



Unreasonable Customer Conduct POLICY

Version 1.0

Category: Management

Adopted: April 2026



Unreasonable Customer Conduct Policy

Purpose

The purpose of this Policy is to provide a clear and consistent framework for preventing and managing unreasonable customer conduct in dealings with Winton Shire Council.

This Policy seeks to:

- a) support safe, respectful and professional interactions between Council and the community;
- b) protect Councillors, employees, contractors, volunteers and others performing work for Council from unacceptable conduct;
- c) ensure Council resources are used fairly and effectively; and
- d) enable Council to respond to unreasonable customer conduct in a lawful, proportionate and procedurally fair manner.

Scope

This Policy applies to conduct by customers, complainants, members of the public and other external parties when dealing with Council, including by:

- a) telephone;
- b) email;
- c) correspondence;
- d) social media or other electronic communication;
- e) face-to-face interactions;
- f) attendance at Council premises, facilities, meetings or events; and
- g) any other Council-related activity or function.

This Policy applies to conduct directed towards Councillors, Council employees, contractors, volunteers and any other person engaged in work for or on behalf of Council.

This Policy does not limit a person's right to make a complaint, request a review, make an application under legislation, or raise a concern with an external oversight body. It operates alongside Council's Complaints Management Policy and other relevant policies and procedures.

Policy Statement

Winton Shire Council is committed to delivering services in a fair, respectful, safe and efficient manner.

Council recognises that customers may at times be dissatisfied, frustrated or upset. Council also recognises the right of members of the public to raise concerns, provide feedback and lodge complaints.

However, Council will not accept conduct that is unreasonable and which creates a risk to health, safety, wellbeing, service delivery, the fair allocation of resources, or the orderly conduct of Council operations.

Where customer conduct is unreasonable, Council may take reasonable steps to manage that conduct, including imposing conditions or restrictions on future interactions.

Definitions

For the purposes of this Policy:

Term	Definition
Council	means Winton Shire Council.



Customer	means any individual, group, organisation, applicant, complainant, ratepayer, resident, visitor, contractor or member of the public who interacts with Council, seeks a service from Council, accesses Council facilities, or communicates with Council in any capacity.
Interaction	means any communication, engagement or dealing with Council, whether in person, by telephone, by email, in writing, through social media, at Council premises, during meetings, or by any other channel.
Unreasonable Customer Conduct	means any behaviour by a customer which, because of its nature, intensity or frequency, raises substantial health, safety, wellbeing, resource, service delivery or equity issues for Council, Councillors, workers, contractors, volunteers or other members of the public.
Unreasonable Demands	means demands that are excessive, oppressive, unreasonable in scale or nature, or that unreasonably divert Council resources from other customers, functions or statutory responsibilities.
Unreasonable Persistence	means continued, repetitive or obsessive conduct in relation to an issue after Council has already responded appropriately, explained its position, or finalised the matter.
Unreasonable Lack of Cooperation	means conduct that unreasonably impedes Council's ability to assess, respond to or resolve a matter, including refusal to provide relevant information, refusal to follow reasonable directions, or refusal to engage through an appropriate communication channel.
Aggressive or Threatening Behaviour	means any conduct, whether verbal, written or physical, that intimidates, harasses, abuses, threatens, humiliates or causes fear for the safety or wellbeing of another person.
Restriction	means a limitation, condition or control placed on a customer's contact or dealings with Council in response to unreasonable customer conduct, including limits on communication methods, contact frequency, access to premises, or nominated contact arrangements.
Worker	means any Council employee, contractor, consultant, volunteer, trainee, work experience participant or other person carrying out work for or on behalf of Council.
Procedural Fairness	means a fair process that includes, where appropriate, informing a person of the issue or proposed decision, providing reasons, and giving the person a reasonable opportunity to respond before a significant decision is made.
Nominated Officer	means the Council officer identified by Council as the authorised contact person for a customer who is subject to communication restrictions under this Policy.

