropriate if they have concerns about threats; have been or are at risk of being named publicly; or any other factor makes them more vulnerable.

Approach to communicating decisions

71. We provide guidance and support to staff to help them meet our standards to communicate with respect. We have developed a guide for staff that deals, specifically with difficult situations. When communicating that the situation needs to change or an active management technique is being introduced, we should always bear in mind the following[1]:

71.1. Explain the situation neutrally and avoid blame, there may be many reasons

why the situation has become difficult. We recognise that people's situations, needs and abilities are complex. Interactions with the Council may trigger a memory of a difficult experience or may mean engagement is difficult for someone who has different needs or perspectives.

71.2. Look for opportunities to restore the relationship. Try to see the situation from the points of view of all involved. When possible or appropriate, seek ways to help someone demonstrate their needs and perspective rather than asking them to defend their position. This can help move the relationship forward.

71.3. Be clear and straightforward. We can provide access to more information, for example a copy of this policy, but that will not be required in all situations. Instead, a clear statement which focuses on the interaction and explains what has been decided and why is sufficient. Provide evidence but avoid dwelling on detail unnecessarily.

71.4. Ensure the communication is accessible, inclusive and meets the needs of the person.

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[1] While these principles are framed with service users in mind, they also apply to staff who have been involved or impacted by the difficult interaction

Recording and sharing information

Recording

72. Clear messaging of when a call is being recorded is in place as a default.

73. It is important that we keep a clear record whenever we have had to

73.1. actively work to restore a relationship to avoid restrictions

73.2. put restrictions in place

73.3. take a zero-tolerance approach.

74. This should include storing any online evidence such as screenshots.

75. Material that is being stored as evidence may be distressing. This should always be stored in a way that it cannot be accidentally or unintentionally accessed – files should be named to indicate they contain distressing material. Physical documents can be stored inside envelopes.

76. Individuals can feel shame and distress about situations that have become difficult. While we need to record what has happened, we should do so factually and ensure it can only be accessed by those who need to do so. Some of the actions we take may need to be highlighted in our system to allow staff to implement decisions or to be

aware that steps may need to be taken to manage some interactions. When doing so, we should record the minimum required.

Sharing information

77. There is specific advice in the section on physical threats about sharing with other agencies. Internally, we need to ensure all relevant staff are aware of actions taken and restrictions to make sure our actions are effective. This will vary depending on the action and decisions on sharing should be noted and recorded but as a minimum:

    77.1.   where the behaviour relates to phone contact, a process is being developed where staff who are employed in our Service Centre, and publicly available numbers on [our website](#) should be informed

    77.2.   for emails, a process is being developed where we should ensure this information is shared with people who monitor online and other web contact.

Recording and sharing when staff named publicly (e.g., online)

78. If you find that a member of Council staff has been publicly named inappropriately in relation to their duties, the following step should be taken:

    a.   An email should be sent to the member of staff's line manager, the Head of People, and cc Corporate Communications, setting out relevant concerns. Where applicable, a link to the relevant webpage and screen shots should be provided.

79. To minimise impact on the named person, this information should not be shared any more widely than necessary to enable action to be taken.

80. The member of staff's line manager will inform the member of staff in private of the content of the material, if brought to attention by a third party. The affected member of staff will be advised of what, if any, action can be taken in response.

81. Social Media: The member of staff or others including the line manager can report the post on social media through social media reporting channels. If an inappropriate comment is made on THC social media channels which breaches our Social Media Policy, this will be removed in line with our Policy

82. Websites or online publications: The member of staff or line manager may contact the website owner to request removal/amendment or incorrect or inappropriate material relating to staff. The Corporate Communications team will contact the editor of any online publication to request removal/amendment or incorrect or inappropriate material relating to staff.

83. If the comment is deemed personally defamatory, the member of staff may seek civil recourse. (The Council cannot do this on their behalf)

84. If the comment is deemed potentially a hate crime or other threat, this should be reported to the Police by the member of staff or their line manager on their behalf if agreed with the staff.

85.   Action to support the member of staff may include an informal discussion and an offer of counselling support through the Employee Assistance Programme.

86.   It is for the affected individual and HR to determine whether a record is made in the staff member's personal record.