

HAMBLE PARISH COUNCIL PERSONNEL COMMITTEE MEETING

9am, Tuesday 26th March 2019 at The Mercury Library and Community Hub, High Street, Hamble SO31 4JE

AGENDA

1. **Welcome**
 - a. Apologies for absence;
 - b. Declaration of interest and approved dispensations; and
 - c. To approve minutes from 20th July 2018
2. **Public Session**
3. **Notes from the Last Meeting (23rd October 2018)**
4. **Violence and Lone Working Policy**
5. **Harassment in the Workplace**
6. **Priorities for 2019 and Changes to Working Patterns**
7. **Team-Working Day**
8. **Quarterly Monitoring**

Exempt Business

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 in respect of the following items of business on the grounds that it is likely to involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

9. **Approve the Exempt Minutes of 20th July 2019**
10. **Appraisals and Training**

Dated: 21st March 2019

Signed: *Amanda Jobling* - Clerk to **Hamble Parish Council**, Memorial Hall, High Street, Hamble, Southampton SO31 4JE. 023 8045 3422, clerk@hamblepc.org.uk.

UPCOMING PARISH COUNCIL MEETINGS

Foreshore Site Meeting – Friday 22nd March, Midday at The Foreshore
Planning Committee – Monday 25th March, 7pm at The Mercury
Asset Management Committee – Tuesday 2nd April, 8.30am at The Mercury
Annual Parish Meeting – Thursday 4th April, 7pm at Hamble Primary School
Council – Monday 8th April, 7pm at The Mercury

OTHER UPCOMING MEETINGS

Local Area Committee Meetings

Thursday 28th March, 6pm at Hamble Primary School
Thursday 13th June, 6pm at Hamble Primary School

HAMBLE- LE- RICE PARISH COUNCIL

MEETING PERSONNEL COMMITTEE
VENUE Roy Underdown Pavilion, Hamble
DATE Tuesday 20th July 2018
TIME 9.00 am

PRESENT Councillors; Beach (Chair), Cohen and Underdown
Clerk
Members of the public 0

1a Apologies for absence
Hand, James

1b Declarations of Interest in items on the agenda
None were declared

1c. Requests for dispensations
None were required

2. Minutes of the Personnel Committee 22nd May 2018
Proposed: Councillor Cohen Seconded: Councillor Underdown
RESOLVED: that the minutes of the meeting were approved and signed by
the Chairman

3. Public Participation
None

4 Recruitment of Groundsman
The Committee discussed a range of recruitment options and concluded that they would wish to recruit a new staff member based on broadly similar terms with the option of finding a person able to work weekends and potentially early evenings to cover locking up issues at different sites. It was agreed that the Clerk would revise the role profile and work with Cllr Beech and the Head Groundsman to develop a recruitment timetable. The Clerk was also asked to explore further the option of an apprentice as this was something the Committee was keen to consider.
Proposed: Councillor Beech Seconded: Councillor Cohen

RESOLVED: that the Council seeks a replacement grounds man and
advertises the role as soon as possible.

Exempt Business.

The Committee moved to exempt business to discuss Job Evaluation and the Annual Pay Review for 2018/19.

Hamble-le- Rice Parish Council

PERSONNEL COMMITTEE – NOTES OF MEETING

Tuesday 23rd October 2018 at 9.00 - 10.00AM

Present: Cllrs Cohen and Underdwon
Clerk and Deputy Clerk

Apologies for absence – Cllr Beach, Hand and James. The meeting was not quorate

1. Role profiles for Chairs of Committee and Council – members considered the need for a role profile and agreed that this should form part of a wider piece of work based on a member handbook. Lots of information is available and could be used and tweaked for our own purposes. For work to come back to another meeting.
2. New Year's Honours (verbal update) – it was agreed in principal that we would support nominations for honours and would make a positive recommendation to Council.
3. Review of Annual Work Plan – this was looked at but no actions were identified.
4. Quarterly Monitoring - this was looked at but no actions were identified.
5. **Exempt Business**
6. Members considered the pay position for 2019/20 and the options available to them. They agreed to recommend to Council to accept the pay details set out in the appendix which was based on a cost of living increase for all staff except one; they would receive an additional pay award. The matter would be referred to Council as part of the budget cycle.

Violence at Work and Lone Working

Health and Safety Employer's Guide

Intention

This brief subject-specific guide is intended to help you understand what you are required to do as a minimum to ensure the safety of your employees.

What's the issue?

As an employer, you should recognise that, in certain situations, violent behaviour towards staff may occur and therefore it is necessary for you to take all reasonable measures to protect your staff from violence and aggression.

What is meant by violence?

We define violence and aggression as:

- actual or threatened physical assaults on staff
- psychological abuse of staff
- verbal abuse which includes shouting, swearing and gestures
- threats against employees

How this issue be managed?

In order to manage the potential risk of violence to staff, the following measures will need to be taken to:

- carry out risk assessments of potential conflict situations to determine the control measures necessary to protect your staff
- ensure that premises are kept secure
- inform all employees of the procedure following a violent or challenging behaviour incident
- not tolerate violence or challenging behaviour towards your employees
- train your employees who may be exposed to violence or challenging behaviour situations



- support the employees involved in any incident
- support their decisions regarding the pressing of criminal charges
- provide any counselling or post-incident assistance required by the employees
- keep records of all incidents of violence and aggression and review the control measures with a view to continual improvement in employee safety

Lone Working

Your company must ensure, so far as is reasonably practicable, that your employees and any self-employed contractors, who are required to work alone or unsupervised for significant periods of time, are protected from risks to their health and safety.

As a result of this you will need to determine, by risk assessment, those activities where work can actually be done safely by one unaccompanied person. This will include the identification of hazards from means of access and/or egress, plant, machinery, goods, substances, environment and atmosphere, etc.

Particular consideration should be given to:

- the remoteness or isolation of workplaces
- any problems of communication
- the possibility of interference, such as violence or criminal activity from other persons
- the nature of injury or damage to health and anticipated "worst case" scenario

Information and Training

Employees and others will be given all necessary information, instruction, training and supervision to enable them to recognise the hazards and appreciate the risks involved with working alone.

Employees will be required to follow the safe working procedures devised including:

- when working alone, e.g., in an isolated area of a building with all doors closed, ensure that someone is aware of your presence and have access to emergency contact numbers
- check that work being done has been subject to risk assessment and check the assessment yourself – some work may have been identified as requiring the assistance of a second person



- if possible and arranged beforehand, keep in regular contact with someone else, e.g., use a mobile phone to call into the office every couple of hours indicating your movements
- ensure that your employees do not put themselves at risk. If they do not feel safe they should discuss the situation with their immediate manager
- be aware of the company restrictions on lone working.

Prohibited Lone Working Activities

Lone working must not be undertaken where there is a high risk that the work might result in an accident which would be sufficiently serious to require a second person to be available to summon help. Those tasks that are considered unacceptable for a lone worker to perform under any circumstances must be documented in the lone working risk assessment.

