

MANAGING UNREASONABLE CUSTOMER CONDUCT

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Introduction

Most of our customers interact with us reasonably and responsibly, even in stressful situations. However, some customers behave in an unreasonable way. When these situations occur, Waka Kotahi wants:

- to continue responding to our customers and giving them a high standard of service
- to protect the health and safety of our staff
- to use our resources efficiently.

Purpose

This document outlines Waka Kotahi NZ Transport Agency's guidelines for dealing with unreasonable customer conduct and provides guidance for Waka Kotahi staff who work with our customers. It defines unreasonable customer conduct and sets out how we respond when unreasonable conduct arises. This guideline doesn't apply to face-to-face interactions with customers, or the day-to-day operations of the Waka Kotahi contact centre where already established complaints policies are applicable. This approach applies to ongoing and frequent unreasonable behaviour

Definition of terms

Unreasonable customer contact is any behaviour by a customer that, because of its nature or frequency, causes substantial health, safety, resource or equity problems for Waka Kotahi, our staff, our other customers, or the customer him or herself.

Examples of unreasonable customer conduct include one or a combination of:

- aggression, verbal abuse, or threats of harm or violence
- prolific communication by letter, telephone, email or social media
- inappropriate demands on our resources
- an unreasonable refusal to accept a Transport Agency decision or recommendation.

Process for managing unacceptable customer conduct

Waka Kotahi's process for managing unreasonable customer conduct is described in this section. The process diagram can be found as Appendix F.

Step 1: report the conduct

Any staff member who experiences customer conduct that he or she thinks is unreasonable should record this in **section A of the Unreasonable customer conduct form (UCC form)** (appendix A) within 24 hours. In the form, the staff member must include all relevant¹ information that we hold about the customer.

The staff member should send the UCC form to his or her reporting manager for consideration.

Step 2: assess the conduct

Within 24 hours the staff member's reporting manager must review the information provided by his or her staff member and assess if the conduct experienced was unacceptable according to the guideline and needs to be escalated.

The reporting manager records his or her decision in **section B of the UCC form**.

- If the reporting manager disagrees that the conduct was unreasonable, he or she should discuss this decision with the staff member who will then file the UCC form in InfoHub.
- If the reporting manager agrees that the conduct was unreasonable, he or she should escalate the matter by forwarding the UCC form to a senior manager within the business group working with the customer.

Step 3: decide whether to respond to the conduct

When the senior manager receives a UCC form, he or she must review it within 24 hours and decide if the conduct described is unreasonable in terms of this policy. This is done in consultation with the Manager Ministerial Services. To help make this decision, the senior manager may request more information from the reporting manager or staff member who experienced the conduct.

The senior manager records his or her decisions about the conduct and how to respond to it in **section C of the UCC form**.

- If the senior manager disagrees that the conduct was unreasonable, he or she should discuss this decision with the reporting manager who will then file the UCC form in InfoHub.
- If the senior manager agrees that the conduct was unreasonable, he or she must decide if Waka Kotahi needs to impose restrictions on the customer.
 - If the senior manager concludes that no restrictions are needed, he or she must ask the reporting manager to prepare a warning letter using the Waka Kotahi template (appendix B). The warning letter will be signed and issued by the Manager Ministerial Services.
 - If the senior manager concludes that a warning is not sufficient, he or she must decide what restrictions should be imposed on the customer (step 4).

Step 4: decide which restrictions to impose on a customer

Once a senior manager has decided that Waka Kotahi needs to impose restrictions on a customer, he or she is responsible for deciding which restrictions to impose and for recording his or her decisions in **section C of the UCC form**.

Waka Kotahi uses various ways to manage or restrict a customer's interaction (see options 1 to 5 below). In some cases, a combination of more than one response option may be needed.

In all cases the senior manager must:

- consider what risk the customer poses to Waka Kotahi and which option would best mitigate that risk
- impose the least restrictive response necessary

¹ Information is relevant if it relates to the customer; his or her reason for interacting with Waka Kotahi; or any previous interactions he or she has had with Waka Kotahi about similar issues, or when similar conduct has been displayed.

