



Alternative formats and communication supports available upon request. Please contact accessibility@brantford.ca or 519-759-4150 for assistance.

Date September 27, 2022 **Report No.** 2022-654

To Chair and Members
Combined Committee of the Whole – O-PA

From Brian Hutchings
Chief Administrative Officer

1.0 Type of Report

Consent Item []
Item For Consideration []

2.0 Topic **Customer Code of Conduct Policy [Financial Impact - None]**

3.0 Recommendation

- A. THAT By-law 70-2010 is hereby amended by amending Appendix “A” attached thereto by adopting Corporate Policy-053 (Customer Code of Conduct Policy), attached hereto as Appendix “A”; and
- B. THAT the Clerk be directed to update the Corporate Policy manual to reflect the amendment to said Policy approved herein; and
- C. THAT this By-law shall come into force effective immediately.

4.0 Executive Summary

The City of Brantford is dedicated to providing an accessible, welcoming and comfortable environment that respects all customers, visitors and staff. In order to clearly communicate the expectations of customers when interacting or engaging with City staff/representatives, Customer Service staff, together with input from Blackline Consultants as well as Legal, Clerks and Health, Wellness and Safety staff have developed a Customer Code of Conduct Policy (Appendix A) for the Committee’s consideration.

5.0 Purpose and Overview

The purpose of this Policy is to guide staff to identify situations that meet the criteria of vexatious, frivolous and/or unreasonably persistent behaviour and the associated actions that may be undertaken in such circumstances. The aim of the Policy is to contribute to the overall intent of dealing with all customers in ways that are consistent, fair and reasonable while acknowledging that there may be a need to shield staff from unreasonable behaviour.

6.0 Background

In March 2022, the City was successful in receiving funding through the third intake of the Ontario Audit and Accountability Fund, put in place by the Province to help municipalities improve local service delivery and ensure taxpayers' dollars are being used efficiently. The funding was approved and provided to develop a **Customer Experience Strategy Review** for the City of Brantford to expedite digital modernization in the delivery of customer service and improve efficiencies through service integration across the organization.

Following an RFP process, the Customer Experience Strategy Review project kicked off in June 2022 with the successful proponent, Blackline Consultants.

The scope of work for the project includes:

- To develop a (public) Customer Code of Conduct policy clearly detailing rules of interacting with City staff/representatives
- To assess the quality of current Customer Service channels and recommend upgrades/new best practices that align with current customer needs and expectations
- Establishing a centralized customer service delivery vision/roadmap for the organization
- Updating the City's Customer Complaints Handling Policy and process
- Defining and implementing an updated Council inquiry and servicing process

The final report of the Customer Experience Strategy is expected to be delivered to Council in January 2023.

In response to a number of incidents whereby unacceptable behaviour has been

directed towards staff in Brantford, and the increase in similar incidents directed at staff in other municipalities, the Customer Code of Conduct Policy has been identified as a priority.

While the need to deescalate unwanted behaviours by customers towards City staff has been an ongoing issue in Brantford as well as many other jurisdictions in the wake of COVID-19, the City's Customer Service staff, other frontline staff across the organization and Members of Council have all reported a rise in the number of instances whereby customers have demonstrated unacceptable behaviour(s) that have a direct and negative impact on staff. Vexatious, frivolous and/or unreasonably persistent requests/complaints put staff in a very difficult position and compromise the City's ability to deliver quality customer service effectively.

The City's primary goal and approach to customer service is to explore and understand our customers' requests and inquiries with the objective of providing responses and/or resolutions in a timely manner.

Consistent with established City policies including the Respectful Workplace Policy and Workplace Security Standard, and to help ensure a respectful workplace and safe environment, the City of Brantford requires civil and mutually respectful interactions with customers.

If customers do not comply with the proposed Customer Code of Conduct Policy (Appendix A), the City may impose a variety of sanctions designed to correct customer behaviour and protect City staff/elected officials while still allowing the City to provide service to difficult customers.

7.0 Corporate Policy Context

All customers of the City are entitled to be treated in a fair and respectful manner. In turn, customers are required to treat City staff/representatives and other customers in a courteous, respectful and civil manner. This policy is consistent with and complements the following City Policies and Standards:

[Employee Code of Conduct.](#)

[Council Code of Conduct.](#)

[City of Brantford Respectful Workplace Policy.](#)

[Customer Complaints Handling Policy.](#)

8.0 Input From Other Sources

Input was received from Blackline Consultants as well as the City's Customer Service, Economic Development and Tourism, Legal Services, Clerks, Human Resources and Health, Wellness and Safety departments.

