# Customer Service and Public Interaction

<table>
<thead>
<tr>
<th>Classification:</th>
<th>Council Policy</th>
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<tr>
<td>Policy Name:</td>
<td>Customer Service and Public Interaction</td>
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<tr>
<td>First Issued / Approved:</td>
<td>12 April 2016, C10604</td>
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<td>Responsible Officer:</td>
<td>General Manager Corporate and Development</td>
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**Relevant Legislation:**
- By-Law No 3 – Local Government Land
- Disability Discrimination Act 1992
- Equal Opportunity Act 1984 (South Australia)
- Freedom of Information Act 1991
- Libraries Act 1982
- Local Government Act 1999
- Ombudsman Act 1972
- Privacy Act 1988
- Racial Discrimination Act 1975 (Cth)
- SA Public Health Act 2011
- Sex Discrimination Act 1984
- Whistleblowers Protection Act 1993
- Work Health and Safety Act 2012

**Related: Policies, Internal Procedures/Protocols and Plans:**
- Better Living, Better Health 2014-2018 Regional Public Health Plan
- Closed Circuit Television (CCTV) and Recording Policy
- Code of Conduct for Council Employees
- Code of Conduct for Council Members
- Code of Conduct for Volunteers
- Complaint Handling Policy and Protocol
- External Customer Experience Protocol
- Grievance Resolution Protocol
- Internal Review of Council Decisions (Section 270)
- Performance Management and Misconduct Protocol
- Request for Service Policy
- Work Health and Safety and Injury Management Policy
- WHS Handling Aggression, Violence or Threats from Public at Work Procedure

## 1 Introduction

1.1 The City of Burnside is committed to achieving customer service excellence by striving to deliver services in a professional, co-ordinated and timely manner. Council will show respect to all Customers, be they ratepayers, residents, visitors, colleagues, volunteers, contractors and/or elected members. Council will endeavour to anticipate and where possible exceed our Customers’ needs and expectations.
1.2 This Policy defines the standard of service that Customers can expect to receive when dealing with Council and outlines the expectations of Council, Council Employees, Staff and Associates when providing customer service to internal and external Customers.

1.3 This Policy should also be read in conjunction with Council’s Complaint Handling Policy, Request for Service Policy and Code of Conduct Policies.

2 Strategic Plan Desired Outcomes

2.1 Delivery of good governance in all Council business.

3 Our Approach

3.1 Regularly review, update and adopt leading governance, risk management and administrative practices.

4 Legislative Requirements and Corporate Policy Context

4.1 Under Section 270 of the Local Government Act 1999, a Council must develop policies, practices and procedures for dealing with reasonable requests for service, or the improvement of a service, or for dealing with complaints to ensure a safe working environment as outlined under the Work Health and Safety Act 2012.

5 Interpretation

For the purpose of this policy, including its Annexures:

5.1 “the Act” means the Local Government Act 1999.

5.2 “Council Premises” means all Council-owned and operated premises.

5.3 “Council Services” means all services, assistance and facilities provided by the Council to the community whether under legislative obligations or not, with or without charge, including by way of telephone, email, the Council’s website and face-to-face interactions within Council Premises or on-site.

5.4 “Customer” means a person who is utilising Council Services or Council Premises and includes external Customers being any residents, ratepayers, members of public or organisations that have any form of dealings with Council.

5.5 “Elected Member” means a member of Council. The role of members of councils is outlined in section 59 of The Act. “Employee” means a person employed by the Council.

5.6 “Staff and/or Associates” means a person engaged through an employment agency, a contractor, volunteer, or a committee member appointed by Council under Section 41 of the Act and any other person who acts or works on the behalf of Council.

5.7 “Exclusion” means limiting the interaction between an individual and Council Employees, Staff and Associates.

5.8 “On-site” means located at the site of a activity or concern, including but not limited to Council staff in public spaces.