Special Arrangements for Higher Risk Lone Working Activities

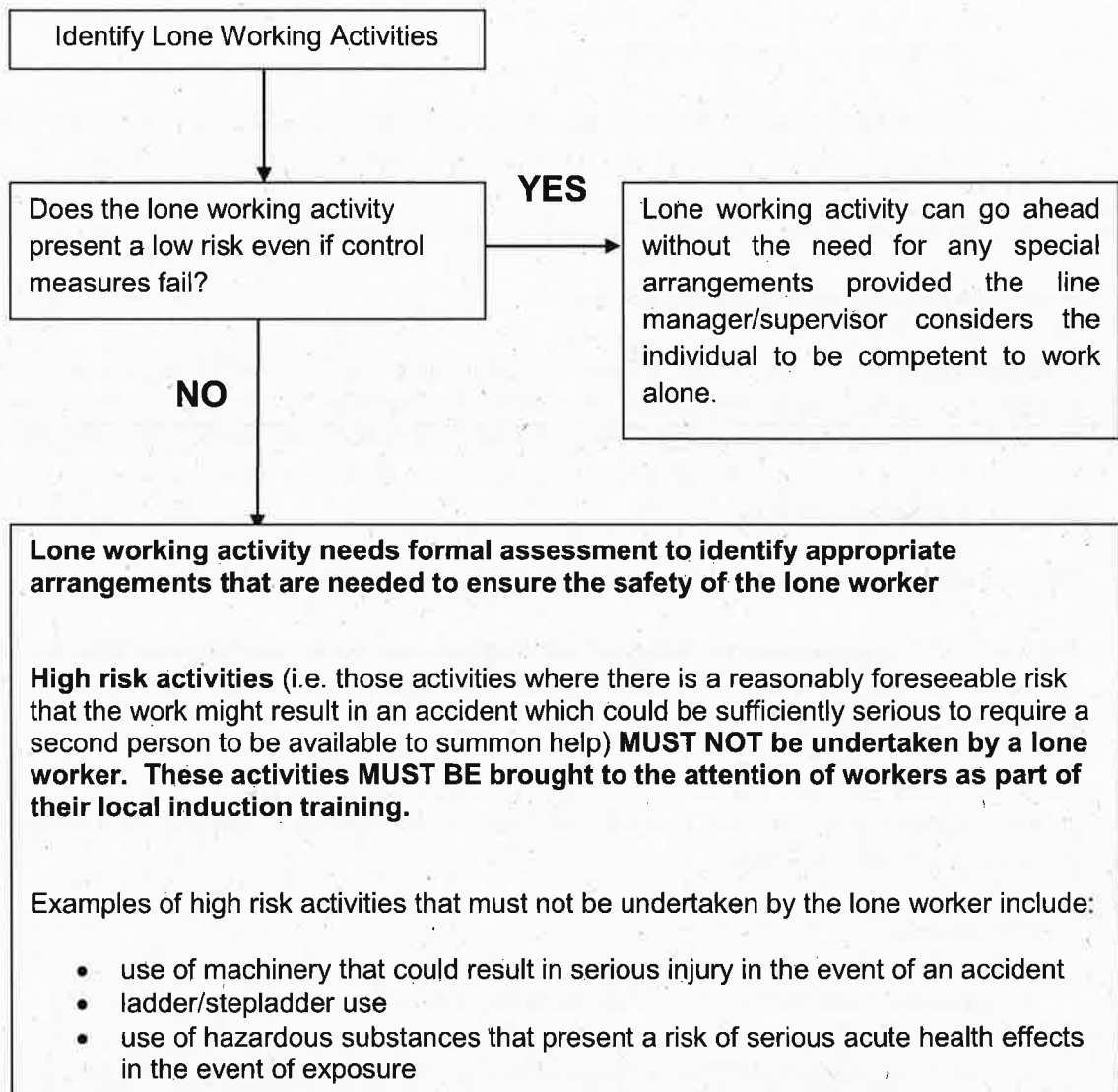
Special arrangements are required for higher risk lone working activities. These should be considered for all activities where it is judged that the risk cannot be controlled adequately by one person.

Although lone workers cannot be subject to constant supervision, it is important that proportionate measures are selected to monitor the safety of individuals engaged in these higher risk activities.

These include:

- periodic monitoring of lone workers by a supervisor or other colleague
- lone workers logging in and out with their manager and providing an indication of the likely duration of the work
- regular contact between the manager and lone worker via telephone.

The following diagram shows with a guide to assessing the risks associated with lone working.



How can I get help?

If you need clarification on any of this material, please contact your dedicated health and safety consultant. If your consultant is unavailable, please contact the health and safety helpline on 0845 226 8393.

Personnel Committee

26th March 2019

Violence to staff and lone working

A recent incidence in the office has raised the issue of how the Council responds to incidences of violence and aggression to staff and the protections needed to minimise and safeguard staff when they are working on their own. Although this policy focuses on the threat of aggression, staff also could be at risk as a result of a medical incident or accident and due to lone working are left unattended for a period of time. Both will need to be addressed as part of the Risk Assessment. Work has already taken place on this for grounds staff although the responses need to be better embedded in daily practice.

Both the office-based staff and grounds staff come into regular contact with the public. In normal circumstances there is usually more than one member of staff on a given activity but weekend working and flexible working does mean on occasions that staff are working on their own and face a number of potential risks.

There are a number of actions that are needed as follows:

1. Consider and approve the attached policy.
2. Ensure that a robust risk assessment is carried out and that reasonable adjustments are carried out. This may involve additional expenditure eg Green Button app.
3. Procedure to implement our policy and how we deal with issues

It is recommended that the policy is recommended to Council for approval and that a small working group works with the Clerk on the Risk Assessment for both lone working and the office and on the procedure. This should be shared with the Committee once formulated for comment before being taken to Council.

Appendices

1. Call Centre Advice
2. Relevance to Hamble Parish Council

Violence to staff and lone working: Appendix 1

Please find attached advice which covers a call centre. There are some very specific points related to that environment but much of what is included covers many of our standard interactions. The Flow chart of interactions reflects a process we could consider.

<https://www.callcentrehelper.com/policy-angry-abusive-customers-123183.htm>

Can we use this to shape our policy and approach? Highlighted sections are especially relevant.

Here we set out how to define a policy on what an abusive customer looks like and how the contact centre can guard itself against them.

Abusive Customers Should Never Be Mistaken for Angry Customers

Experienced advisors should know how to handle calls from angry customers, giving them time to let them vent at the company's processes and operations. But if the anger is directed at the advisor and personal abuse is used, the situation becomes much more difficult.



Dave Salisbury

As Dave Salisbury, an Operations and Customer Relations Specialist, says: *"An angry customer should never be mistaken for an abusive customer. Clear guidelines need to be communicated to advisors regarding this distinction."*

"Each and every business should make clear what is acceptable for angry customers and what abusive customers look like, and provide training to deal with both."

It's all about how the customer's abuse is directed. An angry customer who says something along the lines of: "I'm getting frustrated, this keeps happening", is very different from an abusive customer who starts to call the advisor names.

The key difference here is how the abusive language, e.g. swearing, is directed. If it is aimed at the company it can be considered angry, but if it is levelled against the advisor it can be considered as abusive.

For example, if a customer were to say: "It's not bloody good enough", they can be considered to be angry. However, if they were to say: "You're not bloody listening to me", the customer would be abusive.

So, clear guidelines need to be in place so that advisors can distinguish between an angry and an abusive caller. These guidelines could be similar to those shown below:

All staff have the right not to be subjected to any behaviour/abuse that includes:

- *Threats of physical harm or violence*

- **Inappropriate religious, cultural or racial insults**
- **Homophobic, sexist or other derogatory remarks**

Once it has been made clear what an abusive customer “looks like”, with advisors and managers sharing the same definition, the contact centre can then decide on how they should ideally be dealt with.

To make this distinction clear, it could be beneficial to include calibration sessions in induction training, to ensure advisors fully understand the definition of an abusive customer set out by management.

It could be beneficial to include calibration sessions in induction training, to ensure advisors fully understand the definition of an abusive customer

These calibration sessions should include listening to recordings of calls that managers would consider angry or abusive.

So, now advisors and management know the distinction between anger and abuse in the contact centre, how can abusive customers be dealt with?

For an editable version of the flow diagram of our suggested policy. Attached.

The Three-Strike Rule – see appendix 2

It is a common contact centre practice to warn an abusive customer of their behaviour twice and if the customer continues being abusive to terminate the call.

