



## PURPOSE

Council is committed to being accessible and responsive to all customers who approach Council for assistance, utilise our facilities and services, or wish to provide feedback or a complaint. At the same time, the success of our service delivery depends on:

- our ability to do our work in the most effective and efficient ways possible
- the health, safety, wellbeing and security of our staff
- our ability to allocate our resources fairly across all services to the benefit of customers.

When customers exhibit unreasonable behaviour, their conduct can significantly affect the successful conduct of our work. Council will act proactively and decisively to manage any customer conduct that negatively and unreasonably affects Council and will support our staff to do the same in accordance with this policy.

## POLICY INTENT

The main objectives of this policy are to:

- Deliver a service to our customers in accordance with our Customer Service Charter
- Assist staff to manage customer behaviour that may be unreasonable or inappropriate
- Ensure that matters are managed following the principle that the behaviour of customers is what is unacceptable and not the person themselves

## WOLLONGONG 2032 OBJECTIVES

This policy contributes towards goal 4.7 “Demonstrate responsible decision-making based on our values, collaboration, and transparent and accountable leadership.”

## POLICY

Wollongong City Council is committed to delivering a quality customer service that is consistent for all customers. We understand that customers have an expectation that they receive the best possible service that can be practically achieved. Our service is reflective of our organisational values.

We aim to deliver service in a friendly, knowledgeable and professional manner by:

- Being respectful, courteous and impartial in all dealings.
- Identifying ourselves when we talk to customers.
- Listening carefully to customers.
- Ensuring that personal information is kept confidential at all times.
- Having trained and professional staff who will uphold Wollongong City Council’s Values and Code of Conduct.

Council requires that customers assist Council staff in our service delivery by presenting and behaving in a fair and reasonable manner including:

- Treating staff with courtesy and respect.
- Respecting the rights of other customers.
- Being honest and accurate in information sought and supplied to Wollongong City Council.
- Working with us to resolve problems.
- Providing Council with feedback.
- Respecting our community.

## DEFINING UNREASONABLE CONDUCT OF CUSTOMERS (UCC)

Most customers who deal with Council Staff act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger about an issue or service that is important to them.

However in a very small number of cases some customers behave in ways that are inappropriate and unacceptable – despite our best efforts to help them. They can be aggressive and verbally abusive towards our staff. They can threaten harm and violence, overload our staff with unnecessary and excessive phone calls and emails, make inappropriate demands on our time and our resources and refuse to accept our decisions and recommendations in relation to their requests or complaints. When customers behave in these ways, we consider their conduct to be ‘unreasonable’.

Unreasonable conduct of customers (‘UCC’) is any behaviour by a current or former customer which, because of its nature or frequency raises substantial health, safety, wellbeing, resource or equity issues for our organisation, our staff, other service users and customers or the customer himself/herself.

UCC can be divided into five categories of conduct:

- Unreasonable persistence.
- Unreasonable demands.
- Unreasonable lack of cooperation.
- Unreasonable arguments.
- Unreasonable behaviours.

### UNREASONABLE PERSISTENCE

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Unreasonable persistence is continued, incessant or unrelenting conduct by a customer that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
- Persistently demanding a review simply because it is available and without presenting a case for one.
- Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
- Reframing a complaint in an effort to get it taken up again.
- Overloading Council with phone calls, visits, letters, emails (including cc'd correspondence) after repeatedly being asked not to do so.
- Contacting different people within our organisation and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.
- Lodging a large number of Customer Requests (online, by telephone, or in-person) about a single topic or issue.

### UNREASONABLE DEMANDS

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Unreasonable demands are any demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how we have/should deliver a service or handled their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
- Insisting on talking to Senior Management or the General Manager personally when it is not appropriate or warranted.
- Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.

- Insisting on outcomes that are not possible or appropriate in the circumstances – e.g. for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this.
- Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.

## UNREASONABLE LACK OF COOPERATION

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Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with our organisation, staff, or complaints system and processes that result in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about – only where the customer is clearly capable of doing this.
- Providing little or no detail with a complaint or presenting information in ‘dribs and drabs’.
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and so forth.

## UNREASONABLE ARGUMENTS

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Unreasonable arguments include any arguments that are not based in reason or logic, which are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon our organisation, staff, services, time, and/or resources. Arguments are unreasonable when they:

- fail to follow a logical sequence.
- are not supported by any evidence and/or are based on conspiracy theories.
- lead a customer to reject all other valid and contrary arguments.
- are trivial when compared to the amount of time, resources and attention that the customer demands.
- are false, inflammatory or defamatory.

In circumstances where Council receives correspondence, petitions or any other written notice that is significantly removed from the functions and responsibilities of Council as defined in the Local Government Act 1993 and, in the opinion of the Public Officer, there may be a safety risk arising from engaging with the lodging party, Council may choose to simply file and not respond.

## UNREASONABLE BEHAVIOUR

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Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a customer is – because it unreasonably compromises the health, safety and security of our staff, other service users or the customer himself/herself. Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks.
- Persistent demands, challenges, negative remarks and disruptive behaviours, which have a cumulative impact over time on staff, other customers and service-delivery
- Where a customer attends premises in a manner that is offensive to others, this may be due to for example personal hygiene, odour or standard of dress.
- Harassment, intimidation or physical violence.
- Sexual harassment, assault or intimidatory behaviour, including indecent exposure

- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.
- Not following the direction provided by staff.

For the purposes of this framework the following definitions apply:

- Aggression - Behaviour may include sustained argumentative behaviour, shouting, threatening gestures, taking up a person's personal space in an overly assertive manner, following a person to continue a conversation.
- Verbal abuse - Shouting, demeaning remarks, name-calling, insulting, and offensive or vulgar language, as well as harassing remarks due to political preferences, ethnicity, religious faith, gender or sexual orientation. A statement by a customer disagreeing with a Council Officer or a decision of Council, or lodging a verbal complaint, in isolation does not constitute verbal abuse.

Council has a zero-tolerance policy towards any harm, abuse or threats directed towards staff, councillors or other customers. Any conduct of this kind will be dealt with under this policy.

In circumstances where a customer verbally demonstrates an intention of potential significant incidents or imminent safety risks, i.e. telephone threats to attend a facility to confront staff or cause harm, the relevant facility manager, operational area or impacted staff should be immediately notified to make appropriate preparatory arrangements based on the relevant risks of the matter.