5.9 “Prohibited Behaviours” within all service areas in Council premises and on-site means the following behaviours by Customers:
5.9.1 Abuse, intimidation and/or harassment, racist language and/or wording directed at Council Employees, Staff and Associates or other Customers;

5.9.2 Disruptive behaviour including disorderly conduct, unsupervised children, noise or activity that interferes with the rights of others, physical abuse, abusive or threatening language or body movements and/or misuse of Council furnishings;

5.9.3 Theft, vandalism or other illegal acts;

5.9.4 Engaging in lewd or sexual activities;

5.9.5 Soliciting, selling or canvassing other than for activities which have received prior approval from Council;

5.9.6 Being in a state of intoxication that causes or may reasonably be considered as contributing to a public disturbance or interference with others' use or enjoyment of Council Premises or Council Services;

5.9.7 Loitering on the premises under circumstances that warrant alarm for the safety and health of any person or property in the vicinity;

5.9.8 Deliberately disrupting others' use of Council Premises or Services;

5.9.9 Deliberately viewing pornography, abusing or misusing social media or otherwise deliberately breaching the security of the Council's computer network;

5.9.10 Smoking within all indoor Council owned premises areas or designated out door no-smoking areas such as playgrounds; and/or

5.9.11 Failing to comply with the Conditions of Entry at the George Bolton Swimming Centre Burnside.

5.10 "Prohibited Behaviours" within all indoor areas of Council premises means the following behaviours by Customers:

5.10.1 Smoking;

5.10.2 Littering;

5.10.3 Talking so as to be a distraction to others in a quiet study area;

5.10.4 Inappropriate use of resources, equipment or furniture;

5.10.5 Using mobile devices (including telephones, laptops and tablets) to the distraction of other Customers; and

5.10.6 Inappropriately monopolising space provided for reading, quiet study area, sitting or waiting to the exclusion of other Customers.

5.11 "Unreasonable Conduct" is grouped into five categories of conduct:

5.11.1 Unreasonable persistence – continued, incessant and unrelenting conduct by a Customer that has a disproportionate and unreasonable impact on Council Employees, Staff, Associates, services, time and/or resources. For instance, by persisting with a complaint or request even though all avenues of review (both internal and external) have been exhausted, refusing to accept final decisions and/or sending excessive amounts of correspondence;

5.11.2 Unreasonable demands – any demands (expressed or implied) made by a Customer that have a disproportionate and unreasonable impact on Council Employees, Staff and Associates, services, time and/or resources. For instance, by demanding outcomes that are beyond the Council's power to deliver or which cannot be delivered in the timeframe demanded by the Customer, demanding unreasonable outcomes,
changing the criterion or engaging in the unreasonable persecution of individuals;

5.11.3 Unreasonable lack of cooperation – an unwillingness by a Customer to cooperate with Council, its Staff and/or Associates or utilise Council’s complaints handling systems and processes that results in a disproportionate and unreasonable use of Council services, time and/or resources. For instance, by displaying unhelpful behaviours such as withholding information, dishonesty, misquoting others, being unable to consider other valid viewpoints or refusing to define issues of complain;

5.11.4 Unreasonable arguments – include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, insulting personal attacks, trivial and that disproportionately and unreasonably impact upon Employees, Staff and Associates, services, time, and/or resources and/or other Customers; and

5.11.5 Unreasonable behaviours – conduct that is unreasonable in all circumstances, regardless of how stressed, angry or frustrated that a complainant is, because it unreasonably compromises the health, safety and security of Employees, Staff and Associates, other Customers or the particular Customer he/she.

6 Policy

6.1 Council recognises its obligation to provide the highest standard of service and experience to Customers. It is important that Customers always know what they can expect from Employees, Staff and/or Associates.

6.2 This Policy applies to:

6.2.1 Council Employees, Elected Members, Staff and Associates whilst performing their duties on Council premises; and

6.2.2 All Customers who access or attend all Council premises and Council services and interact with Council Employees, Staff and/or Associates.

