

PERTH AND KINROSS COUNCIL
STRATEGIC POLICY AND RESOURCES COMMITTEE

17 April 2019

MANAGING UNREASONABLE DEMANDS POLICY

Report by Depute Chief Executive, Chief Operating Officer (Report No. 19/114)

<p>PURPOSE OF REPORT</p>

<p>This report presents a policy to manage customer expectation and support staff in dealing with unreasonable demands by the Council's customers and service users.</p>
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1. BACKGROUND

- 1.1 The Council is committed to open and effective communication with our customers, service users and the public. There are occasions however when the behaviour or demands of individuals are such that they are unacceptable or unreasonable and require to be managed.
- 1.2 The Council has had a policy on Unacceptable Actions by Complainants since 2004 which allowed for restricting communications with complainants whose demands and expectations were deemed unacceptable.
- 1.3 Although that policy has only been used on a relatively few occasions, it has proved to be useful in supporting staff managing difficult complainants by restricting levels of communications, means of communication or who complainants can engage within the organisation.
- 1.4 As that policy relates only to individuals who are engaged in the complaints process, it does not cover situations where the behaviour and the demands of individuals who are engaging with the Council outwith the complaints process, become unreasonable or unmanageable.
- 1.5 This policy goes beyond the Unacceptable Actions by Complainants Policy and covers all individuals engaging with the Council regardless of any process or procedure.

2. UNREASONABLE DEMANDS

- 2.1 It is difficult to describe exactly what would be classed as 'unreasonable demands' since it will always depend on the individual case and the associated evidence.
- 2.2 Examples of situations where behaviour might be considered as 'unreasonable demands' and the likely or possible actions under the proposed policy are given below. In each case, the trigger would be many repeated and documented instances of the problem.

- Raising the same issue without providing new evidence and not accepting the Council's stated position
- Making unsubstantiated allegations about Council employees
- Making serious allegations but refusing to co-operate with an investigation

Action: refusing to communicate further on the particular issue, possibly with a single point of contact.

- Contact that has the effect of harassing employees

Action: naming a neutral, single point of contact would remove the harassing effect and allow matters to be filtered out and passed on to be dealt with appropriately.

- Multiple telephone calls in a day

Action: naming a single point of contact, setting and specific time-slot for communication, or requiring all communication to be in writing or even face-to-face.

- Prolonged correspondence requiring excessive employee time for responses
- Repeated 'scatter-gun' emails to multiple employees

Action: 'coralling' the correspondence and dealing with matters sequentially, possibly with a fixed amount of time allocated each week and / or a single point of contact.

- 2.3 It must be understood, however, that there can be no uniform approach and the actions will always be determined by what is 'reasonable' in the circumstances: the Council must always be approachable by a person to some degree.

3. PROPOSALS

- 3.1 The proposed policy is attached as Appendix 1.
- 3.2 The proposed policy aligns with the Council's existing Violence and Aggression Arrangements.
- 3.3 The proposed policy shall replace the existing Unacceptable Actions by Complainants policy.

4. CONCLUSION AND RECOMMENDATION

- 4.1 This policy goes beyond the Unacceptable Actions by Complainants Policy and covers all individuals engaging with the Council regardless of any process or procedure.

- 4.2 This policy has been developed in response to requests from Services and to bring consistency to existing informal practices.
- 4.3 The Committee is asked to approve the policy and to report instances of its use annually to the Scrutiny Committee.

Author(s)

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Approved

Name	Designation	Date
Jim Valentine	Depute Chief Executive(Chief Operating Officer)	5 April 2019

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	None
Corporate Plan	None
Resource Implications	None
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	None
Equality Impact Assessment	Yes
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	None
Internal	Yes
External	None
Communication	None
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

1.1 Not applicable.

Corporate Plan

1.2 Not applicable.

2. Resource **Implications**

Financial

2.1 Not applicable.

Workforce

2.2 Not applicable.

Asset Management (land, property, IT)

2.3 Not applicable.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties. The Equality Impact Assessment undertaken in relation to this report can be viewed clicking [here](#).
- 3.2 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) and assessed as **relevant** and actions taken to reduce or remove the following negative impact - action under this policy being taken against individuals with mental health issues or learning difficulties.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The proposals have been considered under the Act, however no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

Sustainability

- 3.3 Not applicable.

Legal and Governance

- 3.4 Not applicable.

Risk

- 3.5 Not applicable.

4. Consultation

Internal

- 4.1 All Services have been consulted through the corporate Policy and Governance Group and the Corporate Management Team.
- 4.2 The proposed policy was noted by the Corporate Health, Safety and Welbeing Consultative Committee.

External

4.3 Not applicable.

5. Communication

5.1 Guidance has been prepared for employees in the use of this policy and will be published with the policy on ***eric***. An Inside News Bulletin will be used to draw the policy the guidance to the attention of staff.

2. BACKGROUND PAPERS

None

3. APPENDICES

Appendix 1 – Managing Unreasonable Demands Policy