## ROLES AND RESPONSIBILITIES

### All staff

All staff are responsible for familiarising themselves with this framework and are also encouraged to explain the contents of this document to all complainants, particularly those who engage in UCC or exhibit the early warning signs of UCC. Staff are also encouraged and authorised to use the strategies and scripts provided at the NSW Ombudsman's website – see Part 2 of the *Managing unreasonable conduct by a complainant Manual (3rd edition)*.

Any strategies that change or restrict a complainant's access to our services must be considered by the relevant Divisional Manager and Public Officer as provided in this policy.

Staff are also responsible for recording and reporting all UCC incidents they experience or witness (as appropriate) to the relevant Divisional Manager within 24 hours of the incident occurring, using UCC incident form in Appendix A. A file note of the incident should also be copied into the Document Management System (ECM).

Staff should also make a notification to Council's Work Health and Safety hotline, where customers have behaved in ways that impact the health, well-being or safety of staff.

### Divisional Managers

All divisional managers are responsible for supporting staff to apply the strategies in this framework. Divisional managers are also responsible for ensuring compliance with the procedures outlined in this policy, and that all staff members are trained to deal with UCC – including on induction.

After a stressful or impactful interaction with a complainant, divisional managers should provide affected staff members with the opportunity to debrief their concerns either formally or informally. Divisional managers will also ensure that staff are provided with proper support and assistance including, medical or police assistance, and if necessary, support through Council's Employee Assistance Program.

Divisional Managers are responsible for the health and safety of staff within their business unit and, as such, may be required to review and recommend changes to the service delivery environment to mitigate against further UCC incidents.

Divisional managers are also responsible for developing appropriate strategies that change or restrict a complainant's access to our services, in accordance with this Framework, noting that the approval of the Public Officer is required prior to implementation of any such arrangement. Public Officer approval is not required for official warnings issued to customers.

### **Directors**

Directors are responsible for guiding Divisional Manager on the uniform application of the framework across the Directorate. They are also responsible for conducting reviews of customer declarations if a customer takes up their right of appeal on a decision to restrict access to services.

### **The Public Officer**

The General Manager has appointed the Manager of Governance and Customer Service as Council's Public Officer. The Public Officer, following consultation with the relevant Divisional Manager/s, has the final authority to approve any change or restriction to a complainant's access to Council services in the circumstances identified in this framework. When doing so they will consider the criteria in section 3.2 of the attached procedures. Their aim when taking such actions will not be to punish the complainant, but rather to manage the impacts of their conduct.

When applying this policy, the Public Officer, will also endeavour wherever possible for Council to keep at least one open line of communication with a customer or complainant. However, in extreme situations all forms of contact may need to be restricted for some time to ensure the health, safety, wellbeing and security of staff, councillors or third parties.

The Public Officer is also responsible for recording, monitoring, and reviewing all cases where this policy is applied to ensure consistency, transparency, and accountability for the application of this policy. They will manage and keep a file record of all cases where this policy is applied.

The Public Officer will also ensure that a central register of restricted access customers is maintained by the Customer Service Unit of Council, with appropriate access provided to required staff to ensure the safety, wellbeing and security of staff and councillors.

### **The General Manager**

In circumstances where the Public Officer is unavailable or on other situations at the discretion of the General Manager, the General Manager may approve any change or restriction to a complainant's access to Council services in the circumstances identified in this framework.

### **Customer Service Unit**

Under the direction of the Public Officer the Customer Service Unit will maintain a central register of customers with restricted access, Access to the register will be provided to appropriate staff to ensure the safety, wellbeing and security of staff and councillors.

The Customer Service team will ensure that the register contains a list of review and expiry dates for any restricted access arrangements and will provide notice to relevant Divisional Managers of required review points for any restricted access arrangements.

## **REVIEW**

This Framework will be reviewed every three years from the date of each adoption of the framework, or more frequently as required.

## RELATED POLICIES AND PROCEDURES

- Customer Feedback Handling Policy
- Customer Service Charter
- Compliance and Enforcement Policy

## STATEMENT OF PROCEDURES

At times some members of the public may act inappropriately toward Council staff or may make onerous demands on Council resources. In situations where a customer is behaving inappropriately, which can be defined as any unacceptable or hostile behaviour that creates an intimidating, frightening or offensive situation and/or adversely affects work performance, Council staff may:

- Ask the customer to leave the premises or;
- Terminate the telephone call after a warning is issued and behaviour continues.

For serious or repeated behaviour, Council may:

- Instruct the customer that further communication must be in writing or by telephone or;
- Advise the customer that access to council officers will be restricted to certain times and with a designated officer; or
- Restrict access of a customer to a service or facility.

Response procedures have been developed for all relevant facilities to assist staff when dealing with customers behaving inappropriately. Whilst in some circumstances a Team Leader/Supervisor will become aware of the situation before it escalates and may ask that a customer leave the premises, any staff member may ask a customer to leave the premises if they feel it is warranted, In the event of a customer refusing to leave the premises or displaying anti-social behaviour such that a staff member or another customer feels at risk, the police will be contacted.

If a customer is found to have committed a criminal activity that impacts on our services or staff, police should be called, and an event number recorded in the CRMS or relevant internal system. If a staff member has been put at risk by the alleged criminal activity, an appropriate report to the Safety Hotline should occur.

## 1 RESPONDING TO AND MANAGING UNREASONABLE CONDUCT OF CUSTOMERS

### 1.1 CHANGING OR RESTRICTING A CUSTOMER'S ACCESS TO OUR SERVICES

UCC incidents will generally be managed by limiting or adapting the ways that we interact with and/or deliver services to customers exhibiting unreasonable behaviour, by restricting:

- **Who they have contact with** – limiting a customer to a sole contact person/staff member.
- **What they can raise with us** – restricting the subject matter of communications that Council will consider and respond to.
- **When they can have contact** –limiting a customer's contact to a particular time, day, or length of time, or curbing the frequency of their contact with Council.
- **Where they can make contact** –limiting the locations where Council will conduct face-to-face interviews to secured facilities or areas of the office or;
- **What services they can use or facilities they can enter** – limiting the facilities or services a customer may access or utilise or fully restrict for a period of time
- **How they can make contact** –limiting or modifying the forms of contact that the customer can have with Council. This can include modifying or limiting face-to-face interviews, telephone, and

written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating provision of services altogether.

## 1.2 WHO – LIMITING THE CUSTOMER TO A SOLE CONTACT POINT

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Where a customer tries to forum shop internally within Council, changes their issues of complaint repeatedly, reframes their complaint, or raises an excessive number of complaints it may be appropriate to restrict their access to a single staff member (a sole contact point) who will exclusively manage their complaint(s) and interactions with our office. This may ensure they are dealt with consistently and may minimise the chances for misunderstandings, contradictions and manipulation.