6.3 Council expects its Employees, Staff and/or Associates to commit to and enact the following 7 key elements to Customer Service behaviours:

6.3.1 Acknowledge the Customer;
6.3.2 Value the Customer;
6.3.3 Ask How to Help the Customer;
6.3.4 Listen to the Customer;
6.3.5 Confirm Actions;
6.3.6 Accountability for Actions; and
6.3.7 Confirm Satisfaction.

6.4 Council expects Customers will:

6.4.1 Provide accurate and complete details when contacting us
6.4.2 Treat our Employees, Staff and/or Associates and Elected Members with courtesy and respect, and
6.4.3 Customers will not engage in Unreasonable Conduct or other Prohibited Behaviours.

6.5 Council aims to provide a safe environment for all Employees, Staff and Associates, and visitors to all Council premises. Council has a ‘zero-tolerance’ standing towards any harm, abuse or threats directed towards Employees, Staff,
Associates and customers from any individual or group through the display of any prohibited behaviours or unreasonable conduct.

6.6 Any conduct of this kind displayed by a Customer will be dealt in an appropriate, equitable and consistent manner, in accordance with the duty of care and work health and safety responsibilities of the Council and in accordance with its supporting Policies, Protocols, Procedures and Processes.

6.7 At the discretion of the General Manager, Unreasonable Conduct incidents will generally be managed by limiting or adapting the ways that Council interacts with customers by defining:

6.7.1 **Who they have contact with** – limiting a customer to a sole contact officer at the Council.

6.7.2 **What they can raise with Council** – restricting the subject matter of communications that Council will consider and respond to.

6.7.3 **When they can have contact** – limiting a customer’s contact with Council to a particular time, day, or length of time, or defining the frequency of their contact.

6.7.4 **How they can make contact** – limiting or modifying the forms of contact that customer can have with Council.

6.8 In rare cases, and as a last resort when all other strategies have been considered and/or attempted, it may be necessary for Council to terminate a customer’s contact/access. This can only be approved by the Chief Executive Officer. A decision to have no further contact with a customer will only be made if there is a documented history of contact that supports a conclusion that the customers is unlikely to modify their conduct and/or the conduct poses a significant risk for staff or other parties.

6.9 Council wants to ensure the wellbeing of Customers who may be suffering from mental health and will do its best to ensure the correct steps are taken for a respectful outcome.

6.10 This Policy is supported by:

6.10.1 Public Interaction Standards and Exclusions Processes (Part A)

These Processes contain detailed measures by which interactions with Customers will be managed and is designed to ensure that this occurs in a fair, equitable and reasonable manner at all times.

7 **Grievances**

7.1 Any grievances in relation to this Policy or its application should be forwarded in writing to the General Manager Corporate and Development, City of Burnside.

8 **Review and Authority**

8.1 This Policy will be reviewed bi-annually in accordance with Council’s Policy and Procedure Framework

9 **Availability**

9.1 The Policy is available to be downloaded, free of charge, from Council’s website www.burnside.sa.gov.au.

9.2 The Policy will be available for inspection free of charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.
PART A
PUBLIC INTERACTION AND EXCLUSION PROCESSES

Customer Expectations and Standards

Council expects Customers will provide accurate and complete details when contacting us. It is expected that customers will treat our Employees, Staff and/or Associates and Elected Members with courtesy and respect, and they will not engage in Unreasonable Conduct or other Prohibited Behaviours.

Council wants to ensure the wellbeing of Customers who may be suffering from mental health and will its best to ensure the correct steps are taken for a respectful outcome.

1. Where the Unreasonable Conduct or Prohibited Behaviour is received by any means:

   1.1 If practicable to do so, an Employee, Staff and/or Associate will politely request that they immediately desist from that conduct or behaviour or if it continues it will lead to;

       1.1.1 them being requested to leave the premises, or

       1.1.2 the call will be terminated, and/or

       1.1.3 the Customer’s contact with Council will be restricted.

   1.2 The relevant Employees, Staff and/or Associates involved in the incident must record the circumstances in Council’s Corporate Incident Reporting System. The record will be forwarded to the relevant Group Manager of the area where the incident occurred.