Traditionally, the two warnings should include a simple request asking the customer to stop being abusive, so that the customer and advisor can work together to find a solution. This is then followed by a warning of call termination. For example:

“Let’s stop calling each other names and work together, Mr. X, to find a resolution. I do not want to have to put the phone down on you.”

Hopefully, these two warnings should help to settle the situation down. However, in many cases, the abuse will keep coming. So, at that point it is time for the advisor to hang up the phone.

Yet, as Graham Jones, an Operations Manager at Liberata, says: *“Never just terminate the call! If the abuse persists, the advisor should advise the caller why they are now terminating the call, while giving the customer their name and that of the line manager. Then, the advisor should make a note of the call details, so that the line manager can listen back to the call recording.”*

This can protect the advisor from any accusations of impatience from the customer, who is likely to call back again, even more frustrated, as the advisor can give proof to management of what they had to deal with.

Also, passing through the call details to the line manager is a good idea, as they could then oversee the follow-up call, which is the next step in handling a call from an abusive customer.

Take a read of our article, [When Is It OK to Hang up on a Customer?](#)

Manager/Specialist Listens to the Call – Not an option for HPC

Once the advisor has terminated the call and its details have been passed through to the manager, the advisor should be given the time to unhook if the abuse has had an impact on their emotional state.

Give the advisor 10 or 15 minutes to take themselves away from the pressures of the contact centre floor to listen to a couple of songs, watch a YouTube video or to just reduce their stress with some deep breathing.

While the advisor does so, the manager/specialist should listen to the call and hear the abuse for themselves, to ensure that the advisor followed the correct protocol. This will help to assure management that the call was indeed abusive, and that the advisor did not just report it to gain a 10–15-minute break.

It will also help management to prepare for the next stage of dealing with an abusive customer, the follow-up call.

The Follow-Up Call

Simply ignoring an incident with an abusive customer can be unfair to the advisor who was subjected to the abuse.

However, refusing to do business with an abusive customer is an unconvincing strategy that can hinder the reputation of the brand.

So, Sonya, one of our readers, says that once the call has reached the point where an advisor has had to hang-up, *"another senior advisor with great objection handling skills should contact the customer back. This should be later that day or on the following day, once the customer has calmed down."*

When we visited Vax's contact centre in Droitwich, we found out that their Contact Centre Manager phones abusive customers back herself, to gently reaffirm the Equality Act and what is considered acceptable.

By doing this the next day, once the red mist has settled, Vax are able to offer the abusive customer the chance to apologise and this helps repair any damage to their relationship with the customer. According to Vax, this is often the case as the abuse may have been misdirected from troubles unrelated to the contact centre.

Dave Salisbury is a supporter of the follow up-call for the occasional abuser, and says that it is great for re-establishing a relationship with an "estranged" customer after the advisor has hung up on them.

Until the customer is included in the conversation about 'abusive behaviour', everyone will continue to lose!

Dave Salisbury

In fact, Dave says: *"Too many times the customer is not included in the conversation, even when the issue is correctable. This can lead to customer loss, reputation loss, and potential money loss."*

"Until the customer is included in the conversation about 'abusive behaviour', everyone will continue to lose!"

By following up with an unreasonable customer, the contact centre may also gain insight into any outside influences that are influencing their behaviour, like mental illness, for example.

When a contact centre gains these pieces of information, it is great to log it in the CRM system, to help future advisors to show empathy during future interactions.

Dealing With Repeat Offenders

Despite follow-up calls, there will be those customers that phone up repeatedly and continue to abuse the contact centre team.

So it could be useful to have a policy for how to deal with repeat offenders, to protect advisors and save the contact centre time from having to repeatedly analyse every case.

The policy could look something like this:

First-Time Offender – Receives a call-back from the Contact Centre Manager the following day

Second-Time Offender – Route calls through to a specialised advisor

Third-Time Offender – Request that the customer only communicates via email

Fourth-Time Offender – Asked to refrain from being a customer ever again and hand the matter over to the legal team.

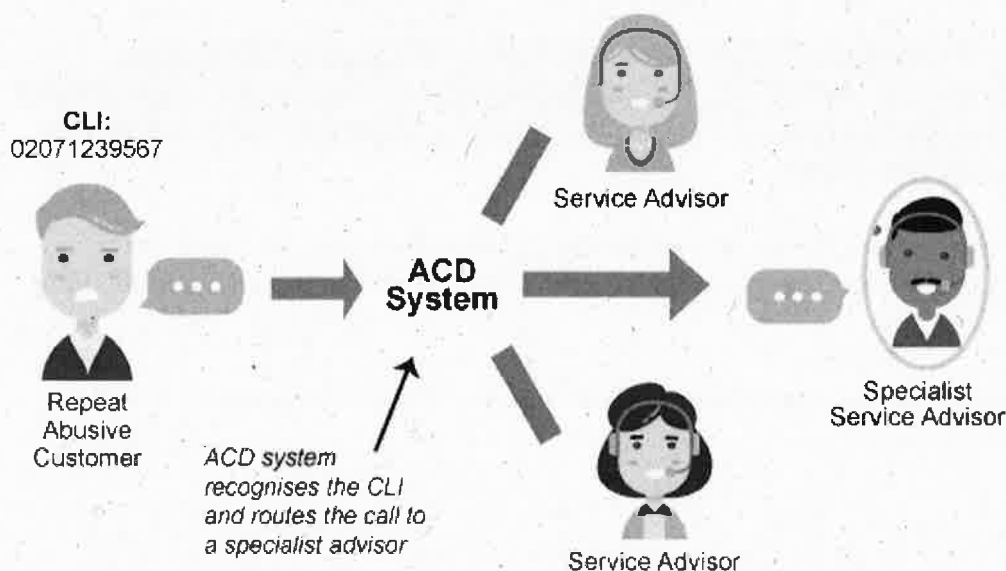
Routing Calls to a Specialised Advisor

For second-time offenders who have received a follow-up call but go on to abuse a second advisor, it is time to change strategy and protect the general contact centre floor.

As James Pike, another one of our readers, says: *“These days repeat callers’ numbers can be identified and routed to a specific agent to manage the caller and avoid further upset.”*

The advisor who then has to deal with the abusive customer should have experience and extra training in handling upsetting calls.

Routing an Abusive Customer



Hopefully, this expertise in dealing with difficult customers will help the customer to settle, and the abuse won't come as such a shock to the call handler.

While call routing is a good strategy for customers who have abused a member of the contact centre team, specialised routing is also a good tactic to handle nuisance callers.

These nuisance callers, who may decide to phone in as a prank or behave in an untoward manner to an advisor, could be routed into an extra long queue. This would mean that if they choose to prank again, they could be waiting on the line for an extortionate amount of time, maybe even an hour.

Request Future Communication Is Handled Via Email

If a specialist advisor can't settle an abusive customer down, nothing will, so it can be worth interacting with the customer via a less "emotionally driven" channel.

At this point, Sebastian Swire, a Customer Support Manager at TouchNote, advises: *"Following up with the customer by saying that in order to ensure the best possible customer service we'd prefer to keep communication via email in future."*

Of course, the customer may continue to send abuse via email, but it will be less distressing to have to hear it in this way, as opposed to being addressed personally with an abusive tone.

Dropping the Customer

Once a follow-up call has been made, the customer's number has been routed and an alternative method of communication has been offered, the company is left with little alternative than to drop the customer.

At this stage, Andy, one of our readers, asks, *"Is it worth keeping them as a customer? They will never be happy and will be constantly complaining, escalating their queries to managers or supervisors no matter what you do or say."*

"You will set a trend, and if advisors continuously have to take the abuse, they are opening themselves up to having to deal with it all the time, as the customer will begin expect it. Sometimes it is better to nip it in the bud."

