

Corporate Policy and Strategy Committee

10.00am, Tuesday, 29 September 2015

Managing Customer Contact in a Fair and Positive Way – annual review

Item number	8.3
Report number	
Executive/routine	
Wards	All

Executive summary

The purpose of this report is to provide committee with a progress update on the implementation and use of the Council's policy - Managing Customer Contact in a Fair and Positive Way. [The policy](#) was launched on 1 September 2014 and explains how we manage actions that result in unreasonable demands on our services or unreasonable demands on our staff.

At the time the policy was approved by committee (5 August 2014) it was titled the Unacceptable Actions Policy. The title of the policy was changed to better reflect the objectives and the [best practice guide](#) supporting it. The guidance includes practical strategies to help staff communicate with customers and handle difficult behaviours so that problems can be deescalated and complaints managed effectively.

Feedback on the policy and guidance has been positive, with the value of the policy in managing resources effectively while improving customer contact, being recognised. Further work is planned to promote awareness of the policy and develop staff skills to ensure continued use of the guidance in everyday Council business.

Links

Coalition pledges

Council outcomes

CO10, CO15, CO23, CO24, CO25, CO26, CO27

Single Outcome Agreement

Managing Customer Contact in a Fair and Positive Way – annual review

Recommendations

- 1.1 It is recommended that the Corporate Policy and Strategy Committee note the completed and planned activities to implement the policy and good practice guidance.

Background

- 2.1 The policy for managing customer contact in a fair and positive way (formerly titled unacceptable actions policy) was approved by the Corporate Policy and Strategy Committee on 5 August 2014.
- 2.2 This policy is only invoked in exceptional circumstances where a complainant is displaying unacceptable behaviour towards our staff or demands on our service, and has exhausted our complaints handling procedure. This policy does not preclude existing policies that relate to staff or elected members raising complaints.
- 2.3 The policy provides clearer guidance for staff to handle certain situations appropriately and in a customer focused way. For the customer, the guidance is more accessible from an equalities perspective and gives them an opportunity to appeal if a decision has been made to restrict contact. Any decision to restrict access does not affect the Council's legal responsibilities to customers.
- 2.4 This report provides an update on progress to date regarding the implementation and use of the policy and guidance.

Main report

- 3.1 The implementation of the policy and good practice guidance has been taken forward by the Council Complaints Management Group (CCMG). The CCMG comprises of officers from across all service areas, who have an essential role in customer contact and complaints management.
- 3.2 Key aspects of the work has included the following actions and results:

Policy

- 3.2.1 In developing the policy and guidance the Council worked in partnership with the Scottish Public Services Ombudsman (SPSO). The SPSO endorsed the approach and agreed to review the Council's use of the policy and appeal process where this is applied. This provides the opportunity for the Council to handle difficult situations in a constructive and transparent manner, while developing and refining our approach based on learning and experience.
- 3.2.2 A review panel was set up with responsibility for providing an independent assessment into the use of the policy where a decision to restrict contact has been appealed by the complainant. To date, the review panel has been required to consider one case which resulted in the service providing a single point of contact for the customer to manage their needs.
- 3.2.3 A secure restricted access register has been set up to allow effective monitoring of the use and impact of the policy. The register includes the personal details of individuals who have received restricted contact arrangements where the policy has been implemented. The register is currently managed in the Strategy & Governance Service where the strategic elements of complaints management are being led.

Engagement and support

- 3.2.4 Briefings have been provided for managers together with a checklist and flowchart to help them to decide whether or not it would be appropriate to implement the policy and to ensure that they have taken all necessary steps to change the customer's behaviour.
- 3.2.5 The service representatives on the CCMG provide support and advice for managers and staff on all cases relating to customer contact and the application of the policy. This targeted support, advice and consultation has minimised the formal use of the policy at a service level.
- 3.2.6 To promote awareness and understanding of the policy the Council complaints online training has been refreshed and is now part of the mandatory training of key Council policies and procedures for all staff to complete. Since 19 May 2015, 1222 staff have successfully completed and passed the e-learning module.