9.0 Analysis

Providing excellent customer service is vital to the City meeting its standards to deliver high quality programs and services. City staff, volunteers and anyone acting on behalf of the City are expected to always conduct themselves in a respectful manner.

Equally, the proposed Policy will ensure that customers are made aware that they too are responsible for behaving in a respectful manner to promote a productive and safe environment.

Determining whether particular behaviours or demands are unacceptable requires all circumstances of a particular case to be taken into account. In most situations, the key difference is whether the conduct has a negative impact on City staff's ability to provide programs and services to others and that causes distress or disruption without proper or justified cause.

The goal of the recommended Customer Code of Conduct is to provide a positive, safe, and supportive approach to promoting acceptable and appropriate customer conduct. The City of Brantford encourages respectful and considerate relationships between City staff/representatives and customers.

The Policy also establishes a process detailing how the Corporation of the City of Brantford will manage unacceptable conduct by customers. The Policy applies to all forms of communication by customers to City staff/representatives and includes but is not limited to online, electronic, print and verbal communications.

9.1 Reporting unacceptable conduct

For the purposes of this Policy, unacceptable conduct is any action by a customer, which because of its nature or frequency, has a disproportionate and unreasonable impact on the City, City staff, other customers, services, time and/or resources.

Some examples of what may be considered to be unacceptable conduct are listed below. The list is not exhaustive, nor does one single action on its own necessarily imply that the customer will be considered as unacceptable. Each case will be assessed individually.

- Verbal intimidation including threats, profanity, rude or inappropriate language, attempts to goad or incite anger in others, harassment, discrimination.
- Physical including aggressive or intimidating approaches to another individual, throwing articles in a deliberate or aggressive manner, physical striking of another individual.
- Illegal activity including illegal consumption of alcohol or drugs, theft, possession of weapons, vandalism.
- Any act that violates City permits, policies or by-laws.
- Any act that gives rise to concern for public safety.
- Demanding responses within an unreasonable timeframe and not within the City's Customer Service Standards.
- Insisting on outcomes that are not possible or appropriate in the circumstances.
- Demanding services that are of a nature or scale that cannot be provided by the City.
- Persistently contacting the City about the same matter when it has been considered and dealt with.
- Repeatedly sending phone calls, voicemail messages, visits, letters, emails about the same subject matter after being asked not to do so.
- Contacting different staff seeking a different outcome or response.
- Arguing frequently about a solution in the face of valid contrary explanations.

- Making unjustified complaints about staff who are trying to deal with the issue or filing complaints about staff that are frivolous or vexatious in nature.

The City recognizes the decision to deem a customer's behaviour, or request for information as unacceptable could have significant consequences for the customer, including restricting their access to City programs, services, and/or property. As such, the attached Policy outlines clear examples of unacceptable behaviours and unreasonable demands, as well as steps for staff to follow. Before deciding to apply any restrictions, staff will ensure that:

- The complaint or request for information has been dealt with properly and in line with the relevant City procedures and statutory guidelines, and;
- Staff have made every effort to satisfy the request or resolve the complaint;
- When these have been applied and where appropriate as a result of a repeated pattern of unacceptable conduct or a single significant incident, staff will follow the process outlined in Appendix A.

10.0 Financial Implications

There are no financial implications associated with implementing the Policy outlined in this Report and in Appendix A.

11.0 Climate and Environmental Implications

There are no climate and environmental implications associated with this Report.

12.0 Conclusion

The proposed Customer Code of Conduct Policy applies to unacceptable customer behaviour and unreasonably persistent customers. Determining whether an interaction or request is vexatious or frivolous is a flexible balancing exercise, taking into account all the circumstances of the case. The key determining factor is whether the request is likely to cause unreasonable distress or disruption to a member of City staff or a City representative, without

proper or justified cause. The decision to classify someone's behaviour as unreasonable, or to classify a request as vexatious or frivolous, could have serious consequences for the offending individual, including restricting their access to City services as defined by the Policy.



Brian Hutchings, Chief Administrative Officer

Prepared By:

Maria Visocchi, Director
Communications, Community Engagement and Customer Service

Attachments (if applicable)

Appendix A – Customer Code of Conduct Policy

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☐ yes ☐ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☐ no

Is the necessary by-law or agreement being sent concurrently to Council? ☐ yes ☐ no