This type of arrangement should be considered in situations where customers make complaints regularly or on an ongoing basis to staff who are not in a position to change the situation being complained about. In such scenarios customers should be advised that complaints should be only directed to a relevant supervisor or manager of the service or facility.

To avoid negative wellbeing outcomes for staff, the sole contact officer's supervisor will provide them with regular support and guidance. If at any point in time the wellbeing or safety of the sole contact officer is being unduly impacted by the arrangement, the relevant Divisional Manager will identify an alternate contact officer or give consideration to a more significant or total restriction of access to Council services.

If an identified sole contact officer will be on leave or otherwise be unavailable for an extended period, the customer will be given the contact details of one additional staff member who they can contact only for the period the primary contact is unavailable.

## 1.3 WHAT – RESTRICTING THE SUBJECT MATTER OF COMMUNICATIONS THAT WE WILL CONSIDER

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Where customers repeatedly send written communications, letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content or relate to a complaint/issue that has already been comprehensively considered and/or reviewed by Council (at least once), Council may restrict the issues/subject matter the customer can raise with Council. For example, Council may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with comprehensively, that raises a trivial issue, or is not supported by clear/any evidence. The customer will be advised that future correspondence of this kind will be read and filed without acknowledgement unless Council decides to pursue it further in which case, Council may do so on its 'own motion'.
- Restrict the customer to one complaint/issue per month. Any attempts to circumvent this restriction, for example by raising multiple complaints/issues in the one complaint letter may result in modifications or further restrictions being placed on their access.
- Return correspondence to the customer and require them to remove any inappropriate content before Council will agree to consider its contents. A copy of the inappropriate correspondence will also be made and kept for Council records to identify repeat/further UCC incidents.

## 1.4 WHEN & HOW – LIMITING WHEN AND HOW A CUSTOMER CAN CONTACT US

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If a customer's contact with Council places an unreasonable demand on Council's time or resources because it is overly lengthy (e.g. disorganised and voluminous correspondence) or affects the health, safety, wellbeing or security of Council staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, Council may limit when and/or how the customer can interact with Council. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week.
- Limiting the length or duration of telephone calls, written correspondence or face-to-face interviews. For example:
  - Telephone calls may be limited to 10 minutes and be politely terminated at the end of that time period.



- Lengthy written communications may be restricted to a maximum of four typed or written pages, single sided, font size 12 or it will be sent back to the customer to be organised and summarised – This option is only appropriate in cases where the customer is capable of summarising the information and refuses to do so.
- Limiting face-to-face interviews to a maximum of 30 minutes.
- Limiting the frequency of their telephone calls, written correspondence or face-to-face interviews. Depending on the nature of the service(s) provided Council may limit:
  - Telephone calls to one every two weeks/ month.
  - Written communications to one every two weeks/month.
  - Face-to-face interviews to one every two weeks/month.

For irrelevant, overly lengthy, disorganised or frequent written correspondence Council may also:

- Require the customer to clearly identify how the information or supporting materials they have sent to Council relate to the central issues that Council have identified in their complaint.
- Restrict the frequency with which customers can send emails or other written communications to Council.
- Restrict a customer to sending emails to a particular email account (e.g. Council's main email account) or block their email access altogether and require that any further correspondence be sent by post only.

## WRITING ONLY RESTRICTIONS

When a customer is restricted to 'writing only' they may be restricted to written communications through:

- Post or hard copy only.
- Email only to a specific staff email or our general Council email account.
- Some other relevant form of written contact, where applicable.

If a customer's contact is restricted to 'writing only', Council will clearly identify the specific means that the customer can use to contact Council (e.g. Australia Post only). Also if it is not suitable for a customer to enter Council premises to hand deliver their written communication; this must be communicated to them as well.

Any communication received by Council in a manner that contravenes a 'write only' restriction will either be returned to the customer or read and filed without acknowledgement.

### 1.5 WHERE – LIMITING FACE-TO-FACE INTERVIEWS TO SECURE AREAS

If a customer is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to our premises, Council will consider restricting face-to-face contact with them.

These restrictions may include:

- Restricting access to particular secured premises (e.g. a particular Library or Facility)) or areas of the office – such as the reception area or secured room/facility.
- Restricting their ability to attend Council premises to specified times of the day and/or days of the week only – for example, when additional security is available or to times/days that are less busy.
- Allowing them to attend Council premises on an 'appointment only' basis and only with specified staff. Note – during these meetings staff should always seek support and assistance of a colleague for added safety and security.
- Restricting the customer from attending our premises and/or facilities altogether and allowing some other form of contact – e.g. 'writing only' or 'telephone only' contact. This option will be the likely approach in situations of violence.

## 1.6 CONTACT THROUGH A REPRESENTATIVE ONLY

In cases where Council cannot completely restrict contact with a customer and their conduct is particularly difficult to manage, Council may also restrict their contact to contact through a support person or representative only. The support person may be nominated by the customer but must be approved by the Public Officer.

When assessing a representative/support persons suitability, the Public Officer shall consider factors like: the nominated representative/support person's competency and literacy skills, demeanour/behaviour and relationship with the customer. If it is determined that the representative/support person may exacerbate the situation with the customer, the customer will be asked to nominate another person or Council may assist them in this regard.

## 1.7 COMPLETELY TERMINATING A CUSTOMER'S ACCESS TO OUR SERVICES

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In rare cases, and as a last resort when all other strategies have been considered and/or attempted, or in situations of violent conduct or ongoing and significant abusive or insulting behaviour the Public Officer may decide that it is necessary for Council to completely restrict a customer's contact/access to Council services and facilities.

A decision to have no further contact with a customer will only be made if it appears that the customer is unlikely to modify their conduct and/or their conduct poses a significant risk for Council staff or other parties because it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.
- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them in their home.
- Hostile behaviour that creates an intimidating, frightening or offensive situation towards other customers.
- Where access to facilities is involved, the customer is not behaving appropriately for the service provided, paid for or otherwise.
- Conduct that is otherwise unlawful.

In these cases the customer will be sent a letter notifying them that their access has been restricted.

A customer's access to Council services and facilities may also be restricted (directly or indirectly) using the legal mechanisms such as trespass laws/legislation or legal orders to protect members of staff from personal violence, intimidation or stalking by a customer.

