



Unacceptable Customer Actions Policy

Date of Creation	2015
Owner (Service)	Chief Executive
Reviewer Head of Service	Chief Governance Officer
Approver Executive Director	Economy, Enterprise & Operations
Date Approved	
Approver (Committee)	Corporate Committee
Date Approved	TBC
Next Review Date	2029 or earlier if required.

Version History

Version	Date	Author	Changes Made	Approved By
1.0	July 2015	John Black	Initial document	Alasdair McEachan
1.1	November 2025	John Black	See Report	Chris Leonard

1. Introduction

1.1. This policy sets out Moray Council's approach to managing the relatively few customers whose actions or behaviours present as unacceptable. The term 'customer' includes anyone acting on behalf of another person or who contacts our offices in connection with any aspect of the Council services. The principles set out in this policy apply to Council dealings with its customers in all circumstances.

2. Policy Aims

2.1. To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions the Council considers unacceptable. The Council believes that all customers have the right to be heard, understood and respected. The Council also considers that our employees and elected members have the same rights.

2.2. To provide a service that is accessible to all customers. However, where the Council considers a customer's actions to be unacceptable, the Council retains the right to restrict or change access to our services (where it is appropriate to do so).

2.3. To ensure that other customers, Moray Council employees and elected members are not disadvantaged by the acts of customers who behave in an unacceptable manner.

2.4. To ensure that the Council's effectiveness is not compromised by customers who act in a manner that makes excessive and unacceptable demands on Council resources.

2.5. Examples of unacceptable behaviours and steps taken to address these are provided in the relevant sections of this policy however these are not intended to be viewed as exhaustive lists.

3. Moray Council Pledge

3.1. We will:

- Provide high quality customer service however you wish to contact us
- Offer you choices in how you contact us to get information, request services or tell us what you think
- Provide a responsive service where issues are resolved at the first point of contact wherever possible
- Be polite, helpful, sensitive and discrete in all our dealings with you
- Treat you fairly and equally, keeping our language clear
- Keep your information and personal data safe and secure
- Respond to routine enquiries promptly or tell you why it will take longer
- Urgent enquiries will be responded to as a priority, and we will keep you informed of progress
- Use customer views including complaints to help improve and shape future service delivery
- Check regularly that the terms of our Charter are being delivered to you

3.2. What we expect in return:

To deliver high quality customer services, we need your help. Here are some things you can do to make it easier for us to do our job:

- Give us all the information we need to help you
- Let us know if you require additional assistance, support or information in an alternative format
- Attend appointments on time, letting us know if you will be late or can't attend
- Ask us to explain anything you are unsure of
- Communicate with our staff in a respectful manner
- Tell us how we can improve our services

3.3. Equalities Statement:

This policy is underpinned by the Council's commitment to promoting equality, diversity, and human rights in line with the Equality Act 2010 and the Public Sector Equality Duty (PSED) in Scotland. The Council recognises their responsibilities to ensure that no individual is treated unfairly or discriminated against based on any protected characteristic, including age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

While this policy seeks to address unacceptable behaviour that impacts staff wellbeing or service delivery, it does so with careful consideration to avoid disproportionately affecting individuals who may communicate or behave differently due to any of the above characteristics. Where staff suspect, or are aware that this is the case, they should seek the advice of the Council's Equal Opportunities Officer. Reasonable adjustments will be made where appropriate to ensure that the policy is applied fairly and equitably to all.

4. Defining Unacceptable Actions

4.1. People may act out of character in times of trouble or distress. An action is not viewed as unacceptable purely because a person is forceful or determined. However, the actions of customers who are angry, demanding, disrespectful or persistent may result in unreasonable demands or unacceptable behaviour towards Moray Council staff. Moray Council has grouped these actions under three broad headings with an explanation as to how they will be managed:

4.2. Aggressive or abusive behaviour

4.2.1. We understand that customers can sometimes become angry. However, if that anger escalates into aggression towards staff or property, this is unacceptable.

4.2.2. We will try to remain calm and understanding of the customer's situation; however, any aggression or abuse directed towards staff or property will not be tolerated.

4.2.3. Aggressive or abusive behaviour includes language (whether verbal or written) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness.