Agreeing, Dave Salisbury suggests that there comes a point where customers *"should be invited to refrain from being a customer ever again and turned over to legal."*

Legal action may also be required at any call from an abusive customer, whether it's their first or their fourth, if the customer uses racist, sexist or homophobic language which contravenes the Equality Act. In these cases, it is good practice to talk to the advisor who objected to the abuse and ask them if they would like to take legal action.

Handling Abusive Customers on Email and Live Chat

While the policy example can be a good method to deal with abusive customers over the phone, abusers can also hassle advisors via written channels such as email and live chat.

Kelly, one of our readers, recently had to deal with an abusive customer over email, stating: *"I had a situation where a customer continued to send abusive emails back to my team, when they were doing their utmost to help the customer. This included swearing, saying they should be sacked and telling the advisor that they were terrible at their jobs."*

"I tried calling the customer to help defuse it through a conversation, but they refused to speak with me via the phone."

So, in this case, the customer wants to stick to their channel preference and is perhaps embarrassed by their behaviour and wants to hide behind a channel with greater obscurity.

Abusive customers should be given more leeway on written channels as it is hard to sense tone

Dominic Kent

In these situations, the contact centre could route future email/live chat contacts with the customer to a specialist advisor on the email channel. In addition, an auto-filter could be set up to take screenshots of any abuse, which can then be archived.



Dominic Kent

However, abusive customers should be given more leeway on written channels as it is hard to sense tone, according to Dominic Kent, a Product Marketing Manager.

Dominic says that he has *“witnessed on many occasions that with use of negative terms and swearing that companies have lost business through their reaction to emotion.”*

“Sometimes a customer will be surprised at a price or will be annoyed with service and this triggers human responses which might include a swear. If the word is not directed at an individual or abusive but is purely a reaction, then advisors need to be trained to deal with this.”

Conclusion

To create a policy for handling abusive customers, it is first important to define what is considered abusive and to make sure that management and advisors agree on this.

A traditional next step is to then implement a “three-strike” rule, giving the abusive customer a chance to stay on the line and resolve their query.

Once the interaction has passed this point and the advisor has little option other than to hang up, the Contact Centre Manager should follow up with the customer the next day, after they have calmed down.

However, for serial abusers, a more formal policy should be introduced, to keep the customer’s business but protect the team from needless abuse.

Violence to staff and lone working: Appendix 2

How relevant is this for HPC staff? Can we adapt their approach for our own use?

Four Key Reasons to Hang Up

The reasons to hang up on a customer vary from company to company, and there are certainly more than four.

However, Shushil, one of our readers, noted four key reasons which will apply to most contact centres:

1. The caller is constantly making personal insults against the representative
2. The caller is constantly yelling or screaming
3. The caller is being consistently arrogant and completely refuses to listen to logic (e.g. keeps insisting that he/she is right and that the representative is wrong, regardless of the information being presented)
4. The caller is making physical threats and other extreme things of that nature.

Once you have listed these and any other possible situations, Shushil suggests that you develop an operating procedure for each one.

"For most instances, the customer should get at least one warning prior to being hung up on. A lot of times, companies will transfer angry customers to a supervisor or manager who will deal with the issue. It really depends on the company and its culture."

Make Sure the Protocol Is Clear

While your policy on this topic should be linked to your company culture, the operating procedures for when to hang up on a customer should be made clear to the team. However, these rules will vary from one scenario to another.

For each "reason to hang up", try to create an operating policy like Shushil has created below. This policy was created for handling a call with a customer who is constantly cursing.

If a customer is cursing:

Step 1 – Give the customer a polite warning that cursing/using profanity will not help solve their problem.

Step 2 – If the customer continues to curse, say if they curse again, you will have to hang up on them and they can call back once they've calmed down.

Step 3 – If the customer continues to curse, say "I'm sorry, but I'm going to hang up on you now, due to the repeated bad language. Please call back when you are happy to discuss the matter calmly," and hang up immediately.

Step 4 – Let the Team Leader/Manager know that you've just hung up on the customer, describe the situation in the call log and make a note of it in the customer's account.

Explaining this operating procedure, Shushil says: *"It's not a script, but general guidelines as to what the representative should do. That way when the customer calls back an hour later, the next representative can be prepared for what may happen (a rude and angry customer)."*

"Or, if the customer service representative isn't good with those situations, the call can be routed to a different advisor who is accomplished at handling angry customers."

What About the Old Three-Strike Rule?

For general customer service contact centres, there has been a long-standing three-strike rule. This dictates that after the third "offence", the advisor can hang up on the customer.

However, this rule is difficult for advisors to stick by once the customer goes further than just being rude. For example, what can they do when they are subjected to racist, sexist or homophobic abuse? What about when the advisor receives a threat of violence?

Diamond, one of our readers, asks us to think about it this way: *"If the co-worker beside you used racial slurs about you, would you wait for them to repeat it before heading to HR? NO!"*

Tina Till, a Contact Centre Operations Manager, says: *"It's important to understand the context in which the contact centre team works and provide them with tools to support them if caller behaviour gets out of hand."*

This highlights the need for having operating procedures and a policy for dealing with abusive customers. The policy should provide guidance to advisors in all possible scenarios, highlighting the difference between an abusive and an angry customer.

Any terminated or escalated calls should be listened to afterwards with the team member, as part of ongoing development and support.

Tina Till

One key scenario that could be included is an escalation process if the advisor believes that the situation can be turned around but is struggling to navigate the situation.

This is according to Tina, who says: *"Ideally, any terminated or escalated calls should be listened to afterwards with the team member, as part of ongoing development and support."*

Explain Why You Hang Up

While many contact centres implement this three-strike rule for handling calls from rude customers, there are other contact centres that use a slight variation of this rule.



David Payne

For example, David Payne – Head of Client Development at Bright – says: *“In my contact centres, we only gave one polite warning about unacceptable customer behaviour (swearing or inappropriate advances) and then staff were allowed to terminate the call.”*

While this seems like standard practice, David adds that before the advisor hung up on the customer, they first had to explain why. However, the advisor did not have to wait for the customer to respond to their explanation.

This seems to be good practice because the customer is made immediately aware of why their call has been terminated, and the number of customers who called back to demand an explanation for why their original call was cut would, in theory, drop.

When the advisor had to deal with heavy-breather calls or calls asking for details of underwear etc., they were allowed to terminate immediately without warning.

David Payne

However, there were one or two exceptions to this protocol. David explains that *“when the advisor had to deal with heavy-breather calls or calls asking for details of underwear etc, they were allowed to terminate immediately without warning.”*

“Once the advisor had terminated the call, it was then expected that they notified the manager immediately – who could then offer support and listen back to the call.”

Can an Advisor Always Turn Around the Situation?

While having these rules in place is deemed in the best interests of advisors, some of our readers believe that highly skilled advisors should be able to turn almost any situation around.

Richard Beevers, Director at Customer Plus, shares this belief. He says: *“Difficult behaviour by a customer with legitimate business can always, yes always, be turned around by a skilful advisor.”*

“The paradox of course is when the advisor him/herself causes the frustration and is therefore unlikely to have the skills or mindset to calm the situation.”

However, Richard does stress that there should be exceptions when the advisor should be allowed to hang up immediately. These include: *“Criminal behaviour and sexual harassment are different and warrant immediate termination.”*

So, if your approach is to ask advisors to stay on the phone – make sure they are highly trained and aware of these exceptions.

While the tactic of having a “do not hang up” rule – as long as the call doesn’t include criminal activity or sexual harassment – may damage morale, it does have its advantages.



David Cerezo

This is according to David Cerezo, a customer service manager, who says: *“If you reach an impasse, transfer the contact to a senior or a colleague. Remind the customer that we can only resolve their issues if there is an air of reasonable behaviour.”*

"We must be bigger and stronger than our upset customers. When they simmer down, you may learn what triggered them."