In determining to completely restrict a customer's access to services and facilities consideration should be given to limiting the term of exclusion to, in the opinion of the relevant manager, as short a period as possible that is still likely to present an opportunity for the unacceptable behaviour to be reformed.

## 1.8 TERMINATING ACCESS TO COUNCIL COMMERCIAL SERVICES

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A number of Council facilities and services have separate terms and conditions for paid services or memberships. These include hiring of council facilities, accommodation services at council Tourist Parks, access and membership fees at Council Leisure Centres.

Users of these services or facilities agree to site/service specific terms and conditions. Any significant breach of those terms and conditions may result in suspension, termination or eviction in accordance with those conditions. Such actions may be taken separately to this policy but will be done so in accordance with adopted site procedures and action will only be taken with relevant management approval.

Suspension or termination of access to commercial services in the above circumstances does not require the approval of the Public Officer.

## 2 ALTERNATIVE DISPUTE RESOLUTION

### 2.1 USING ALTERNATIVE DISPUTE RESOLUTION STRATEGIES TO MANAGE CONFLICTS WITH CUSTOMERS

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If the Public Officer determines that Council cannot terminate services to a customer in a particular case or that Council staff bear some responsibility for causing or exacerbating the conduct of the customer, consideration may be given to using alternative dispute resolution strategies ('ADR') such as mediation and conciliation to resolve the conflict with the customer and attempt to rebuild Council's relationship with them. If ADR is considered to be an appropriate option in a particular case, the ADR will be conducted by an independent third party to ensure transparency and impartiality.

However, Council recognises that in UCC situations, ADR may not be an appropriate or effective strategy particularly if the customer is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

In circumstances where excessive correspondence or requests for information are involved, it may be appropriate to initially refer the matter to the Customer Experience Manager to assess whether direct management of all correspondence or requests by the Customer Service Unit may assist with the overall reduction in the impact on Council resources.

## 3 PROCEDURES TO BE FOLLOWED WHEN CHANGING OR RESTRICTING A CUSTOMER'S ACCESS TO OUR SERVICES

### 3.1 CONSULTING WITH RELEVANT STAFF

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When the relevant Divisional Manager receives a UCC incident form from a staff member they will contact the staff member to discuss the incident. They will discuss:

- The circumstances that gave rise to the UCC/incident.
- The impact of the customer's conduct on Council, relevant staff, time, resources, etc.
- Whether the incident should be reported to the Safety Hotline.
- The customer's responsiveness to the staff member's warnings/requests to stop the behaviour.
- The actions the staff member has taken to manage the customer's conduct, if any.
- The suggestions made by relevant staff on ways that the situation could be managed.

### 3.2 CRITERIA TO BE CONSIDERED

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Following a consultation with relevant staff the relevant Divisional Manager will review the customer's prior conduct and history with Council. They will also consider the following criteria:

- Whether the conduct in question involved overt anger, aggression, violence or assault (which is unacceptable in all circumstances).
- Whether the customer's case has merit.
- The likelihood that the customer will modify their unreasonable conduct if they are given a formal warning about their conduct.
- Whether changing or restricting access to Council services will be effective in managing the customer's behaviour.
- Whether changing or restricting access to our services will affect the customer's ability to meet their obligations or have an undue impact on their well-being, livelihood or dependents etc.
- Whether the customer's personal circumstances have contributed to the behaviour? For example, the customer is a vulnerable person who is under significant stress, or duress, as a result of one or more of the following:

- Homelessness;
  - Physical or intellectual disability;
  - Illiteracy or other language or communication barrier;
  - Mental or other illness;
  - Neuro-diversity;
  - Personal crises; or
  - Substance or alcohol abuse.
- Whether the customer's response/ conduct in the circumstances was moderately disproportionate, grossly disproportionate or not at all disproportionate.
  - Whether there any statutory provisions that would limit the types of limitations that can be put on the customer's contact/access to our services.

Once the Divisional Manager has considered these factors they will make a recommendation on the appropriate course of action. The Divisional Manager should consult with their Director to ensure uniformity of application of the framework across the Directorate.

They may suggest formal or informal options for dealing with the customer's conduct which may include one or more of the strategies provided in this policy.

See Appendix B – Checklist for Divisional Manager to consider when deciding to recommend modification or restriction a customer's access.

### 3.3 APPROVAL OF RECOMMENDED ACTIONS BY THE PUBLIC OFFICER

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The Divisional Manager will make a referral of their proposed actions to the Public Officer for consideration and final approval of implementation of the proposed warning letter or restriction of access to Council services and/or facilities.

In making the referral to the Public Officer, the Divisional Manager shall provide the Public Officer with the following information:

- Copies of any relevant *Unreasonable Conduct of Customers Incident Forms* (Appendix A)
- A copy of the completed *Checklist for Divisional Manager to consider when deciding to recommend modification or restriction of a customer's access* (Appendix B)
- A copy of the proposed wording of any letters to the Customer to be issued in accordance with sections 3.4 or 3.5 of this Procedure

The Public Officer shall consider the recommendations of the Divisional Manager and either approve or make an alternate determination, based on the provisions of this Framework and judgment as to the appropriateness of the actions in relation to the seriousness of the alleged conduct of the customer.

### 3.4 PROVIDING A WARNING LETTER

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Unless a customer's conduct poses a substantial risk to the health, wellbeing or safety of staff or other third parties, the Manager directly responsible for the service or facility that is interacting with the customer will provide them with a written warning about their conduct in the first instance.

The warning letter will:

- Specify the approximate time, date and location of the UCC incident.
- Explain why the customer's conduct/ UCC incident is problematic.
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed only those that are most relevant).
- Provide clear and full reasons for the warning being given.
- Provide the name and contact details of the staff member who they can contact about the letter.
- Be signed by the relevant Divisional Manager.

A Divisional Manager, if they deem it appropriate to the circumstances, may require the Customer to discuss their behaviour with the relevant Divisional Manager prior to attending the Council premises again. When this is a requirement, it will be detailed in the warning letter.

In these circumstances the customer may be invited to provide information or evidence to explain their behaviour, demonstrate extenuating circumstances or put up a case that they have not been fairly treated fairly.

See Appendix C – Letter Template: Warning letter.

### 3.5 PROVIDING A NOTIFICATION LETTER

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If a customer's conduct continues after they have been given a written warning or in cases of overt aggression, violence, assault or other unlawful/unacceptable conduct the Divisional Manager can recommend to the Public Officer that a notification letter be immediately sent restricting the customer's access to Council services.