4.2.4. Inflammatory statements, remarks of a sexual, racial or discriminatory nature and false allegations are also abusive behaviour.

4.2.5. Unfair criticism of staff or elected members via a social media platform.

4.3. Unreasonable demands

4.3.1. A demand becomes unreasonable when it starts to impact excessively on the work of staff dealing with the matter, especially if these disadvantage other customers or people receiving services.

4.3.2. For example:

- Repeatedly demanding responses within an unreasonable timescale
 - Submitting an excessive number of emails over a short period of days
 - Not making it clear who an email is intended for and sending it to or copying in numerous recipients
 - Demanding responses from several members of staff on the same subject
 - Insisting on seeing, meeting or speaking to a particular member of staff when that is either not possible or it is inappropriate
- Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns
- Repeatedly posing a question, when a response has already been given, because the individual may not like the answer they have received

4.4. Unreasonable use of the complaints process

4.4.1. Contact becomes unreasonable when the effect of repeated complaints is to cause harassment or false defamation to our staff, or to prevent the council from pursuing a legitimate aim or implementing a legitimate decision.

4.4.2. For example, the customer:

- Contacts the council repeatedly, continually changing the substance of the issue under discussion
- Wishes contact with a particular member of staff or refuses to deal with the appointed staff member
- demands unreasonable outcomes
- demands responses within an unreasonable timescale

When this happens, the Council may decide that the customer behaviour has had an unreasonable impact on the work of the Council, its staff, or that it disadvantaged other people receiving services or members of the public.

4.4.3. In exceptional cases, we reserve the right to refuse to consider a complaint or future complaints from an individual. Examples would include:

- abusive and threatening behaviour towards employees or other service-users

- persistent intimidation, bullying or harassment continues despite warnings having been provided
- any type of assault on an employee or other service-user

4.4.4. We will consider the impact of withdrawing the complaint service on the individual and whether there would be a broader public interest in considering the complaint further. We will always tell the complainant what action we are taking and why.

5. Unreasonable levels of contact

4.5.1. The level of contact is unacceptable when the amount of time spent talking to a customer on the telephone, or reviewing and responding to written or electronic communication, disproportionately impacts on the ability to deal with the relevant matter, or on the ability of staff to deal with other members of the public.

5. Managing Aggressive or Abusive Actions

5.1. Our staff will try to help a customer as much as they can; they appreciate that they may be in an unpleasant situation. If the customer is persistently abusive or aggressive to our staff, they will terminate contact and request police attendance if necessary. Abusive or aggressive behaviour can be physical violence, threatening behaviour/language, verbal abuse or harassment towards a person or by wilful destruction of property.

5.2. Where correspondence is received by any means, including social media, which is abusive to staff or contains inflammatory or malicious allegations that are unfounded, we will inform the customer that their language or the content of the message is considered offensive, unnecessary and unhelpful. Where possible we will remove such language and in other cases, we will ask the customer to edit their correspondence to remove any offensive text and resend it, otherwise we will not respond.

5.3. Where there are repeated incidents of aggressive or abusive behaviour, longer term decisions to restrict customer contact with the Council may be taken after careful consideration of the circumstances by a Head of Service, Chief Officer or Executive Director or nominated senior officer. In these circumstances, we will also take account of any services we are currently providing to the customer and whether they would be impacted. Wherever possible, the customer will be given the opportunity to change their behaviour before a decision to restrict contact is made.

5.4. If a Head of Service, Chief Officer, Executive Director or nominated senior officer forms the view that the level of unacceptable behaviour towards staff can no longer be tolerated, then they reserve the right to immediately impose restrictions without the need to provide a warning. This will only take place in exceptional circumstances, and the customer will be informed in writing of the reasons for this.

5.5. Where a customer has been identified as exhibiting unacceptable behaviour, this information will be shared with all departments who may have cause to deal with that customer. Where it is anticipated that a customer may become abusive or aggressive, a minimum of two

staff members will be present. Such meetings may be required to take place in an open space covered by CCTV or similar systems.

6. Managing Unacceptable Actions

6.1. Unacceptable actions adversely affecting our ability to do our work and provide a service to others may result in restricted contact with the Council to manage them. We may restrict contact to:

- in person
- by telephone
- by letter, text or email
- assigning a single point of contact
- any combination of these.