The "Put Yourself in the Customer's Shoes" Cliché

It is something that many customer service employees have grown tired of hearing. But it has become a cliché for a reason.

Just as in any situation in life, if you can try to understand why someone acts as they do and "put yourself in their shoes", your focus and empathy will improve.

As David, one of our readers, says: *"We empower the team to manage the call and take control in whichever way seems appropriate. Their job is to understand the motivations behind the call, their position, and take whatever actions are necessary."*

We empower the team to manage the call and take control in whichever way seems appropriate. Their job is to understand the motivations behind the call, their position, and take whatever actions are necessary.

David's comment highlights the link between the topic of when to hang up on a customer and advisor empowerment.

For example, perhaps the advisor has given their three strikes, but they still feel comfortable and confident that they can turn the conversation around – hanging up may not be the best decision.

Coaching resilience as an important advisor skill and empowering advisors to decide when enough is enough is one way to approach this. Giving advisors a minimum number of warnings to give to an angry customer, after which they can decide whether or not to hang up could be best practice.

Charles, another one of our readers, says: *"We give our advisors a minimum of two warnings. In the third instance, agents can then advise that due to the customer's behaviour and conduct, they will terminate the call. However, if the advisor still feels in full control, they can carry on if they wish."*

"If at any time, an agent is unable to provide warnings or control the conversation, escalate immediately."

Don't Use the Phrase "Calm Down"

There is no better way of irritating an already frustrated customer than by saying "calm down", so avoid using this phrase when warning customers that the call may be terminated.

When responding to the customer's first rant, try to use empathy. If the customer keeps "venting", it is still best to avoid saying "calm down" – there are much better phrases to use.

For example, why not say: "I can solve this problem for you, but only if we can discuss it calmly."

The phrase "calm down" can have just the same negative impact as a statement like: "If you keep shouting, I'll terminate this call."

Avoid "laying down the law" with rude customers, it will only rile them further. Ideally, advisors should make it clear that they are on the customer's side.



Annette Miesbach

As Annette Miesbach, a senior product marketing manager at NICE inContact, says: *"Advisors should be trained to try to salvage the conversation with patience and empathy, if possible."*

"Preparing for these difficult situations and conversations includes appropriate training, documentation of high-difficulty responses and procedures, as well as supervisor availability in case of escalation."

For more customer service phrases to avoid, read our article: "Calm Down, Dear..." Words and Phrases an Advisor Should NEVER Say to an Angry Customer

Summary

Unfortunately, there is no clear answer as to when the advisor can hang up on a caller. While the "three-strike rule" may be a mainstay in many contact centres, is it really OK to subject an advisor to criminal behaviour or sexual harassment more than once?

While the "three-strike rule" may be a mainstay in many contact centres, is it really OK to subject an advisor to criminal behaviour or sexual harassment more than once?

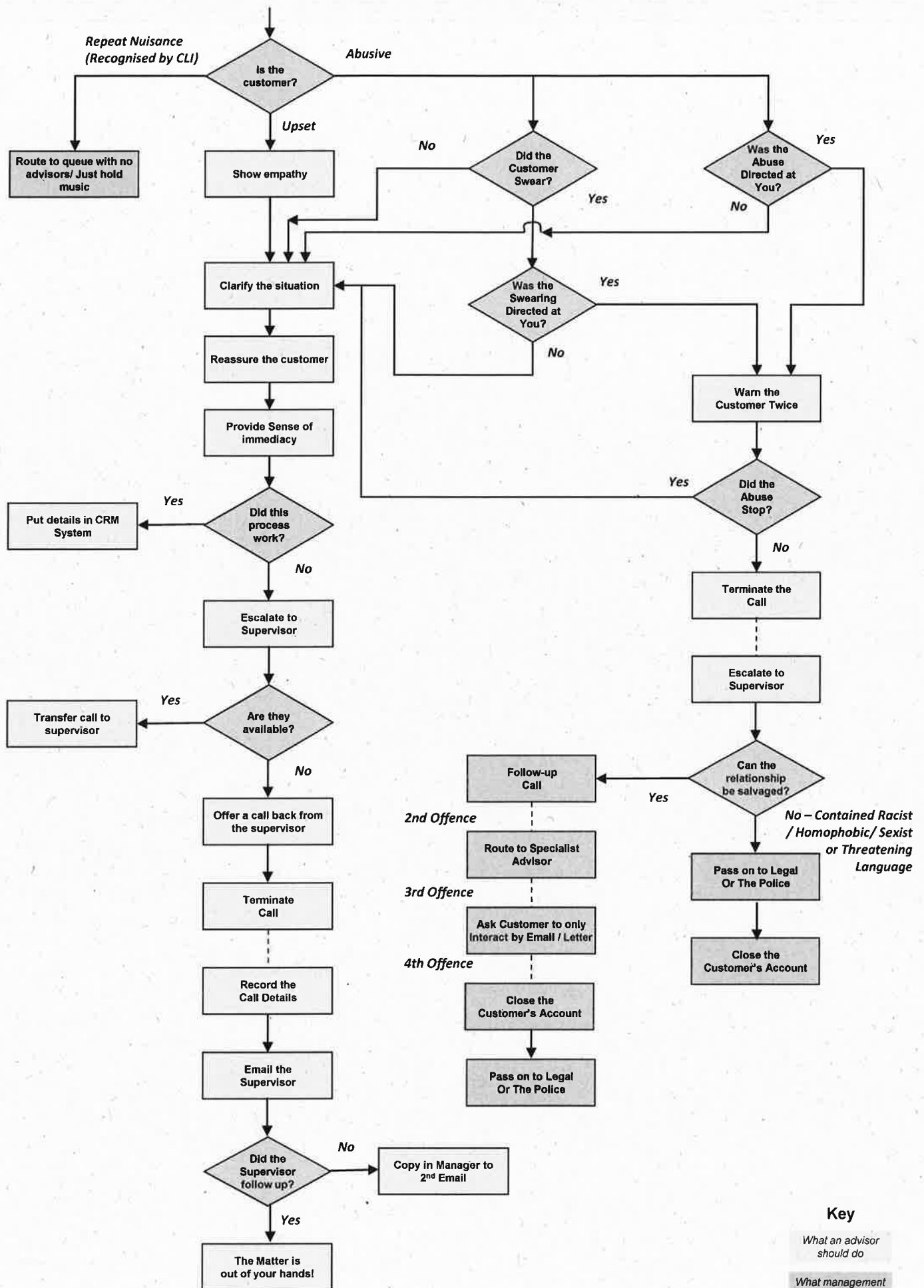
There are a number of reasons why an advisor might hang up a call. For each, it is best to have a set of straightforward operating procedures that advisors understand completely.

In fact, advisors can be played calls from angry/abusive/illogical customers in training and a group discussion can be led around what best to do. This will give advisors clear guidance on how to use the operating procedures in practice.

However, it might simply be a case of coaching advisors in resilience and empowering staff to trust their own tolerance levels, while ensuring that they are aware of their legal rights.

Whatever you choose to do, this is a divisive issue. So, before you start creating operating procedures, consider your company's culture and gather the thoughts of the team.

Dealing with Angry and Abusive Customers



Harassment

Statutory "Reasonable Steps" Defence

Introduction

Under the Equality Act 2010, it is unlawful for a worker to be subjected to harassment because of a protected characteristic. Harassment is defined as *unwanted conduct related to a relevant protected characteristic ... which has the purpose or effect of violating the worker's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.*

There are similar provisions regarding sexual harassment and harassment regarding gender reassignment.

If harassment occurs, or indeed any other type of discrimination, the employer can be held liable for this along with the individual, even if the employer did not authorise, or even know about, that behaviour. It is possible, however, for an employer to avoid liability for the actions of their employees if they can show that they took **all** reasonable steps to prevent the employee:

- (a) from doing that thing, or
- (b) from doing anything of that description.