Subject to approval from the Public Officer, this notification letter will:

- Specify the approximate time, date and location of the UCC incident(s).
- Explain why the customer's conduct/UCC incident(s) is problematic.
- Identify the change and/or restriction that will be imposed and what it means for the customer.
- Provide clear and full reasons for this restriction.
- Specify the duration of the change or restriction imposed, which will not exceed 12 months unless a restriction has been previously imposed.
- Indicate a time period for review.
- Provide the name and contact details of the senior officer who they can contact about the letter.
- Be signed by the relevant Divisional Manager, Director or the General Manager.
- See Appendix D – Letter template: Notifying customers of a decision to change or restrict their access to Council services.

### 3.6 NOTIFYING RELEVANT STAFF ABOUT ACCESS CHANGES/RESTRICTIONS

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The relevant Divisional Manager will notify relevant staff within their area about any decisions to change or restrict a customer's access to Council services, in particular reception and security staff in cases where a customer is prohibited from entering Council premises.

Council will maintain a *Register of Restricted Access Customers* (RAC Register) which will be maintained by Council's Customer Service Unit. All UCC incidents will be added to Councils RAC register. This will include incidents that require a warning letter to be issued. Council will record the Customers details in the register, the incident details and the details of the warning or restriction. This register will be made available internally for staff to view as required in the course of their duties. An alert may also be placed on the customer's record in the Customer Request Management System and in other internal system considered appropriate.

Following approval of the issuing of a warning letter or letter notifying the restriction of access to Council services or facilities, the Divisional Manager will forward the relevant details to the Customer Service Unit for recording in the register.

## 4 APPEALING A DECISION TO CHANGE OR RESTRICT ACCESS TO COUNCIL SERVICES

### 4.1 RIGHT OF APPEAL

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Customers are entitled to one appeal of a decision to change/restrict their access to Council services. For changes or restrictions approved by the Public Officer, this review will be undertaken by the relevant Director. In circumstances where the Director had significant involvement in the original decision to impose restrictions the review will be undertaken by another Director of Council, or the General Manager.

For changes or restrictions approved by the General Manager this review will be undertaken by the Public Officer.

The review will consider the customer's arguments along with all relevant records regarding the customer's past conduct. The review officer will advise the customer of the outcome of their appeal by letter which must be signed off by the *General Manager or the Public Officer (for matters previously approved by the General Manager)*. The review officer will then refer any materials/records relating to the appeal to the Divisional Manager and to Customer Service to allow relevant staff to be informed of any changes and to allow the RAC Register to be updated.

If a customer continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the NSW Ombudsman. The NSW Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that Council have acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

## 5 NON-COMPLIANCE WITH A CHANGE OR RESTRICTION ON ACCESS TO COUNCIL SERVICES

### 5.1 RECORDING AND REPORTING INCIDENTS OF NON-COMPLIANCE

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All staff members are responsible for recording and reporting incidents of non-compliance by customers. This is to be recorded in an email forwarded to the relevant Divisional Manager who will decide whether any action needs to be taken to modify or further restrict the customer's access to our services. A new UCC form is not required to document instances of non-compliance by the customer.

## 6 PERIODIC REVIEWS OF ALL CASES WHERE THIS POLICY IS APPLIED

### 6.1 PERIOD FOR REVIEW

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All UCC cases where this policy is applied will be reviewed every 3 months or 6 months (depending on the nature of the service provided) after the service change or restriction was initially imposed or continued/upheld.

### 6.2 NOTIFYING THE CUSTOMER OF AN UPCOMING REVIEW

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The relevant Divisional Manager will invite the identified customer/s to participate in the review process unless they determine that this invitation is likely to provoke a negative response from the customer (i.e. further UCC). The invitation will be given, and the review will be conducted in accordance with the customer's access restrictions (e.g. if contact has been restricted to writing only then the invitation to participate will be to request the customer to provide a submission in writing).

Where it is considered safe to do so and relevant to the decision, the relevant Divisional Manager should have a telephone discussion with the identified customer to ensure understanding of behaviour expectations if restrictions are to be removed or eased in any way.

See Appendix E – Letter template: Notifying a customer of an upcoming review.

### 6.3 CRITERIA TO BE CONSIDERED DURING A REVIEW

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When conducting a review the relevant Divisional Manager will consider:

- Whether the customer has had any contact with the organisation during the restriction period.
- The customer's conduct during the restriction period.
- Any information/arguments put forward by the customer for review.
- Any other information that may be relevant in the circumstances.

The Divisional Manager may also consult any staff members who have had contact with the customer during the restriction period.

Note – Sometimes a customer may not have a reason to contact Council during their restriction period. As a result, a review decision that is based primarily on the fact that the customer has not contacted Council during their restriction period (apparent compliance with restrictions) may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

See Appendix F – Checklist for reviewing a decision regarding an access change/restriction.

#### 6.4 APPROVAL OF RECOMMENDED VARIATIONS BY THE PUBLIC OFFICER

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Following the review the Divisional Manager will make a referral to the Public Officer of any proposed variations to the restrictions to the customers access to Council services or facilities. In making the referral to the Public Officer, the Divisional Manager shall provide the Public Officer with the following information:

- Copies of any further *Unreasonable Conduct of Customers Incident Forms* (Appendix A)
- A copy of the completed *Checklist for reviewing a decision regarding an access change/restriction* (Appendix F)
- A copy of the proposed wording of any variation letters to the Customer to be issued in accordance with this Procedure

The Public Officer shall consider the recommendations of the Divisional Manager and either approve or make an alternate determination, based on the provisions of this Framework and judgment as to the appropriateness of the actions in relation to the seriousness of the alleged conduct of the customer.

If no variations are recommended from the review the Divisional Manager does not need to seek the approval of the Public Officer to continue the restricted access arrangement.

#### 6.5 NOTIFYING A CUSTOMER OF THE OUTCOME OF A REVIEW

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The Divisional Manager will notify the customer of the outcome of their review using the appropriate/relevant method of communication as well as a written letter explaining the outcome, as applicable. The review letter will:

- Briefly explain the review process.
- Identify the factors that have been taken into account during the review.
- Explain the decision/outcome of the review and the reasons for it.

If the outcome of the review is to maintain or modify the restriction the review letter will **also**:

- Indicate the nature of the new or continued restriction.
- State the duration of the new restriction period.
- Provide the name and contact details of the [nominated senior manager or relevant officer] who the customer can contact to discuss the letter.
- Be signed by the Divisional Manager or the General Manager.

See Appendix G – Letter template: Advising the customer of the outcome of a review.