- choose a response that is relevant to the subject of the unacceptable conduct (for example, a highways issue should not restrict a customer's ability to renew a driver licence)
- adapt the response to the customer's personal circumstances, if necessary.

At any point, the senior manager must discuss the appropriateness of a proposed response with the Manager Ministerial Services.

Once the senior manager has decided which restrictions to impose on the customer, he or she must tell Waka Kotahi's Legal team, Manager Ministerial Services, and the Director Regional Relationships (if appropriate) by sending them an email. An entry must also be made into [Korero Mai](#) – this will ensure the Security teams are made aware of the sanctions imposed.

Option 1: restricting a customer's contact to a sole contact point

When

Consider using this option when a customer seeks out multiple points of contact at Waka Kotahi Agency to try and elicit a favourable or inconsistent response.

Why

This response can help ensure that Waka Kotahi deals with the customer consistently, allows fewer opportunities for misunderstandings to occur, and reduces the customer's ability to manipulate staff.

How

If a customer's contact point is restricted to a single person, rather than a team, that person's reporting manager must provide him or her with appropriate support and guidance.

The reporting manager and senior manager who imposed the restriction should review this arrangement every three months to check if it is still needed, and how the staff member is coping.

The customer should continue to have access to Waka Kotahi's other services through all the usual communication methods.

Option 2: restricting a customer's contact to certain subjects

When

Consider using this option when a customer repeatedly sends letters, emails or online forms that are about insignificant issues, matters that have already been comprehensively considered, or that contain inappropriate or abusive content.

How

This option can involve:

- refusing to respond to correspondence that is about an insignificant issue, a matter that has already been comprehensively considered, or a matter that is not supported by evidence
- restricting how often the customer can correspond with Waka Kotahi. (If the customer attempts to circumvent this restriction by raising multiple issues in the one communication, Waka Kotahi can modify or strengthen its response)
- refusing to consider correspondence that contains offensive or inappropriate content until the content is removed.

Option 3: restricting a customer's methods to contact the Transport Agency

When

Consider using this option when a customer's telephone, written or face-to-face contact with Waka Kotahi is placing unreasonable demands on resources, or is impacting on the health, safety and security of our staff.

How

This option can involve:

- limiting the customer's contact with Waka Kotahi to a particular time of the day, or particular days of the week
- limiting the frequency or duration of telephone calls, letters, emails or face-to-face meetings.

If Waka Kotahi is receiving correspondence that is overly long, frequent, disorganised or irrelevant, this option can also involve:

- requiring the customer to tell us how the information or materials he or she sends us relate to the matter he or she is raising
- restricting the customer to sending emails to a particular email account (for example, Waka Kotahi's main email account)
- blocking the customer's email address and requiring him or her to communicate with us by post.

If a Waka Kotahi staff member receives a communication from the customer in a manner that contravenes the restriction, he or she should return it to the customer, or file it without acknowledging it.

Option 4: restricting a customer to contacting Waka Kotahi through a representative

When

Consider using this option when it is not practicable for Waka Kotahi to completely restrict a customer's contact with Waka Kotahi.

How

The customer can nominate a representative, but the representative must be approved by the decision maker.

The manager imposing the restrictions must assess the suitability of the customer's representative by considering his or her competency, literacy, behaviour, and relationship with the customer.

If the manager imposing the restrictions assesses that the customer's representative may exacerbate the problem, the customer will be asked to nominate a different representative.

Option 5: terminating a customer's access to Waka Kotahi services

The Chief Executive is the only person that can decide to use this option.

When

Consider using this option if other types of restrictions have been unsuccessful or are considered unsuitable.

How

If a senior manager recommends that Waka Kotahi terminates a customer's access to all services, he or she must record this recommendation in **section C of the UCC form** and brief the Chief Executive on the case.