This is known as the "statutory defence". Since the effect of this defence will be to limit the protection afforded to workers, Tribunals will set the bar very high for employers. The purpose of this note is to provide some guidance on how this defence might be established.

Equalities and Human Rights Commission (EHRC)

The EHRC have issued a Code of Practice for employers regarding discrimination issues.

Regarding the statutory defence, the Code provides the following example at paragraph 10.50:

'An employer ensures that all their workers are aware of their policy on harassment, and that harassment of workers related to any of the protected characteristics is unacceptable and will lead to disciplinary action. They also ensure that managers receive training in applying this policy. Following implementation of the policy, an employee makes anti-Semitic comments to a Jewish colleague, who is humiliated and offended by the comments. The employer then takes disciplinary action against the employee. In these circumstances the employer may avoid liability because their actions are likely to show that they took all reasonable steps to prevent the unlawful act'.

It goes on to say:

'An employer would be considered to have taken all reasonable steps if there were no further steps that they could have been expected to take. In deciding whether a step is reasonable, an employer should consider its likely effect and whether an alternative step could be more effective. However, a step does not have to be effective to be reasonable.'

The test

It's important to note that the employer must have taken all reasonable steps **before** the alleged act of discrimination or harassment occurred. Acting reasonably in response to a complaint of discrimination or harassment is not sufficient for that particular issue, although it could be used as evidence regarding future incidences.

When considering whether the employer has taken all reasonable steps, a Tribunal will consider the following:

1. What steps the employer has actually taken, and
2. Whether there were other reasonable steps that could have been taken

While the effectiveness of the steps will be relevant in considering whether they were reasonable steps, this is not the only point. Rather confusingly, previous cases have said that an employer who has not taken reasonable steps will not be relieved of liability simply because, if those steps had been taken, they would not have prevented that particular act of harassment from occurring. However, this does not mean that a tribunal cannot take any account of the difference, if any, that taking those steps is likely to have had when considering whether the defence is made out – steps that are expensive and time consuming may not be reasonable if, at the end of the day, they will achieve nothing.

It is therefore necessary to consider *all* reasonable steps that could be taken. This will vary from employer to employer, depending on the workplace, potential flash points and whether there have been issues previously.

Case examples

There have been a number of cases which help to illustrate the types of steps Tribunals will be looking for. Here are a couple.

Al-Azzawi v Haringey Council

The Claimant was an architect of Iraqi Arabic ethnic origin. He was present at a discussion about the venue for an upcoming union quiz evening where a co-worker referred to 'bloody Arabs'. He complained about this statement. The tribunal found that the Council had put in place policies on racial awareness; that employees, including the wrongdoer in question, had received training on such policies; and that employees who violated the policies were disciplined. Also, the tribunal said that the Council had not just paid lip service to its policies. The EAT held that the evidence accepted by the tribunal could only lead to the conclusion that the Council had taken all such steps as were reasonable to prevent race discrimination.

Caspersz v Ministry of Defence

In a sex harassment case, the EAT held that the existence of a "dignity at work" policy that complied with the EHRC's recommendations on the protection of the dignity of women and men at work, as well as following that policy, was enough to show that it had taken all reasonably practicable steps. The EAT stressed that the mere existence of a policy is not sufficient, and that it is essential that the employer take practical steps to implement it.

Each case is different

Each case will be assessed on its own circumstances. Therefore, while the above cases provide a good example of what *might* be enough, this is no guarantee. It will be necessary to look at your own workplace to see what will, or will not, work. For instance, if you know (or should have known) that in practice staff do not read your memos, it will probably not be enough to communicate about this topic by way of memo. Proper training for those in supervisory positions might be necessary in order to show what is expected of staff. A lot may depend on the size and resource available to the employer and what issues have arisen previously.

Reasonable steps

In summary, the EHRC Code suggests that reasonable steps will usually include:

- Having and implementing an equal opportunities policy and an anti-harassment and bullying policy, and reviewing those policies as appropriate.
- Making all employees aware of the policies and their implications. This might be through training.
- Training managers and supervisors in equal opportunities and harassment issues. Ensuring that managers and supervisors know how to deal with these types of issues sensitively is a big issue and can engender trust in the workplace.
- Training other staff in equal opportunities and your policies. As well as highlighting what behaviour isn't acceptable, it might also help to create "helpful bystanders", by advising how to speak out on behalf of their colleagues if they witness harassment.
- Taking steps to deal effectively with complaints, including taking appropriate disciplinary action.

Some other steps might include:

- Having in place clear policies regarding the reporting of discrimination. Consider whether to allow anonymous reporting through a third-party if this is an issue in your workplace. Make sure workers know about this – don't just hide this in a handbook that nobody reads.
- Having staff representatives who are trained to deal with these types of issues, to whom workers can speak to.
- Some workers don't report matters for fear of repercussions. Have clear policies stating how such matters are addressed, i.e. that victimisation of workers for making such disclosures will be treated very seriously. Make sure that everyone knows what is expected of them.

As mentioned, this isn't a definitive list and will depend on whether there is anything that could be done to avoid harassment occurring in **your** workplace.

Problems with clients, customers and service users

What happens if a client, customer or service user harasses one of your workers? As to whether you can be held liable for this is not straight forward. In any event, failing to take steps to avoid this from happening can cause you additional problems. For example, failing to investigate these allegations and take appropriate action could mean that you are failing to provide a safe place of work and

result in employees resigning and claiming constructive dismissal. It is therefore advisable to take reasonable steps here, too. These might include having visible notices highlighting the fact that any form of abuse or harassment will not be tolerated, letting clients and customers know about your policies regarding harassment, encouraging workers to report such issues and taking appropriate action if they arise.

How can we help?

Please speak to your Employment Law Adviser for further guidance on what steps you could consider taking in order to give yourself a better chance of avoiding liability for harassment (and other forms of discrimination) in the workplace. It may be that you could benefit from bespoke Equality and Diversity training which could help establish the sort of defence we have highlighted above. What is reasonable will often be linked to the size and resources of individual employers so training will be particularly important for larger organisations. If you are interested in training then please speak to your adviser who can discuss this further with you.

Priorities for 2019 and changes to working patterns

A paper was produced for the January meeting which was then cancelled. Please find the paper attached.

The paper sought to set out the likely workstreams and prioritises for the next 12 months following the budget setting exercise. In the interim further work has been done and a summary of the main projects and priorities are set out below. Some of these such as the Neighbourhood Plan and works to RUP are dependant on other issues but have been assumed as part of the appraisal setting process.

The work has been split down into key areas

Committees and Governance

The current pattern of meetings has run successfully now for the last 12 months or so. With the new council year approaching there are likely to be a number of changes that need to be accommodated and the proposals for tackling them.

| | Issue | Proposal |
|---------------------------------------|---|--|
| More meetings | Both the Neighbourhood Plan and the Mercury are likely to require new groups to be formed. The NP Forum likely to meet monthly. | NP to report via Planning Committee and then Council. Staff resource for the Forum will need to be considered. If the Clerk is to provide support this will represent a minimum of 4 evening meetings a month. (Council, Planning, Forum and EBC Team meetings). Could have the effect of being in the office only 4 days a week) |
| Reduction in staffing resource | Loss of Minute Secretary | Use of templates for minutes recording only the decision. Change to officer support to committees and groups – Council – Clerk/Deputy Clerk (DC) AMC – DC Planning – Clerk Neighbourhood Forum - ? Personnel – Clerk Dinghy Park WG – Deputy Review Panel – Clerk |
| Changes to meeting schedule/frequency | Reduce meetings to reflect reduced resources | AMC meets every 2 months |
| Workstream management | Projects and events use project framework supported by small member working groups – less admin heavy | PID should be the basis for projects and report formats – updates recorded within the template. |
| Agenda papers | Reduce agenda papers | Reports to be shortened where possible with other background information hyperlinked but not copied. Fewer copies provided for meetings – should be a reason for having to have paper copy – cost in time and paper. |

| | | |
|--|--|--|
| | | Invest in hardware for members if needed Consider use of laptop projector in meetings – but more difficult where only one staff member is present and is also minute taking. Would this work? |
|--|--|--|

Capital Projects

The council has set aside earmarked reserves for a number of key projects. This includes the following:

RUP refurbishment/improvements

Bench replacements

Cemetery improvements – footways and layout

Foreshore

Completing the parking machine replacements

Mount Pleasant Play area?