   1.3 The Police may be called at any time where a Customer

       1.3.1 is involved in an illegal activity, or

       1.3.2 when Employees, Staff and/or Associates have a reasonable fear for their own safety or that of other Customers, or

       1.3.3 written correspondence containing death threats or other matters of a criminal nature, or

       1.3.4 when a person refuse to leave the relevant Council Premises when asked to do so by the Group Manager and/or General Manager.

   1.4 Where possible, the parents and/or guardians of a minor will be informed when they are asked to leave Council Premises.

   1.5 If, following a request to leave, the Customer fails or refuses to comply, or otherwise responds in an inappropriate or abusive fashion, he/she will be informed that they must immediately leave the premises for the balance of
that calendar day.

1.6 The Group Manager and/or General Manager may inform the Customer;

1.6.1 they are excluded from the relevant Council Premises and cannot re-enter those premises for 48 hours from the time of the exclusion.

1.6.2 that they are excluded from contact with the particular area or department of the Council for a defined period of time of up to 48 hours.

1.7 Where the contact details of Customer are known, the General Manager will follow up the incident and any subsequent notifications by sending to the Customer a written confirmation of their exclusion, warning and/or restriction and the reasons why the exclusion, warning and/or restriction direction was issued. The letter will include at least the following:

1.7.1 Specify the date, time and location of the Unreasonable Conduct incident;

1.7.2 Explain why the Customer’s conduct amounts to Unreasonable Conduct and why this is unacceptable;

1.7.3 List the types of access changes and/or restrictions that may/will be imposed if the Unreasonable Conduct continues;

1.7.4 Provide clear and detailed reasons as to why the warning is being given;

1.7.5 Specify the duration of the restriction(s) imposed;

1.7.6 Indicate a time period for review;

1.7.7 State the standard of behaviour that is expected of the Customer;

1.7.8 Provide the name and contact details of the General Manager who can be contacted and/or a review of that decision;

1.7.9 Explain how essential Council services can be accessed during the exclusion period and

1.7.10 Be signed by the General Manager.

2. **Library bans**

2.1 If a Customer within the Council’s Library engages in serious Prohibited Behaviour or has been asked to leave or excluded from the Library on numerous occasions, the Council may apply to the Associate Director of the Public Libraries Services (PLS) for a State-wide ban to be imposed on the Customer. Such a ban may either temporarily or permanently bar a Customer from accessing any library in South Australia.

2.2 The relevant Employees, Staff and/or Associates involved in the incident must record the circumstances in Council’s Corporate Incident Reporting System. The record will be forwarded to the relevant Group Manager of the area where the incident occurred.

2.3 This process is governed by the *Libraries Act 1982* and the *Libraries Regulations 2013*. The process involved in obtaining a ban is as follows:
2.3.1 An application must be made to the Associate Director, PLS outlining the facts and circumstances of the application, the reasons why a ban is sought, the proposed period of the ban and other relevant information;

2.3.2 PLS will consider the proposal and seek legal advice if required;

2.3.3 PLS will make a recommendation to the PLS Standing Committee and if required to the Libraries Board for consideration;

2.3.4 PLS will advise the library of the Board’s decision. If the ban is approved the library which sought to institute the ban will notify the customer and apply the ban on the system;

2.3.5 If the ban is not approved the Council may seek to appeal the decision, seeking an audience with the PLS Standing Committee to discuss the matter further; and

2.3.6 If a state-wide ban is sought but not imposed, the Council may warn other libraries of the particular Customer’s behaviours.

3. General provisions relevant to exclusions

3.1 Parents and guardians will be notified where possible when a minor receives an exclusion.

3.2 The Council is free and able at any time to report any incident of Unreasonable Conduct or Prohibited Behaviour to the Police or otherwise to take legal action against any Customer who has engaged in Unreasonable Conduct or Prohibited Behaviour as is considered warranted or necessary by the Council.

3.3 If any Customer who receives an exclusion attempts to enter Council premises during the exclusion period, a General Manager will be notified and the Police may be called.

4. What will happen if Unreasonable Conduct or Prohibited Behaviour continues during an exclusion or otherwise is repeated after an exclusion?