Having considered the case, the Chief Executive must record their decision in **section D of the UCC form**.

Step 5: notify the customer and relevant staff about the restrictions

Once a senior manager or the Chief Executive has decided which restrictions to impose on the customer, he or she must ask the reporting manager to prepare a **notification letter** using the Waka Kotahi template (appendix C). The notification letter will be signed and issued by the Manager Ministerial Services.

The Manager Ministerial Services will notify relevant staff about the restrictions placed on the customer. He or she will also update the Waka Kotahi case management system and UCC database with a record of the restrictions imposed and their duration.

Appealing restrictions

A customer who has had restrictions imposed on them can appeal that decision. A customer's appeal should usually be made clearly and concisely in writing, unless this is impracticable.

When Waka Kotahi receives an appeal, it must be reviewed by a senior manager who was not involved in the decision to restrict the customer's access to Waka Kotahi services. This manager must review the customer's appeal, and any accompanying information the customer provides, alongside Waka Kotahi's record of the initial decision, and its supporting information.

If a customer appeals the Chief Executive's decision to restrict his or her access to all of Waka Kotahi's services, this appeal should be made in the form of a complaint to the Office of the Ombudsman.

Reviewing restrictions

Waka Kotahi must review any restrictions it imposes on a customer. The timeframe and frequency for reviewing the restrictions is decided when they are imposed and explained to the customer in the notification letter.

Restrictions must be reviewed at **least** every 12 months from the date of decision.

The restrictions must be reviewed before they can be amended, extended or added to.

The Manager Ministerial Services is responsible for reviewing the restrictions.

Waka Kotahi's process for reviewing restrictions placed on customers is described in this section and set out in the process diagram at Appendix F.

Step 1: decide if the restrictions need to continue

When it is time to review the restrictions, if the Manager Ministerial Services decides the restrictions can now lapse he or she must record this decision in **section E of the UCC form** and issue the customer with a **review outcome letter** using the Waka Kotahi template (appendix D).

The Manager Ministerial Services will notify relevant staff that the restrictions placed on the customer have now ended, will update the Waka Kotahi case management system and UCC database, and record the decision in InfoHub.

Step 2: review the restrictions

The Manager Ministerial Services may consider that a review of the restrictions is necessary to decide if they can be removed or should be extended or changed.

The Manager Ministerial Services must record this decision in **section E of the UCC form** and issue the customer with an **upcoming review letter** using the Waka Kotahi template (appendix E). The letter should invite the customer to take part in a review meeting, unless, under exceptional circumstances, there is a valid reason to exclude the customer.

During the review, the Manager Ministerial Services must consider the customer's conduct towards, and communication with, Waka Kotahi during the restriction period; and any information or arguments the customer presents. The Manager Ministerial Services may also consult any staff members who have had contact with the customer during the restriction period.

The Manager Ministerial Services must record the outcome of the review in **section E of the UCC form** and issue the customer with a **review outcome letter** using the Waka Kotahi template (appendix D).

The Manager Ministerial Services will notify relevant staff that the restrictions placed on the customer have ended, been extended or been changed. He or she will also update the Waka Kotahi case management system and UCC database and record the decision in InfoHub.

Recordkeeping

Ministerial Services must keep a record of every time the policy is applied. It must also record how many times the policy is used every year.

Waka Kotahi must store this information and make it available when required by [Ombudsmen Act 1975](#), the [Official Information Act 1982](#), the [Privacy Act 2020](#) and the [Public Records Act 2005](#).

Managing staff stress

Dealing with demanding, abusive, aggressive or violent customers can be stressful, distressing or frightening for our staff. It is perfectly normal to get upset or experience stress if you are dealing with a difficult situation involving a customer.

Waka Kotahi is a responsible employer that supports staff who experience stress at work. We will do our best to provide staff with debriefing and counselling opportunities when they need them. To do this, we need all Waka Kotahi staff to help identify and report stressful incidents and situations.