#### 6.6 RECORDING THE OUTCOME OF A REVIEW AND NOTIFYING RELEVANT STAFF

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Like all other decisions made under this policy, the relevant Divisional Manager is responsible for keeping a record of the outcome of the review, forwarding relevant information to the Customer Service Unit to allow updating of the RAC Register and notifying all relevant staff of the outcome of the review including if the restriction has been withdrawn.

## 7 MANAGING STAFF WELL-BEING

### 7.1 COUNCIL COMMITMENT TO STAFF WELL-BEING.

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Council's priority is always the wellbeing of our people. This framework is established around the core principle of protecting the health, safety, wellbeing and security of our staff. Activity or conduct by customers that impacts negatively on Council staff either deliberately, negligently or in an ongoing manner will be a key trigger in implementing restrictions in accordance with this Framework. Occupational Violence is identified as one of Councils critical safety risks and requires specific critical controls to be implemented to assist in the prevention of incidents or where unable to be prevented, the minimisation of its consequences toward staff.

Council is committed to supporting those directly involved with or have witnessed unreasonable conduct of customers, and in particular conduct that is abusive, belittling, violent and/or discriminatory. If staff or other Council officers have experienced significant negatively impacting behaviour, Council offers several services that can help and support impacted officers.

Staff can seek support or further information in a number of ways, including speaking to:

- your immediate Manager / Supervisor;
- a member of the Workplace Safety team;
- Mental Health First Aid Officer
- the Public Officer.

Additional support can be obtained from:

#### Employee Assistance Program

Staff and their immediate family members can access free confidential counselling or support at any time by contacting Telus Health. Council has engaged Telus Health to provide the services of an Employee Assistance Program which includes independent and confidential professional support to employees and their immediate family members and offers individual face-to-face or telephone counselling. To make an appointment with Telus Health, call 1300 361 008.

#### Union Representative

Staff who are members of a union may wish to contact their Union representative for support and advice.

### 7.2 STAFF IMPACTED NEGATIVELY BY CUSTOMER INTERACTIONS SITUATIONS

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Dealing with customers who are demanding, abusive, aggressive, discriminatory or violent can be extremely stressful and can on occasions can have significant negative impact on the safety and mental well-being of all staff. Staff are reminded that such reactions to impactful situations are normal and understandable and staff are encouraged to utilise the support options outlined in section 7.1.

As outlined in this Framework all staff have a responsibility to notify relevant supervisors/senior managers of UCC incidents that they believe require management involvement. In addition to the reporting requirements of general UCC incidences as outlined in this Framework, if staff experience ANY form of occupational violence from a customer, they should immediately inform their supervisor and then report the incident the Safety Hotline.

To ensure that any violent or aggressive customer actions are dealt with appropriately under this Framework, Council's Workplace Safety Team will ensure that any reports of occupational violence involving customers, with a rating of Minor and above, will be notified to the relevant Divisional Manager. The Divisional Manager will then assess the conduct in accordance with this Framework and make an appropriate recommendation to the Public Officer if a restriction under this framework is considered appropriate.



## 8 ADDITIONAL REMEDIES TO SUPPORT STAFF

### 8.1 THREATS OUTSIDE THE OFFICE OR OUTSIDE WORKING HOURS

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Where threats, or intimidatory behaviour such as stalking, are directed at a particular staff member and those threats or behaviours occur outside the workplace or it appears that those threats or behaviours may be carried out outside normal working hours or outside Council premises, the staff member will receive the full support of Council. Such threats may be received in person, on social media or via personal telephone.. Staff who receive threats, or subject to stalking behaviour, outside the workplace should inform their supervisor and Divisional Manager at the earliest opportunity. If the staff member feels that there is an imminent threat to their safety at the time the threat is made, or at any other time, they should immediately contact Police by telephoning 000. Direct contacting local police stations should not occur, as 000 provides the timeliest response.

Upon receipt of a report of such a threat to the safety of a staff member, the relevant Divisional Manager shall consult with the Public Officer and Council's Operational Security Manager with a view to contacting Police.

### 8.2 ONGOING SAFETY CONCERNS

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When a staff member fears for their safety following a threat from a customer, Council will implement an appropriate security arrangement following consultation with the Divisional Manager, Public Officer and Council's Operational Security Manager. Such arrangements may include providing an escort to a safe location identified by the staff member, working from a different work location where possible and following advice of Police if required. Council will meet the reasonable costs of any such arrangements.

## 9 TRAINING AND AWARENESS

Council is committed to ensuring that all staff are aware of and know how to use this Framework. All staff who deal with customers in the course of their work will also receive appropriate training and information on using this Framework and on managing UCC on a regular basis in particular, on induction.

### Appendices (Templates)

Appendix A: [Unreasonable Conduct of Customers Incident Form](#) Document Set ID: 11114860

Appendix B: [Checklist for Divisional Manager to consider when deciding to recommend the modification or restriction of a customer's access](#) Document Set ID: 11122426

Appendix C: [Warning letter](#) Document Set ID: 20406022

Appendix D: [Letter notifying a customer of a decision to change or restrict their access to Council services](#) Document Set ID: 20406011

Appendix E: [Letter notifying a customer of an upcoming review](#) Document Set ID: 20406020

Appendix F: Checklist for reviewing a decision regarding an access change/restriction Document Set ID: 24552970

Appendix G: [Letter advising the customer of the outcome of a review](#) Document Set ID: 11061391

## APPENDIX A

## UNREASONABLE CONDUCT OF CUSTOMERS INCIDENT FORM

This form should only be completed if you encounter unreasonable conduct by customers and consider that steps may need to be taken to change or restrict a customer's access to services provided by Council.

You should complete this form and send it electronically or by hand to your Divisional Manager (with a copy to the Public Officer) within 24 hours of a UCC incident. They will decide on the necessary and appropriate course of action for responding to and managing the customer's conduct.

Date: \_\_\_\_\_ Council officer's name: \_\_\_\_\_

Name of customer: \_\_\_\_\_ Customer's reference (if applicable) : \_\_\_\_\_

Details of the customer's conduct/incident including whether emergency services were contacted:

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Why do you consider this conduct to be unreasonable?

For example – has it occurred before/repeatedly, caused significant disruptions to our organisation, has or could raise significant health and safety issues for our staff or other persons.

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What action, if any, have you taken to deal with/manage the customer's conduct?

For example – warning the customer 'verbally' about their conduct, other/previous attempts to manage the behaviour etc.

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What do you think should be done to effectively manage the customer's conduct?

