Customer Contact Policy 2023

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1. Policy Statement

Clackmannanshire Council aims 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 types of engagement which impact our ability to provide a service or the wellbeing of our staff. This policy sets out how we identify and respond to those types of engagement.

2. Introduction

Customer contact can take a variety of forms including verbal (over the phone, in person, etc), written (letters, emails, 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 way that means they are not private, count as engagement even when they are not shared directly with the Council.

3. Purpose and Scope

3.1. The purpose of this policy is to:

- Set out the measures the Council has in place to encourage positive contact from customers
- Set out the Council's approach when contact from customers is not positive.

3.2. This policy covers anyone who engages with the Council including service users and stakeholders. Different processes may be appropriate for our work with individuals or organisations who provide services to us under contract or service level agreement, but the standards of engagement we support are the same for all.

4. Responsibilities

4.1 Chief Executive

The Chief Executive is responsible for ensuring the health, safety and welfare at work of all employees during their employment. They will delegate accountability to achieve the requirements of this policy to Strategic Directors and Senior Managers.

4.2   Senior Managers (including Head of Establishment in Education)

Within their Service area, Senior Managers should ensure that sufficient resources are available to employees to implement this policy. This includes financial resources, suitable training, employee resource and the necessary delegated authority to meet the requirements.

4.3   Employees with Line Management Responsibilities

Within their team/area of responsibility, all team leaders and managers are responsible for ensuring:

- that employees receive appropriate information, instruction and training to carry out all public contact in line with this policy

- all incidents of violence, abuse and harassment are recorded in the Health and Safety accident and incident online portal and appropriate details are transferred to the Potentially Violent Persons database

- that employees who have been subjected to violence, abuse and harassment are given appropriate support following the incident

4.4 Employees

All staff should ensure that they act professionally and with respect while carrying out their duties. Any measures put in place to protect the safety of staff must be used appropriately. Following any incident, the employee involved should ensure that details of the incident are recorded via the Health and Safety accident and incident online portal.

5. Arrangements

5.1 We support positive engagement and will let people know how they can engage positively with us by providing information about how they can access our services and request adjustments, and explaining clearly what we need from them to provide the best possible service.

5.2 Supporting positive engagement includes supporting people to express concerns about our the services we provide in a constructive manner by ensuring:

- we apply our complaints process fairly and openly when individual concerns are raised; and

- we provide information to help ensure concerns can be made about our service publicly without putting our staff or our legal need to investigate in private at risk.

Providing additional support

5.3. 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 users with kindness and compassion. We will seek to defuse and de-escalate situations.

Making reasonable adjustments to our service

5.4. We are committed to ensuring that all people have an equal opportunity to access our services. We do this actively by considering accessibility when designing the way we provide our service. We try to anticipate our users' requirements and encourage all users to tell us if we need to adjust the way we deliver our service for them. If we decide we need to manage engagement with an individual, we will consider whether they have accessibility needs that we should take into account when doing so.

6. Our Approach to Managing Engagement

6.1. While we will work to support positive engagement, there are some situations that we need to respond to or manage because of the negative impact on the wellbeing of our staff and our ability to provide a service. We do not need to actively respond to or manage any form of engagement simply because it is different or unusual. We also accept that individuals may be upset and distressed when they contact us, and we want to support them to engage with us.

6.2 We will seek, whenever possible to restore the relationship and to ensure we can provide a full service. At all times, we will work to ensure our response is proportionate and necessary and uses the least restrictive method available.

6.3. However, we do need to take action if the situation becomes unacceptable or is resulting in unreasonable demands on our office or unreasonable behaviour towards Council staff and others.

6.4. When we need to manage contact in this way, we will ensure responses are proportionate to the behaviour and the impact on the Council and our staff. This guidance gives general advice, but we will, whenever possible explain clearly the reason for any specific decision to the person affected and/or keep a separate documented record if that is not possible or appropriate.

6.5. 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 normally.

Restorative approaches, recovering the relationship

6.6. Where possible, we should seek to act in ways that recovers the relationship. For example, staff may seek to defuse and de-escalate by suggesting breaks if conversations are becoming heated; intervene early before behaviour escalates; and make proactive adjustments to our service to help individual users manage the anxiety and stress of engaging with us. Actively managing expectations can help to prevent issues from arising in the first place.