Signage

Non capital projects

Mercury – support volunteers to independence and commission new services

D-day Anniversary

Friends of Westfield Common

Commissioning a gravedigging service

Audit of current cemetery practice

Neighbourhood Plan – designation of area by Dec 2019

Possible lease negotiations with Folland Cricket Club

Procurement of new vehicle/van in 2020/21

Team building – day and team wide priorities

Bid writing for small community projects

Clean up days

Changes to the bank mandate

Moving capital balances to a new provider to minimise risk.

Planning

Cemex

GE

Satchell Lane

Mercury Marina

Coastal footpath

Community Infrastructure Levy (assumes EBCs Local Plan adopted)

Gun emplacement

Annual/routine work

End of year accounts

Annual pension return and the autumn pension auto enrolment

Annual Governance and Accounts Review

Monthly accounts and payments

Health and safety reviews

Dinghy Park Allocation

Budget setting

Fees and charges

Parking permits

Update village priorities for Community Investment Project list (EBC)

Monthly team meetings and 1 to 1 meeting – important for team building

Foreshore Events and the Donkey Derby Field

Social media and communication

Burials

Magazine

Grounds maintenance

Tournaments and matches

Regular safety checks – legionella, lifts, fire safety, PAT, machine servicing

Non-routine work

Website compatible forms - more self service

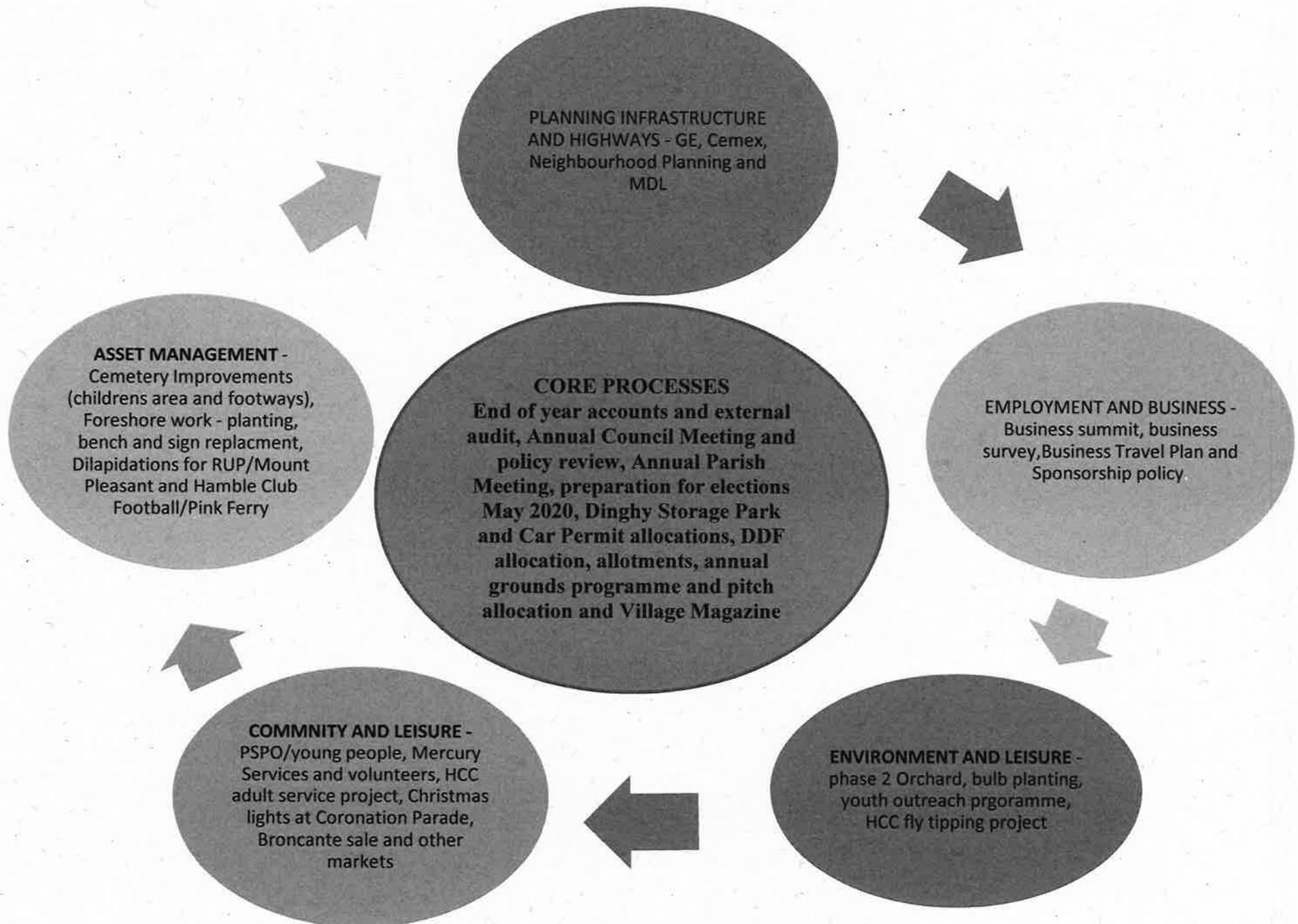
Scanning and electronic storage – Personnel records/legal documents

Business Continuity planning – none currently

Appendices

1. Hamble Parish Council Work Plan 2019/20

Appendix 1: HAMBLE PARISH COUNCIL WORK PLAN 2019/20





A Team Development Programme for the Staff of Hamble Parish Council

February 2019

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Background to the Requirements

This proposal follows a meeting between Amanda Jobling, Clerk, Hamble Parish Council and Brian Collyer, senior Associate of Grahame Robb Associates Ltd., (GRA).

Amanda has a team of 6, including her, who have undergone a number of changes to their responsibilities and work demands over the last 18 months. Amanda believes that this is an ideal time to undertake some team development to encourage more of a 'whole team' approach to their delivery.

We suggest undertaking 2 sessions:

- 1) A ½ day programme of team activities, indoor and low key outdoor to get delegates working together and develop a working relationship with the GRA facilitator.
- 2) A 1 day programme looking at the profile of the team through Dr. Meredith Belbin's team roles and looking at the approach to deliver the Parish Council's requirements in future.

The programmes can be run at Parish Council owned facilities to help with the budget.

Objectives

For participants to:

- Get to know and understand one another better,
- Appreciate their personal style when working in the team and how to capitalise on strengths,
- Look at the demands on the team in the medium term and how they can best respond to them.
- Focus on problem solving and clear communication skills.
- Have some fun while learning!