Note – the final recommendation on the appropriate course of action will be made by the Divisional *Manager*.

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Is there any other information that might be relevant to this case? i.e. examples of previous behaviour by the customer. If necessary, attach any supporting documentation.

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Has this incident been reported to the Safety Hotline? Y / N

(Incidents that have the potential to raise significant health and safety issues to staff are to be reported)

## APPENDIX B

CHECKLIST FOR DIVISIONAL MANAGER TO CONSIDER WHEN DECIDING TO RECOMMEND  
THE MODIFICATION OR RESTRICTION OF A CUSTOMER'S ACCESS

- I have received a completed incident form from the Council officer(s) involved (attach copy).
- I have spoken with relevant Council officer(s) to obtain further information, as needed.
- I have reviewed the customer's record and all the relevant information in it.
- I have referred to and considered Part 3.2 Criteria to be considered which includes an assessment of the following:
  - The merits of the customers case  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - The customer's circumstances  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Jurisdictional issues  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Proportionality  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Organisational or Council officer responsibility  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Responsiveness, including previous conduct  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Council officer's personal boundaries  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Conduct that is unreasonable in all circumstances (assault, threats of harm etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Along with the Council officer concerned and *[any other nominated senior officers]*, I have considered all reasonable options for managing the customer's conduct, including those that do not involve restricting their access to our services.
- Consultation with the Director is required. Include relevant information.
- 

- A recommendation has been made to the Public Officer to seek their approval of the proposed restrictions of the customers access to Council services and facilities.
- 

- Public Officer has approved restrictions of the customers access to Council services and facilities
- The customer has been warned about their conduct in writing, and the letter has been signed by the Divisional Manager
- The customer has been advised in writing of our decision to restrict their access to Council, and the letter has been signed by the Divisional Manager.
- I have made a record of my assessment and decision about the customer's conduct and all relevant staff members have been notified of my decision.
- I have forwarded details of the decision, including this checklist, to the Customer Service Unit for inclusion in the Register of Restricted Access Customers Database.
- An electronic alert has been created in *[case]* that notifies any staff dealing with this customer of the nature of the conduct that caused us to be concerned, the nature of the restriction that has been placed on their access, its duration, how they are to deal with the customer (including who they should direct any communications from the customer to).

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Relevant Details Placed in RAC Register

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## APPENDIX C

## WARNING LETTER

*[To be signed by the relevant Divisional Manager]*

Our reference: *[reference]*

Contact: *[Council officer]*

Telephone: *[number]*

*[Date]*

*[Name of customer]*

*[Address of customer]*

Dear *[name of customer]*

**Your contact with Wollongong City Council [facility name if appropriate]**

You recently had *[state the form of contact – e.g. telephone, written or face-to-face]* with staff from my Division on *[date]*. *[During/In that telephone call/appointment/letter,]* I understand that you *[explain the nature of the conduct that has caused the organisation to be concerned]*.

In accordance with our Unreasonable Conduct of Customers Framework , we consider this type of behaviour to be inappropriate and it must stop. If you continue to behave in this way or in any other way that my staff consider is unreasonable, we will impose restrictions on your contact with Council. This may involve restricting your contact to *[apply the relevant option(s)]*:

- 'Writing only' – this means that we will only accept communications from you in writing, delivered by Australia Post *[if online or other written communications are preferred then explain]*.
- 'Telephone contact only' – this means that you will only be able to contact us by telephone on a specified time and day of the week.
- 'Face-to-face contact only' – this means that your contact will be limited to scheduled face-to-face meetings with a specified member of our staff.

Or any other restriction that we consider to be appropriate in the circumstances.

If you have any questions about this letter, contact *[provide name and phone number of the nominated divisional manager or relevant staff member]*.

Yours sincerely

*[Divisional Manager/Director/General Manager]*

## APPENDIX D

LETTER NOTIFYING A CUSTOMER OF A DECISION TO CHANGE OR RESTRICT THEIR  
ACCESS TO COUNCIL SERVICES

*[To be signed by Divisional Manager, Director or the General Manager]*

Our reference: *[reference]*

*[Date]*

*[Name of customer]*

*[Address of customer]*

Dear *[name of customer]*

**Decision to restrict your contact with Wollongong City Council [facility name if appropriate]**

It has come to my attention that you *[describe the nature of the unreasonable conduct and its impact – e.g. if the customer has been sending emails to several members of my staff on a daily basis...]*

I understand that Council staff have previously informed you that Council considers this conduct to be unreasonable and unwarranted, in accordance with our Unreasonable Conduct of Customers Framework.

I also wrote to you on *[date]* and asked you to stop this behaviour. In that letter I advised you that if your behaviour continued, Council would restrict your contact with Council.

Because your behaviour has continued, I now consider it necessary to impose certain restrictions on your future contact with Council. I therefore give you notice that from *[date]*, and with the exception(s) detailed below, Council will only accept communication from you *[identify permissible form of contact, if any]*.

**What this means**

This means that you are only to contact Council using *[describe the restriction in further details]*. Any communications that do not comply with this restriction will be *[describe what will happen – e.g. phone calls will be terminated immediately, or emails/written communications will be read and filed without acknowledgment, emails will be blocked or deleted, no interviews will be granted, etc]*.

*[Note: the customer should be clearly informed how they can contact Council and how Council will contact them]*.

**Your existing complaint (if applicable)**

Council is currently dealing with you in relation to *[state the subject of complaint and describe complaint]*. This matter is being handled by *[name of officer and position title]*. While you are able to contact *[name of officer]* *[state nature of contact – e.g. by email]* about this specific matter, all other contact with Council, including any future complaints, must be *[state restriction – e.g. in writing through Australia Post]* *[provide contact details – e.g. address of organisation where post can be sent]*.

**Review of this decision**

My decision to restrict your contact with Council is effective immediately and will last for *[3 months/6 months/12 months]*. At that time we will review your restriction and decide if it should be maintained, amended or withdrawn.

I take these steps with the greatest reluctance, but *[state reason for restriction – e.g. the equity and safety of other customers and Council staff]*, leaves me no alternative.

If you have any questions about this letter, you can contact *[provide name and phone number of the relevant Divisional Manager]*.