Debriefing means talking things through after a difficult or stressful incident. It is an important way to 'offload' or deal with stress. After a stressful phone call, many staff naturally debrief with colleagues. However, after a significant incident, debriefing can also be done with a supervisor or senior manager, or with a team. We encourage all staff to take part in an appropriate level of debriefing.

When they need to, staff can also use the [Employee Assistance Programme \(EAP\)](#), which is a free, confidential counselling service. To make an appointment, call 0800 327 669.

Staff can also discuss difficult situations with the Waka Kotahi mental health first aider. The details are available on each office's health and safety noticeboard.

If you need more information please talk to your reporting manager, who can offer you support and consider what other help you may need.

Review

This procedure will be reviewed every two years by the Manager Ministerial Services

Related Waka Kotahi documents

- GOTCHA system – Complaints and Reporting of Threats

Contact

For further information about these guidelines, contact the Manager, Ministerial Services.

Appendix A: Unreasonable customer conduct incident form

This form is for recording unreasonable conduct that a Waka Kotahi staff member has experienced from a customer.

Read the Waka Kotahi *Managing unreasonable customer conduct* procedure and guidelines before you complete this form.

Save this form in InfoHub together with relevant background information and any communications with the customer.

Section A: to be completed by the staff member who experienced the conduct within 24 hours of the conduct occurring.

Section B: to be completed by the staff member's reporting manager.

Section C: to be completed by a senior manager.

Section D: to be completed by the Chief Executive.

Section E: to be completed by the Manager Ministerial Services

Section F: to be completed by a senior manager not involved in the original decision – appeal process.

Ask yourself the following questions when you are assessing if a customer's conduct towards a staff member is unreasonable.

- Does the matter have merit?
- How significant is the matter?
- Is there an inherent right or wrong?
- What are the customer's circumstances?
- Has the customer suffered any financial or personal loss?
- Does the customer have the physical, intellectual, linguistic, financial and social capacity to interact with Waka Kotahi appropriately?
- Are there any cultural factors that could influence the customer's conduct?
- Is the customer's conduct in proportion with the seriousness of the matter?
- Are the customer's demands on Waka Kotahi's time and resources in proportion with the seriousness of the matter? (For example, is a customer's request, for a matter to be dealt with by a senior member of staff, a reasonable request?)
- Has the customer displayed this type of behaviour before?
- Has the customer been warned about his or her conduct before?
- Have calming measures and explanations helped to settle the customer down?
- Do staff feel stressed, anxious, threatened or otherwise uncomfortable when they interact with the customer?
- Has the customer's conduct involved aggression, harassment, threats, violence or assault?

SECTION A: STAFF MEMBER REPORTS CONDUCT

Date the conduct was experienced:

Click or tap to enter a date.

Staff member's name:

Click or tap here to enter text.

Staff member's position:

Click or tap here to enter text.

Customer's name:

Click or tap here to enter text.

Customer's phone number:

Click or tap here to enter text.

Customer's email address:

Click or tap here to enter text.

Give details of the incident and the customer's conduct. Record details of anyone else involved and whether emergency services were contacted.

Click or tap here to enter text.

Explain why you consider the conduct was unreasonable. Note down if the conduct has happened before or repeatedly, how it disrupted our organisation, and how it has or could have health and safety issues for our staff or other people.

Click or tap here to enter text.

Provide details of what action, if any, you have taken to deal with or manage the customer's conduct this time or in the past (such as providing the customer with a verbal warning).

Click or tap here to enter text.

What action do you recommend Waka Kotahi takes to manage the customer's conduct?

Choose an item.

Explain why you recommend this approach.

Click or tap here to enter text.

Provide any other information that you think is relevant to this case or attach supporting documents.

Click or tap here to enter text.

Date: Click or tap to enter a date.

SECTION B: REPORTING MANAGER ASSESSES CONDUCT

Reporting manager's name:

Click or tap to enter a date.

Reporting manager's position:

Click or tap here to enter text.