Principles

Council will apply this Policy in accordance with the following principles:

- a) all persons are entitled to be treated with courtesy, fairness and respect;
- b) Councillors, employees and others performing work for Council are entitled to a safe workplace;
- c) the existence of unreasonable conduct does not of itself invalidate the substance of a person's issue, complaint or request;
- d) responses to unreasonable conduct will be proportionate to the behaviour and circumstances;



- e) wherever practicable, Council will seek to resolve issues at the lowest appropriate level;
- f) natural justice and procedural fairness will be afforded before significant restrictions are imposed, unless immediate action is required to address a serious safety or security risk;
- g) decisions and actions under this Policy will be appropriately documented; and
- h) relevant human rights considerations will be taken into account in the application of this Policy.

Unreasonable Customer Conduct

For the purposes of this Policy, unreasonable customer conduct means behaviour which, because of its nature and/or frequency, raises substantial health, safety, resource or equity issues for Council or others.

Unreasonable customer conduct may include, but is not limited to:

- a) aggressive, abusive, offensive, insulting, harassing or threatening behaviour;
- b) intimidating conduct, including yelling, swearing, stalking or intimidation of Councillors, staff or other customers;
- c) discriminatory, defamatory or derogatory comments;
- d) repeated or excessive contact about the same issue after Council has addressed the matter or advised its position;
- e) unreasonable demands on Council resources, including excessive correspondence, phone calls, appointments or service requests;
- f) refusal to follow reasonable directions from Council staff relating to safety, service delivery or access to premises;
- g) behaviour that disrupts Council meetings, services, facilities or events;
- h) misuse of social media or electronic communications directed at Councillors, staff or Council operations; and
- i) conduct that causes fear for personal safety or otherwise interferes with the ability of Council officers to perform their duties.

Managing Unreasonable Customer Conduct

Where unreasonable customer conduct occurs, Council may take such action as is reasonably necessary in the circumstances.

Depending on the nature and seriousness of the conduct, Council may:

- a) give a verbal or written warning;
- b) end a telephone call, meeting or interview;
- c) require communication to occur only in writing or through a specified communication channel;
- d) require communication to occur only with a nominated Council officer or business unit;
- e) place reasonable limits on the frequency, duration, form or subject matter of contact;
- f) require appointments for in-person interactions;
- g) require the presence of another officer, security or support person during interactions;
- h) restrict access to Council premises, facilities, events or services;
- i) decline to respond to further correspondence on a matter that has been finalised, except where required by law; and
- j) refer the matter to Queensland Police Service or take other lawful action where warranted.

Council may take immediate action, including ending an interaction or directing a person to leave Council premises, where conduct presents an immediate threat to safety, security or the orderly operation of Council services.



Decision-Making

A decision to impose ongoing conditions or restrictions under this Policy may only be made by the Chief Executive Officer or a delegated senior officer.

Any restriction imposed under this Policy must:

- a) be reasonable and proportionate;
- b) be for a stated period or subject to review; and
- c) be communicated to the person, preferably in writing, unless the circumstances require immediate action.

Natural Justice and Review

Before imposing significant ongoing restrictions under this Policy, Council will, where practicable and appropriate:

- a) advise the person of the proposed action;
- b) provide the reasons for the proposed action; and
- c) give the person an opportunity to respond.

This requirement may be dispensed with where immediate action is necessary to address a serious risk to safety, security or Council operations.

A person subject to a restriction under this Policy may request an internal review of the decision. Any review is to be undertaken by the Chief Executive Officer or nominee, provided the reviewer is no less senior than the original decision-maker.

Responsibilities

Council is responsible for ensuring this Policy is implemented consistently and lawfully.

The Chief Executive Officer is responsible for the overall administration of this Policy and for authorising or delegating decisions under it.

Managers and supervisors are responsible for supporting staff in the identification, escalation, documentation and management of unreasonable customer conduct.

Councillors, employees, contractors and volunteers are expected to act professionally, courteously and consistently, and to report conduct captured by this Policy.

Customers and members of the public are expected to behave lawfully, respectfully and in a manner that does not jeopardise the safety, wellbeing or work of others.

Communication

Related Council Documents

Related Legislation

This Policy should be read in conjunction with relevant legislation, including:

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Work Health and Safety Act 2011*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Right to Information Act 2009*
- *Public Interest Disclosure Act 2010*



- *Judicial Review Act 1991*

Review of Policy

This policy remains current unless changes are requested by Council or the CEO, or legislation changes.

Records of Amendments and Adoptions

Date	Version	Reason for amendment	Date adopted by Council & Resolution Number
April 2026	1.0	Adoption by Council	16/04/2026 – 2026/114