Suggested dates: 30th April and 21st May 2019

Proposed Approach

Session 1 – Outline programme

| | |
|-------|--|
| 12:30 | Meet at venue and have lunch together |
| 13:00 | <p>Programme introduction</p> <ul style="list-style-type: none"> - Overall objectives for both sessions - Today's objectives - Style of the event - Ground rules |
| 13:16 | Icebreaker and personal expectations |
| 13:30 | <p>Indoor team exercise - "Bridge construction"</p> <p>Review of the activity</p> |
| 14:30 | <p>Outdoor team activity: non-physical outdoor problem solving task</p> <p>Review of activity</p> |
| 15:20 | Tea/coffee |
| 15:30 | <p>Indoor team exercise focusing on communication – "Colour Blind"</p> <p>Activity review</p> |
| 16:20 | <p>Key learning from the afternoon</p> <p>Briefing for the next session including outlining the Belbin profiling process</p> |
| 16:40 | Close |

Session 2 – Outline programme

| | |
|-------|---|
| 09:15 | Welcome and introduction <ul style="list-style-type: none"> - Style of the day - Today's objectives |
| 09:30 | Revisit the learning from session 1 |
| 09:40 | An introduction to Dr. Meredith Belbin's team roles |
| 11:00 | Tea/coffee |
| 11:15 | Looking at the team role balance of this team – What does this mean for us? |
| 11:45 | A brief SWOT analysis of our team What does this information mean to us and how can we best use it? |
| 12:45 | Lunch |
| 13:30 | Indoor team exercise: "Farmers" Review of the exercise |
| 14:30 | What do we believe the Parish Councilors expect us to deliver for them and the parishioners? |
| 15:00 | Tea/coffee |
| 15:15 | What do we see as the top 5 priorities we should deliver as a team for the Council over the next 12 – 18 months? |
| 15:30 | How are we going to move these forward. Scope, roles and responsibilities. |
| 16:20 | Closing thoughts |
| 16:30 | Close |

Investment

| | |
|--|---------------|
| Course preparation, materials, and insurance | £100 |
| Day 1 Delivery | |
| 1 x senior facilitator x ½ day | £600 |
| Day 2 delivery | |
| 1 x senior facilitator x 1 day | £1,200 |
| 6 x Belbin full reports @ £40 pp. | £240 |
| Total | £2,140 |

Additional costs

Travel: GRA office to agreed venue + return @ 45p per mile

VAT must be added to all costs outlined above.



About Grahame Robb Associates Ltd

Founded in 1989, Grahame Robb Associates Limited (GRA Ltd) specialises in learning and development programmes which release the potential of individuals, teams and organisations. We deliver innovative, bespoke organisational and staff development programmes to a range of clients within energy, technology, healthcare, retail, local authority, professional services, government, financial services, manufacturing, pharmaceutical and leisure. We work in the areas of:

- Leadership and Management Development
- Cultural and Behavioural Change
- Organisational Strategy and Vision Implementation

We own and operate two purpose-built outdoor leadership centres, designed specifically to support high impact, experiential learning and leadership development. Our Corporate Outdoor Learning Centre near Reading is located within the grounds of De Vere Wokefield Estate in a mature oak woodland. We are also the Official Leadership Partner of the English Football Association at St. George's Park, owning and operating the Outdoor Leadership Centre at the National Football Centre. Furthermore, we have the capability to go mobile with many of our learning and development scenarios and team challenges.



GRA are the exclusive UK and Republic of Ireland licensee for Crucial Conversations, Crucial Accountability, Influencer and Change Anything training, award-winning behaviour change programmes designed by VitalSmarts, which have been used by over two million people across the globe as well as over 300 Fortune 500 Companies and 20 FTSE 100 companies.

We are also a Level 2 UK Channel Partner for The Ken Blanchard Companies Situational Leadership®II training products and an accreditation centre for Belbin® Team Roles. Our trainers are accredited in many other globally-recognised learning and development training programmes.

Contact Us

Thank you for taking the time to read through our proposal. If you have any questions, please don't hesitate to contact us. We would love to continue working with X.

Call: 01962 779911

Brian's mobile: 07966 448772

Email: brian@gra.uk.com

Grahame Robb Associates Ltd

Dolphin House, Abbas Business Centre

Itchen Abbas

Winchester

Hampshire

SO21 1BQ

Terms and Conditions

You can accept our proposal, including these terms and conditions, by email or letter to the sender. Unless we agree otherwise, the proposal and your acceptance email or letter form the contract between us. If there is anything you want changed in the proposal, just let us know and we will send an updated version. If there is no proposal, you accept these conditions when you pay us for the product or service you have ordered. If you have questions about these terms, just ask.

Payment

Once you have accepted this proposal, we may require either full payment or a deposit of 50% of the estimated total cost of the event, payable before the event takes place. This is because we have to commit to various expenses on your behalf, such as hotels and staff. After the initial deposit, we will invoice you on completion of the work, or at the end of each calendar month in which we have done work for you. We will get your agreement to any extra cost beyond that detailed in the proposal before we incur it. Any extra cost that you or your staff authorise through a third party (e.g. a hotel) for which we have agreed to be liable, should be notified to us and will be passed on to you in our next invoice. Otherwise all venue and other third party costs incurred by you are to be settled by you and we accept no liability for them. Our business terms are 30 days net. We may exercise our statutory right to claim interest and compensation for debt recovery costs under European and UK late payment legislation if we are not paid according to these credit terms. We accept payment by BACS, cheque and most credit & debit cards.

Cancellation

Once a date for your event is confirmed, we make commitments of time and resources on your behalf, often well in advance of the event date. As a cancellation or postponement initiated by you causes losses (either through direct resource expenditure or because of turning down other business for the date), we have the following cancellation and postponement terms:

- Cancellation or postponement within 30 calendar days of the scheduled start of the event
- 100% of the total amount quoted

- Cancellation or postponement 30 or more calendar days but less than 90 calendar days before the start of the event - 50% of the total amount quoted
- Cancellation or postponement 90 or more calendar days before the start of the event - no fee.

If you should need to cancel or postpone the event, please let us know as soon as you know and we will do our best to be flexible and helpful, particularly if you are rebooking for a later date.

Any cancellation or postponement may be notified by telephone but is only effective when confirmed by email or in writing and receipt is acknowledged by us.

Outdoor Events

The number of delegates stated on the proposal is the minimum number we will charge for. Extra delegates can be added subject to us being able to provide sufficient staff to maintain our delegate/staff ratio and the payment of an extra fee. For events held at our Corporate Outdoor Learning Centre, you are unlikely to have exclusive use of the Centre, unless you request and we agree this. If we agree, we may request an additional fee.

Insurance

We only accept liability for your health and safety when you are on our event and/or on our site. Your delegates must comply with any health and safety rules and instructions given to them by our staff as failure to do so may mean they are not covered by our insurance. We are happy to let you see copies of our insurance policies and risk assessments before your event.

These terms and conditions can only be varied by a Director of the company, by email or in writing.

Personal Data and GDPR Compliance

In compliance with the EU's GDPR, GRA will process the necessary personal data of delegates for the purpose of providing the services outlined in this proposal and for the duration of the programme. This data will remain strictly confidential.

Acceptance of Proposal

I accept this proposal and sign it on behalf of X to form a contract with Grahame Robb Associates Ltd. for delivery of this Programme.

Signature:

Date:

.....

Print Name:

Position in Company:

Team-Working Day addendum to proposal

From: Clerk - Hamble Parish Council <clerk@hamblepc.org.uk>

Hi Brian

Sorry for the delay in getting back to you. Things have been a little pressured the last week or so.

I have looked at the proposal and think it is what is needed but I don't think we can afford to spend that much of the event.

Could we look to combine some of the activities from day one first thing, not do the Farmers exercise after lunch with the aim of consolidating it into one day?

If we could do that what would the saving be?

Thanks

Amanda Jobling

Hi Amanda.

Thanks for your time for an update this morning. I appreciate that as a small organisation our usual local authority rates quoted are too high for you. On this occasion I am willing to reduce my day rate by £200 per day which can apply to a single day or the 1.5 day option in the proposal.

As discussed I'm happy to make programme changes to ensure the programme meets your needs at the time.

I look forward to hearing from you in due course

Kind regards

Brian