



## EXCLUSION FOR DISRUPTIVE OR ABUSIVE CITIZENS AND CUSTOMERS POLICY

### Summary:

The purpose of this policy is to provide clear direction on the exclusion of members of the public, residents or visitors when behaviours become disruption or abusive towards Council, councillors, staff and volunteers.

<b>Policy Number</b>	1.052
<b>File Number</b>	CM/163
<b>Document version</b>	V4.0
<b>Adoption Date</b>	26 October 2022
<b>Approved By</b>	Council
<b>Endorsed By</b>	Council
<b>Minute Number</b>	222/22
<b>Consultation Period</b>	N/A
<b>Review Due Date</b>	November 2024
<b>Department</b>	Office of Chief Corporate Officer
<b>Policy Custodian</b>	Chief Corporate Officer
<b>Superseded Documents</b>	Exclusion for Disruptive or Abusive Citizens and Customers Policy Version 3.0
<b>Related Legislation</b>	Customer Contact Charter 2022 Customer Service Policy Complaints & Unreasonable Conduct Policy Tenterfield Shire Council Code of Conduct 2020 Code of Conduct for Councillors 2020
<b>Delegations of Authority</b>	Manager Customer Service, Governance & Records

### 1. Policy Principles

This policy applies to all visitors, citizens and customers to any public area or Council premises within Tenterfield Shire.

## **2. Policy Objectives**

The objective of this policy is to provide a safe and pleasant environment, conducive to the effective use of Council's resources and services, and provide a safe workplace for all staff, contractors, volunteers and visitors.

## **3. Policy Statement**

### **Prohibited, Threatening and Abusive Behaviours**

The rights of individuals to come to Council should not be abridged or denied. To guarantee these rights for all persons, no resident, customer or visitor shall engage in the following prohibited threatening behaviours:

- Abuse, intimidation and/or harassment towards Tenterfield Shire Council staff, visitors, customers or contractors in their professional capacity.
- Disruptive behaviour, which includes disorderly conduct, physical abuse, abusive or threatening language.
- Theft, vandalism or other illegal acts on Tenterfield Shire council premises.
- Being in a state of intoxication that causes a public disturbance or interferes with others use or enjoyment of Council facilities and resources by other visitors.
- Loitering on the premises under circumstances that warrant alarm for the safety and health of any person on the property.

Staff will deal firmly and courteously with visitors who engage in prohibited behaviours. Where possible all interaction with the offending visitor will be undertaken by the staff member in charge of that area or other senior staff.

Where violence or threats of violence towards staff are made by citizens, customers or visitors, the Chief Executive Officer will consider immediate exclusion, reporting to the Police and legal action.

### **Exclusion Policy**

Where practicable, staff will request a visitor who is exhibiting unacceptable behaviour to refrain from such behaviour. If they continue, the staff member will advise the visitor that such behaviour will lead to them being requested to leave the premises.

Failure to comply with a request to cease the unacceptable behaviour will, where possible, be reported to a supervisor or manager. The senior member of staff will request the visitor to leave the premises because of unacceptable behaviour. If, following a request to leave, the visitor fails or refuses to comply or responds in an abusive fashion, he/she fails to leave, the Departmental Chief or Director will be called and the Police may be called.

The staff member requesting the visitor to leave will complete and Incident Report. One copy of the report is sent to the Chief or Director of the area where the incident occurred and another copy is filed in the incidents Register and registered in Council's Records Management system.

The Police may be called at any time where a visitor is involved in an illegal activity or when staff have a well-founded fear for their own safety or that of other visitors.

Whether the visitor is notified that this action has been taken will depend on the circumstances at the time.

### **Telephone Callers**

If contact with Council is by telephone, the telephone caller will be asked to refrain from abusive, intimidating, threatening language or the like. If the telephone caller refuses to refrain, the Officer will indicate that if this unacceptable behaviour continues, it will result in the termination of the call.

The Officer usually has details of the telephone caller when first answering the call, these details should be distributed to all staff in their area that may become involved in the caller's issue. If not, a suitable description and as much detail on the nature of the call should be distributed to other staff.

If the caller contacts Council again, another Officer takes the call and the behaviour is repeated, the Officer should indicate to the caller that if it continues, the call will be terminated and a report sent to their Director.

In the event of a caller being identified by a staff member as a person who has been barred, the caller will be informed of his or her exclusion and that the call will be terminated or transferred to their Manager/Supervisor to handle. The staff member will be terminated or transferred to their Manager/Supervisor to handle. The staff member will then enter this in the Incident Register and Records Management system, with the relevant Chief or Director included in allocation of the record.

### **Extended Exclusions**

If a visitor or caller returns and/or repeats the abusive behaviour following a period of exclusion, the Chief Executive Officer will consider long-term exclusion.

The Chief Executive Officer will be responsible for the period of extended exclusion, depending on the gravity or the repetition of the incidents, following consultation with the Director of the area affected.

All exclusions will be notified in writing by the Chief Executive Officer.

In the event a customer, barred from the use of Council premises, attempts entry to Council premises during any period of exclusion, the Chief or Director of the area will be notified and the Police may be called.

When a member of the public is excluded for a period longer than a day, all Customer Service and other staff who would be likely to come into contact with the person must be notified of the exclusion period.

### **Use of Council Premises During Exclusion Period**

It may be necessary that an excluded person needs to use Council facilities to proceed with a necessary business transaction between themselves and Tenterfield Shire Council.

Alternative arrangements will be made in order that an excluded person proceeds with essential Council business. That person will be advised to initially contact

Council through written correspondence, however if face-to-face enquires are required, i.e. to view plans, a designated staff member will be appointed as a contact.

### **Appeal Process**

Excluded visitors may appeal to the Chief Executive Officer together with the Public Officer on the grounds that the exclusion was excessive.

The Chief Executive Officer will give consideration to the appeal and provide the person with a written response as to the outcome of the appeal.

### **Council Services**

Where customers as citizens are under exclusion, Council may at the discretion of the Chief Executive Officer, manage any correspondence under the Complaints & Unreasonable Conduct Policy.

## **4. Accountability, Roles & Responsibility**

### **General Manager, Executive and Management Teams**

The Chief Corporate Officers responsible for administration of the Policy.

The Chief Executive Officer is responsible for any exclusion beyond one (1) day.

The Chief or Director in charge of any Tenterfield Shire Council public area is responsible for 'on the spot', general one (1) day exclusions and for documenting and notifying relevant council Officers for information and/or further action.

### **Individual Managers**

All Managers are responsible for application of the policy in the delivery of Council services and interactions with customers and members of the public.

## **5. Definitions**

- A "Visitor, Resident or Customer" is anyone that engages with Council Staff in their professional capacity.
- A "telephone caller" is a member of the public that calls any Council staff member.
- A contractor is not a Council staff member, but is employed by Council, on a temporary basis, to work on behalf of the Council on Council premises.

## **6. Related Documents, Standards & Guidelines**

- Customer Contact Charter 2022;
- Complaints & Unreasonable Conduct Policy;
- Tenterfield Shire Council Code of Conduct 2020;
- Code of Conduct for Councillors 2020.

## 7. Version Control & Change History

<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Details</b>
V1.0	26/02/14	Council	Adoption of Original Policy (Res No. 24/14)
V2.0	23/08/17	Council	Review/Amended (Res No. 168/17)
V3.0	24/02/21	Council	Review/Amended (Res No. 29/21)
V4.0	26/10/22	Council	Review/Amended (Res No. 222/22)