We will try to maintain at least one form of contact. In extreme situations, we will tell the customer in writing that they are not entitled to personal face to face or telephone contact with staff. This means that contact with the Council will be restricted to either written communication or through a third party.

6.2. Where a customer unreasonably and repeatedly phones, visits offices, raises the same issue, is unfairly critical of staff or elected members via a social media platform or sends excessive written or electronic communication about which the relevance is not clear, we may decide to:

- Limit customer contact to telephone calls at set times on set days
- Restrict contact and written communication dealings to a nominated single point of staff contact
- See the customer by appointment only
- Restrict contact to written correspondence only
- Inform the customer that calls will be ended immediately, and that written or electronic communication will not be responded to
- Advise the customer that further irrelevant documentation will not be retained
- Advise the customer that their information will be logged, however no further correspondence will be sent
- Take any other action that is considered appropriate to the circumstances

The restrictions can be imposed by a single service, several services or all services depending on the circumstances of the unacceptable behaviour.

6.3. Where continued correspondence on a wide range of issues is excessive, the customer may be advised that only some of these issues will be considered in any given period and the customer will be asked to limit or prioritise their requests accordingly.

7. Deciding to Restrict Customer Contact & Advising the Customer

7.1. When a member of staff makes an immediate decision to end contact with a customer in response to unacceptable behaviour, the customer will be advised that contact is ceasing because of their unacceptable behaviour. The staff member will then submit an email to their

line manager detailing the circumstances as this may inform future decisions to warn or restrict contact with the customer. Department managers will maintain a record of all warnings sent to customers. The record will be made between 1 April and 31 March period.

7.2. Decisions to restrict contact with the Council will only be taken after careful consideration of the situation by a senior manager. Wherever appropriate, we will give the customer the opportunity to modify their behaviour or action before a decision is taken. Customers will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

8. Appealing a Decision to Restrict Contact

8.1. Where a customer has been informed that contact is to be restricted, they will be advised of their right of appeal.

8.2. Any appeal must be made in writing and submitted to the Executive Director/Chief Officer or nominated senior officer of the service where the unacceptable action occurred. This must be made within 10 working days of the date of the letter advising restricted contact. Only in exceptional circumstances will an appeal made out with this timescale be considered.

A written letter of appeal should clearly set out why the customer feels the decision to restrict contact is unreasonable.

8.3. The appeal will be considered by the Executive Director or nominated senior officer for that service. If a conflict of interest is identified, then an Executive Director or nominated senior officer from another service will consider the appeal. The Executive Director or nominated senior officer considering the appeal will be provided with all the background information and any further information they require to review the case. Any reversal or amendment of the restriction arrangements will be at the discretion of the Executive Director or nominated senior officer considering the appeal. The Chief Officer or their nominated senior officer will consider appeals in the same manner for Children Services.

8.4. The customer will be notified in writing of the outcome within 10 working days of receipt of their appeal. The Executive Director/Chief Officer or nominated senior officer reviewing the case's decision is final.

8.5. Thereafter all paperwork in relation to the process will be held by the Council's Complaints Officer.

9. Recording and Reviewing a Decision to Restrict Contact

9.1. Placing a customer on restrictions will be recorded and reviewed after 6 months. This will be effective from the date they were notified or from the date of a subsequent unsuccessful appeal decision. If unacceptable behaviour continues or restrictions are not adhered to then a Head of Service reserves the right to extend the review date by a further 6 months SPSO have recommended through a complaint case that review dates should be no longer than 6 months. Heads of Service do have the option of proceeding at any time during the review date period to section 9.2.

9.2. In exceptional circumstances a Head of Service can place a customer on restrictions indefinitely and this would only be reviewed if the customer demonstrated a willingness to engage with our staff in an acceptable manner.

9.3. The Complaints Officer will maintain a record of customers who are subject of restrictions.

9.4. A report will be submitted by Service Departments to the Corporate Leadership team to keep them aware of the number of cases where the Unacceptable Customers Actions Policy has been applied. This will detail all warnings and/or restrictions.