6.7. Reasonable adjustments should be made when appropriate to help individuals remain actively and positively involved with the relevant Council service.

7. Actively Managing Behaviour, Delivering our Services

7.1. When restorative approaches are not possible, not appropriate or have been tried and failed, 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 outwith their control.

7.2. The approach used should be tailored to the individual and the situation; this could include:

- Restricting contact by channel (eg phone or email) or to a named person

- Not providing direct contact details or staff names (when there is a risk this will lead to harassment)

- Communicating through a third party such as an advocate rather than direct contact

- Restricting time/volume of contact

7.3. To ensure consistency, a decision to actively manage a situation needs to be made by a Senior Manager. All such restrictions require to be supported by evidence and can be challenged by an appeal to the Strategic Director.

7.4. 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
7.5. 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 also protects the service and others.

7.6. There is advice below on identifying situations that we do not find acceptable. Staff always need to take action to respond to or disengage when these happen and should always raise with their line manager what has happened and any steps they were able to take. It is important to note that in some situations, the only appropriate action is to end contact immediately. Staff who have experienced an incident should be offered appropriate support as set out below at section 10

Phone or face-to-face contact

7.7. 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 you feel it would be unsafe to do so or the language is intense, deeply upsetting or extreme.

7.8. If staff are informed they are being recorded and they are not comfortable with this, they need to end contact politely but immediately. Prior consent needs to be in place with agreement from all parties before any recordings can take place. There will be circumstances when being recorded meets a business need, for example at a public event or when the customer has additional support needs and this is an agreed support to them.

Written or email correspondence to the Council

7.9. 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 (for example from a general mailbox).

7.10. We should not respond directly to the correspondence or any issues raised 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 information supplied with the correspondence as part of an 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.

7.11. The decision that correspondence is unacceptable should be made by a Team Leader/Principal Teacher or above 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 service.

Online, web and social media

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

- Blocking accounts or using other technical options available on the relevant platform to minimise exposure

- Using the relevant social media platform's own reporting mechanisms to seek to have the content removed. This is best done by the person targeted by the comments

- Reporting incidents to the police.

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

Physical threats

7.13. When a physical threat is made, we will normally report it to the police. This includes situations when the threat made is not to us but a threat to harm a third party. Consideration should be given to informing the person who made the threat that we have done so.

7.14. It should be noted that deciding to contact the police is a matter of judgment and in some cases may not be appropriate (if, for example, the threat is immediately withdrawn and was clearly flippant). However, this is an important safeguard and the person who receives the threat, and particularly anyone who has been personally threatened, should discuss the incident and the decision whether or not to report it to the police with their line manager. Any member of staff can report an incident to the police. Any decision not to report an incident to the police 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. This

process should be carried out via the incident reporting section of the Health and Safety accident and incident online portal.

8. Identifying Types of Contact we Need to Manage

8.1. It is important we are consistent when we take approaches to manage contact 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 contact or behaviour not listed if it is impacting negatively on individuals or our ability to provide a service.

Violence

Violence towards staff or others will not be accepted
8.2. 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

Abuse of staff or others will not be accepted
8.3. 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.

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

8.5.. 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.

8.6. 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
8.7. Harassment of staff, whether accompanied or not by violence or abusive comments, is not acceptable.

8.8. Harassment could include:
- repeatedly contacting or continuing to contact individual staff members when previously asked not to

- contacting staff outside of their workplace to seek to influence them

- targeting and naming them on public or other easily shared social media

Contact outside the office
8.9. 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 are picked up (for example, where there is significant social overlap). However, it also helps to quickly identify any pattern of the complainant seeking direct contact in an inappropriate manner.

Naming and targeting staff publicly

8.10. We encourage those who wish to criticise the Council online to name the service or Council rather than individuals. Naming of individuals online may lead to restrictions being put in place. Staff should comply with our Social Networking Policy. Customers should comply with the Acceptable Use Guidelines when posting on Council social media pages.