Do you agree that the conduct experienced was unreasonable?

Choose an item.

Please explain your reasons:

Click or tap here to enter text.

Date: Click or tap to enter a date.

SECTION C: SENIOR MANAGER DECIDES HOW TO RESPOND

Manager's name:

Click or tap to enter a date.

Manager's position:

Click or tap here to enter text.

Which Waka Kotahi staff members have you consulted?

Click or tap here to enter text.

Do you agree that the conduct experienced was unreasonable?

Choose an item.

Please explain your decision, referring to the guidance questions on the front page of this form:

Click or tap here to enter text.

Have you decided to place restrictions on the customer?

Choose an item.

If no restrictions are being used, complete this section

Has the customer been issued with a warning letter?

Choose an item.

Comments:

Click or tap here to enter text.

Date: Click or tap to enter a date.

If restrictions are being used, complete this section

What restrictions are you placing on the customer?

Choose an item.

How long will the restrictions last?

Click or tap here to enter text.

When will the restrictions be reviewed?

Click or tap to enter a date.

Has the customer been issued with a notification letter? Choose an item.

Comments:

Click or tap here to enter text.

Date: Click or tap to enter a date.

If you recommend terminating a customer's access to all Waka Kotahi services, complete this section

Explain how you reached this recommendation

Click or tap here to enter text.

Has the Chief Executive been briefed about this recommendation?

Choose an item.

Date: Click or tap to enter a date.

SECTION D: CHIEF EXECUTIVE REVIEWS RECOMMENDATION TO TERMINATE ACCESS TO SERVICES

Do you agree that the conduct experienced was unreasonable?

Choose an item.

Do you agree with the recommendation to terminate access to all services?

Choose an item.

Please explain your reasons:

Click or tap here to enter text.

Has the customer been issued with a notification letter? Choose an item.

Comments:

Click or tap here to enter text.

Date: Click or tap to enter a date.

SECTION E: MANAGER MINISTERIAL SERVICES REVIEWS RESTRICTIONS

Name of Manager – Ministerial Services: Click or tap here to enter text.

When were the restrictions due to be reviewed? Click or tap to enter a date.

Can the restrictions lapse? Choose an item.

Please explain your reasons:

Click or tap here to enter text.

If restrictions can now lapse, complete this section

Has the customer been issued with a review outcome letter?

Choose an item.

Comments:

Click or tap here to enter text.

Date: Click or tap to enter a date.

If restrictions need to be reviewed, complete this section

Has the customer been issued with an upcoming review letter?

Choose an item.

Has the customer been invited to take part in the review?

Choose an item.

Which Waka Kotahi staff have you consulted?

Click or tap here to enter text.

What contact has the customer had with the Waka Kotahi since the restrictions were imposed?

Click or tap here to enter text.

What has the customer's conduct been towards Waka Kotahi staff since the restrictions were imposed?

Click or tap here to enter text.

Date of review meeting:

Click or tap to enter a date.

Who attended the review meeting?

Click or tap here to enter text.

Summarise the main points of the review:

Click or tap here to enter text.

Have you decided to end, extend or change the restrictions? Explain how you reached this decision.

Click or tap here to enter text.

When will the restrictions be reviewed again?

Click or tap here to enter text.

Has the customer been issued with a review outcome letter?

Choose an item.

Date: Click or tap to enter a date.

SECTION F: SENIOR MANAGER REVIEW OF ORIGINAL DECISION - APPEAL PROCESS

Manager's name:

Click or tap to enter a date.

Manager's position:

Click or tap here to enter text.

Which Waka Kotahi staff members have you consulted?

Click or tap here to enter text.

Do you agree that the restrictions were reasonable?

Choose an item.

Please explain your decision:

Click or tap here to enter text.

Date of review:

Click or tap to enter a date.

Summarise the main points of the review:

Click or tap here to enter text.

Have you recommended to end, extend or change the restrictions? Explain how you reached this decision.

Click or tap here to enter text.