Yours sincerely,

*[Nominated divisional manager/Director/General Manager]*

## APPENDIX E

## LETTER NOTIFYING A CUSTOMER OF AN UPCOMING REVIEW

*[To be signed by the relevant Divisional Manager]*

Our reference: *[reference]*

Contact: *[Council officer]*

Telephone: *[number]*

*[Date]*

*[Name of customer]*

*[Address of customer]*

Dear *[name of customer]*

**Upcoming review of the decision to restrict your contact with Wollongong City Council [facility name if appropriate]**

It has now been *[3 months/6 months/12 months]* since restrictions were *[imposed/upheld]* on your contact with Council. As advised in Council's letter dated *[date]*, Council is now reviewing its decision in accordance with the Unreasonable Conduct of Customers Framework to determine whether the restrictions should be maintained, amended or withdrawn.

We consider it important to give you an opportunity to participate in the review process, so we are therefore inviting you to *[apply the relevant option(s)]*:

- make submissions in writing through Australia Post *[include contact person's name and address]*
- schedule a face-to-face interview with *[include name of staff member and provide instructions on how they should go about scheduling the appointment – e.g. calling though the reception line on xxx-xxx-xxxx]*
- schedule a telephone interview with *[include name of staff member and provide instructions on how they should go about scheduling the appointment – e.g. calling though the reception line on xxx-xxx-xxxx]*

In your letter, you should include information that would be relevant to our review. This includes information about *[.....]*/During the interview which will not last more than 30 minutes, we will discuss whether:

- you have complied with the current contact restrictions
- the current contact restrictions should be removed
- the current contact restrictions should be amended to better suit your personal circumstances
- the current contact restrictions should be maintained
- any other information that is relevant to our decision

Council must receive your letter by *[time and date]*/ and you should confirm your interview with *[name of case officer]* by *[time and date]*. If Council does not receive it/hear from you by this date, we will assume that you do not wish to participate in this review and will undertake the review based on the information that we have available to us.

Once the review is completed, we will contact you again by letter notifying you of our decision.

If you have any questions about this letter, you can contact *[provide name and phone number of the nominated divisional manager]*.

Yours sincerely,

*[Nominated Divisional Manager]*

## APPENDIX F

CHECKLIST FOR REVIEWING A DECISION REGARDING AN  
ACCESS CHANGE/RESTRICTION

- The customer has been sent a letter notifying them of the review.
- The customer will/will not participate in the review.
- the customer has/has not scheduled a face-to-face interview
- the customer has/has not made written submissions
- the customer has/has not scheduled a telephone interview
- I have reviewed all the information in the CRMS, ECM or *relevant system/s* from the last 12 months [*or relevant period of the restriction*] about the customer's:
- contact with Council (explain form of contact)
- 
- conduct during that contact (explain if conduct reasonable or unreasonable)
- 
- I have spoken with the Council officers who have had contact with the customer during the last 12 months about the customer's conduct during that period.
- I have considered the arguments/statements made by the customer, including the impact of the restrictions on them (explain customer's position, including if their circumstances have changed etc.) *Note: if the customer is arguing that their circumstances have changed, they should be required to submit evidence to support this claim.*
- 
- I have considered whether there are other more reasonable/suitable options for managing the customer's conduct, including those that do not involve restricting their access to our services (list all that apply).
- 
- I consider that the restriction should be (explain):
- maintained –*e.g. because the conduct has continued or is likely to continue, is disproportionate etc.*
- removed – *e.g. because the customer has complied with the restrictions etc.*
- amended – *e.g. because the customer's circumstances have changed and the current restriction is no longer appropriate.*
- 
- I have discussed my decision with the Public Officer and obtained their approval of my recommendations
- The customer has been advised in writing of my decision to maintain/remove/ amend the restriction and this letter has been signed by the *nominated divisional manager*
- The Request Management Module and the RAC *register* has been updated to reflect the approved outcomes of the review.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_



## APPENDIX G

## LETTER ADVISING THE CUSTOMER OF THE OUTCOME OF A REVIEW

*[To be signed by the relevant Divisional Manager or the General Manager]*

Our reference: *[reference]*

Contact: *[Council officer]*

Telephone: *[number]*

*[Date]*

*[Name of customer]*

*[Address of customer]*

Dear *[name of customer]*

**Review of your contact with Wollongong City Council [facility name if appropriate]**

I am writing about a review that was undertaken by Council on *[date]* concerning your contact with Council. I understand that you *[participated/did not participate]* in that review.

**Process of review**

During the review you were given an opportunity to *[explain in general terms how the review what undertaken]*.

**Considerations**

After your *[interview/reading your submissions]*, I considered the concerns and suggestions raised in your *[interview/letter, etc.]*, particularly your concerns about *[include information that would be relevant – e.g. the customer said their circumstances had changed]*. I also reviewed our records of your conduct and contact with Council over the last 12 months. Our records showed that *[provide summary of relevant information – e.g. Our records show that you have continued to send emails to our office, sometimes up to four times a day, throughout the period of your restriction]*.

*[apply if relevant]*: These communications were in direct violation of your restriction which limited your contact with our office to *[state nature restriction]* *[explain what the purpose of the restriction was, if appropriate, and the impact of their conduct]*.

*[apply if relevant]*: Our records show that you have complied with the restrictions that were imposed on your contact with our organisation.

**Decision**

*[apply if relevant]*: Due to *[explain reasoning for the decision – e.g. the number of emails that you have sent to our organisation in the last 12 months and ....]* In accordance with our Unreasonable Conduct of Customers Framework, I consider it necessary to maintain the restrictions on your contact with our office for a further 12 months, effective immediately.

*[apply if relevant]*: Due to *[explain reasoning for the decision]* In accordance with our Unreasonable Conduct of Customers Framework, I consider it necessary to amend the restrictions on your access to better suit your personal circumstances *[explain, including providing clear instructions on how the customer is to contact us and how we will contact them]*. The new restrictions will be effective immediately and will last for 12 months. If your circumstances change again during this period, you may *[explain how the customer can notify of the change]*.

*[apply if relevant]*: Due to *[explain reasoning for the decision]* In accordance with our Unreasonable Conduct of Customers Framework, I consider it appropriate to remove the restrictions that have been placed on your access with our organisation, effective immediately. You may contact our organisation using any of our normal servicing options.

If you have any questions about this letter, you can contact *[provide name and phone number of the nominated divisional manager]*.

Yours sincerely

*[Nominated divisional manager/Director/General Manager]*

**APPROVAL AND REVIEW**

<b>Responsible Division</b>	Customer + Business Integrity
<b>Date authorised by Executive Management Committee</b>	30 November 2023
<b>Date of previous adoptions</b>	06/11/2017 28/10/2014 17/07/2012 06/10/2010
<b>Date of next review</b>	30 November 2026