8.11. Statements that an individual intends to record a conversation and then use that recording publicly or to livestream would be regarded as harassment even if there is no directly abusive content to the statement. Prior consent needs to be in place with agreement from all parties before any recordings can take place.

9. Demands on our Services

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

9.2. Examples of actions grouped under this heading include:

- repeatedly demanding responses within an unreasonable timescale

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

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

9.3. Sometimes the volume and duration of contact made to our services 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 life-span 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.

9.4. 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
9.5. We want 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.

9.6. 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.

Use of the complaint processes
9.7. The Council has a formal complaints process. We support the right of people to complain more than once about the Council, if subsequent incidents occur.

9.8. This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent a service 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 a Strategic Director.

10. Supporting staff

10.1. Training will be provided for staff on defusing and actively managing situations, with different levels of training provided depending on role. They are encouraged to seek support if any contact causes them concern or distress.

Empowering staff to end contact they find distressing

10.2. All staff have the authority to end any contact 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. Whenever possible and appropriate, staff should seek to end the contact professionally and politely. This can include:

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

- ending a call

- ending an interview/meeting

- not reading an email or other correspondence to the end

- disengaging from Council social media

10.3. 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

10.4. When an incident has occurred or active management approach has had to be used, all staff involved are encouraged to have a debrief 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 customer contact if requested and may request to no longer have contact with a specific individual.

10.5. The Council has a number of policies in place to support the wellbeing of staff, including the Mental Health, Stress & Wellbeing Policy and the Personal Safety & Lone Working Policy, and have access to a confidential support helpline and Mental Health First Aiders. 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

10.6. Staff can ask for correspondence to be sent in the name of a senior manager or to be removed completely from involvement in contact 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.

11. Approach to Communicating Decisions

11.1. We will provide training to staff to help them to communicate with respect. When communicating that the situation needs to change or an active management technique is being introduced, we should always bear in mind the following:

- Explain the situation neutrally and avoid blame; there may be many reasons why the situation has become difficult. Engaging with public bodies can be stressful, people's situations, needs and abilities are complex. We may inadvertently trigger a memory of a difficult experience or engage in a way that is difficult for someone who has different needs or perspectives.

- 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.

- Be clear and straight forward. 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.

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

12. Recording and Sharing Information

Recording

12.1. It is important that we keep a clear record whenever we have had to:
- actively work to restore a relationship to avoid restrictions

- put restrictions in place

12.2. This should include recording an incident within the Health and Safety accident and incident online portal and storing any online evidence such as screenshots.

12.3. 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.

12.4. 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
12.5. 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:

- where the behaviour relates to phone contact, staff who respond to publicly available numbers on our website should be informed

- for emails, we should ensure this information is shared with people who monitor online and other web contact

- for physical threats, any other service who have or are likely to have contact with the individual must be informed

Recording and sharing when staff named publicly (eg online)

12.6. If you find that a member of Council staff has been publicly named in relation to their employment, you should contact the member of staff's line manager, the HR Business Partner and the Communications Team Leader (and in their absence the Strategic Director). Where applicable, a link to the relevant webpage should be provided as well as a screenshot of the comment

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

12.8. The member of staff's line manager (or in their absence the HR Business Partner or Communications Team Leader) will inform the member of staff in private of the content of the material. The affected member of staff will have a say in what, if any, action is taken in response.

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

12.10. Any instances of Council staff being publicly named online in relation to their duties will be recorded via the Health and Safety accident and incident online portal . We may actively seek to have the person's name removed by approaching the relevant website/social media platform unless the risk that would escalate the situation is felt to be significant. The incident will be shared with SLG. It is for the affected individual and HR to determine whether a record is made in the staff member's personal records.

13 Monitoring and Review

This document is subject to monitoring by management and Trade Unions on an ongoing basis. Revisions and updates will be implemented by the Council following consultation with recognised Trade Unions.

Policy Name	Customer Contact Policy
Department	Partnership & Performance
Policy Lead	Team Leader - Communications
Equality Impact Assessment	
Full EQIA required	Yes No* ✓
* In no please provide rationale	
Date Full EQAI complete	14/4/23
Date Approved	6/10/23
Review Date	2026