Customer engagement

- 3.2.7 A [customer facing document](#) on the policy has been posted on the Council's website which clearly sets out the Council's parameters to customers for any action or behaviour deemed as unacceptable. It advises customers of the potential steps taken if the policy is implemented and advises them of their right to appeal through the review panel.
- 3.2.8 The policy and good practice guidance have improved the way the Council engages with customers through monitoring how customers are treated during

the complaints procedure and ensuring that they can access Council services appropriately.

- 3.2.9 Overall the policy and guidance, and the above measures have resulted in:
- a quicker approach for managing repeated customer contact and difficult situations;
 - clearer guidance for detecting unreasonable behaviour and how staff can respond to this appropriately;
 - a customer focused approach that is positive and constructive: staff now have a better understanding of why a customer might be angry or distressed and how to influence behaviour;
 - improved accessibility for equalities groups in offering alternative communication formats and languages; and
 - open and transparent processes.

3.3 Going forward the following actions are planned:

- 3.3.1 Promote the use of the policy and good practice guidance for all aspects of customer contact to ensure consistency of approach and empowering all staff to handle difficult situations and deescalate problems before they become a complaint. To date the policy has mainly been used in the context of complaints management so there is an opportunity to implement more widely.
- 3.3.2 The CCMG will continue to monitor the completion rate of the e-learning training, ensuring the completion by all staff. The training has also been integrated with the investigative skills training for stage 2 complaints.
- 3.3.3 The CCMG will continue to work with services to ensure the policy is kept up to date and aligned with other internal policies and procedures.
- 3.3.4 Continued working relationship with the SPSO to share practice and learning.
- 3.3.5 Explore the need for further guidance that helps to protect staff safety and wellbeing.

Measures of success

- 4.1 Increased protection for staff and service users where an individual's actions result in unreasonable demands on services or unreasonable behaviour towards staff.
- 4.2 Supporting customers and wider, effective complaints resolution by addressing the limited number of cases where the unreasonable actions of complainants have a negative impact on service provision. The policy will ensure that resources are targeted towards the areas where they are most needed, supporting efficient and effective complaint resolution for all customers.

- 4.3 Overall, feedback from managers and staff has been positive, with the value of the Policy supporting managing complaints in a fair and positive way.

Financial impact

- 5.1 Costs associated with the activity to date have been met from within existing budgets.
- 5.2 Funding from existing budgets may require to be realigned to support the delivery of a staff development programme, and specifically the roll out of accredited training for a wider range of staff from across Council service areas.

Risk, policy, compliance and governance impact

- 6.1 The review of the Managing Customer Contact in a Fair and Positive Way policy is continuous to ensure continued success. An established relationship with SPSO ensures that our complaints policies are relevant, transparent and up to date.

Equalities impact

- 7.1 The policy annual review balances the rights of the individual to express complaints, with the freedom of staff and other service users to work or access services without discrimination, harassment or victimisation.

Sustainability impact

- 8.1 No significant environmental impact is anticipated as a result of this policy annual review.

Consultation and engagement

- 9.1 This policy has been reviewed in consultation with the Council Complaints Management Group (CCMG).
- 9.2 The CCMG will continue to engage managers and staff on the use and value of the policy and update it where appropriate.

Background reading/external references

[Unacceptable Actions Policy](#), Scottish Public Services Ombudsman, 2013

[Unacceptable Actions Policy](#), Corporate Strategy and Policy Committee, 5 August 2014

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Links

Coalition pledges

Council outcomes

- CO10 - Improved health and reduced inequalities
- CO15 - The public is protected
- CO23 - Well engaged and well informed – Communities and individuals are empowered and supported to improve local outcomes and foster a sense of community
- CO24 - The Council communicates effectively internally and externally and has an excellent reputation for customer care
- CO25 - The Council has efficient and effective services that deliver on objectives
- CO26 - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives
- CO27 - The Council supports, invests in and develops our people

Single Outcome Agreement Appendices