4.1 Where a Customer has previously received an exclusion under the above clauses and that Customer either breaches the terms of the exclusion or otherwise repeats the Unreasonable Conduct or Prohibited Behaviour which resulted in an exclusion in the first instance, the General Manager may issue that person with an extended exclusion.

4.2 The General Manager will be responsible for determining the period of the extended exclusion having regard to the gravity or the repetition of the incidents and to the outcomes of consultation with the relevant Team Leader and Group Manager of the area affected.

4.3 All Customers who receive an extended exclusion will be notified of such, in writing, by the General Manager.

4.4 The following maximum extended exclusions apply:

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<th>Period between incidents</th>
<th>Maximum exclusion period</th>
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<tbody>
<tr>
<td>30 days</td>
<td>12 month exclusion</td>
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<tr>
<td>Time Period</td>
<td>Exclusion Period</td>
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<tr>
<td>-------------</td>
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</tr>
<tr>
<td>3 months</td>
<td>6 month exclusion</td>
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<tr>
<td>6 months</td>
<td>3 month exclusion</td>
</tr>
<tr>
<td>12 months</td>
<td>1 month exclusion</td>
</tr>
<tr>
<td>24 months</td>
<td>A further verbal warning</td>
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4.5 In the event that a Customer who is subject to an extended exclusion from Council premises, attempts to enter Council premises during the extended exclusion period, the Group Manager of the relevant area will be notified and the Police may be called.

4.6 When a Customer is subject to an extended exclusion all Employees, Staff and/or Associates who would be likely to come into contact with the Customer must be notified of the exclusion period.

5. **Use of Council Premises and Council services during an exclusion period**

5.1 Council recognises that an excluded person may need to use Council services and/or facilities to proceed with a necessary business transaction between themselves and Council during an exclusion period. Where this occurs, the Council will put alternative arrangements in place to allow the excluded person to proceed with essential Council business. The excluded person will be notified of the alternative arrangements in writing when the exclusion direction is issued. For instance:

5.1.1 Where Council business can occur through written correspondence, the person will be directed to correspond with the General Manager; or

5.1.2 Council business must occur in person (i.e. where a register must be inspected, etc.), then the inspection will be arranged with attendance by appropriate Employees, Staff and/or Associates with the express permission of the General Manager.

6. **Other remedies for Unreasonable Conduct or Prohibited Behaviour**

6.1 This document does not purport to restrict the Council’s ability to report criminal behaviour to the Police or to pursue formal legal avenues to protect its Employees, Staff and/or Associates where this is deemed necessary by the Council.
UNREASONABLE CONDUCT or PROHIBITED BEHAVIOUR (SIMPLIFIED) PROCESS

Unreasonable Conduct

Does the incident involve:
- An illegal activity
- There is reasonable fear for personal safety
- Person refuses to leave premises when asked by Group Manager/General Manager
- After business hours

Does the incident involve:
- An illegal activity
- There is reasonable fear for personal safety
- Person refuses to leave premises when asked by Group Manager/General Manager
- After business hours

Staff to request Customer immediately desist conduct or behaviour

Does not cease conduct or behaviour:
- Request Customer Leave premises — only to return when willing to behave in appropriate manner

Customer fails to leave premises:
- Contact Group Manager and/or General Manager

Group Manager and/or General Manager:
- If unable to encourage acceptable conduct/behaviour advise Customer they will be excluded for up to 48 hours

Group Manager and/or General Manager:
- Exclusion confirmed by letter

Where the Customer:
- Conduct/behaviour continues
- Demonstrates extreme and/or overt aggression etc.,

General Manager may send letter as per 5.5 in Part B of Policy restricting the Customer’s access to Council Premises and/or Council Services

The General Manager will be responsible for determining the period of exclusion/restriction having regard to the gravity of the incident/s and to the outcomes of consultation with the relevant Team Leader and/or Group Manager of the area affected.

Incident must be recorded in Council’s Corporate Incident Reporting System

Call Police

Call Police