Has the customer been issued with a review outcome letter?

Choose an item.

Date: Click or tap to enter a date.

Appendix B: Warning letter

The purple text offers guidance or indicates where you need to insert content. Delete all the purple text before you finish drafting the letter.

Our reference: [reference]
Contact: [Staff member]
Telephone: [number]

[Date]

[Name of customer]
[Address of customer]

Dear [name of customer]

Your contact with Waka Kotahi

On [date] you [telephoned, met, emailed, wrote a letter to] Waka Kotahi staff [if relevant, mention the location]. [If the conduct has happened more than once, mention the frequency.] [During that telephone call or appointment; in that email or letter], I understand that you [state the nature of the conduct that Waka Kotahi has decided was unacceptable].

We consider this type of behaviour is inappropriate and it must stop. [Explain why the customer's conduct is unacceptable, for example it upsets staff].

If you continue to behave in this way or in any other way that staff consider to be unreasonable, we will restrict your contact with our office. We may restrict your contact with us to only written, telephone or face-to-face communications. We may also limit who you can communicate with, the topics you can communicate with us about, how often you can communicate with us or the amount of material you can send us.

I have attached two documents for your reference:

- Waka Kotahi's *Managing unreasonable customer conduct guidelines*, which explains how we manage customers who behave unreasonably towards us
- *Individual rights and mutual responsibilities of the parties to a complaint*, which explains how Waka Kotahi treats complainants and how we expect complainants to treat us.

If you have any questions about this letter, you may contact [provide name and preferred contact details of the senior manager who assessed the conduct].

Yours sincerely

[Name]
Manager Ministerial Services

Appendix C: Notification letter

The purple text offers guidance or indicates where you need to insert content. Delete all the purple text before you finish drafting the letter.

Our reference: [reference]
Contact: [Staff member]
Telephone: [number]

[Date]

[Name of customer]
[Address of customer]

Dear [name of customer]

Decision to [restrict your contact with Waka Kotahi] [terminate your access to Waka Kotahi services]

On [date] you [telephoned, met, emailed, wrote a letter to] Waka Kotahi staff [if relevant, mention the location]. [If the conduct has happened more than once, mention the frequency.] [During that telephone call or appointment; in that email or letter], I understand that you [state the nature of the conduct that Waka Kotahi has decided was unacceptable].

We consider this type of behaviour is unacceptable and it must stop. [Explain why the customer's conduct is unacceptable, for example it upsets staff].

Use this content if the customer has received a warning letter

[Name of staff member] wrote to you on [date] to tell you that we consider your behaviour towards us is unreasonable and unwarranted, and to ask you to stop this behaviour.

In that letter we advised you that, if you continued to behave in this way, we would restrict your contact with Waka Kotahi. We provided you with our *Managing unreasonable customer conduct guidelines* and *Individual rights and mutual responsibilities of the parties to a complaint* document.

Because you have continued to behave unreasonably towards Waka Kotahi staff, I have decided to restrict your future contact with us. I have taken this decision with the greatest reluctance, but [state the reason for restriction such as the equity and safety of other customers and staff], leaves me no alternative.

Use this content if the customer has NOT received a warning letter

I have decided to [restrict your future contact with us] [terminate your access to Waka Kotahi services]. I have taken this decision with the greatest reluctance, but [state the reason for restriction such as the equity and safety of other customers and staff], leaves me no alternative.

I have attached two documents for your reference:

- Waka Kotahi's *Managing unreasonable customer conduct guidelines*, which explains how we manage customers who behave unreasonably towards us
- *Individual rights and mutual responsibilities of the parties to a complaint*, which explains how Waka Kotahi treats complainants and how we expect complainants to treat us.

What this means

From [date], Waka Kotahi will only accept [provide details of who the customer can communicate with, how he or she can communicate with us and how often he or she can communicate with us].

You may not [state the restrictions clearly].

If you do not comply with this restriction, we will [describe what will happen such as 'we will immediately end your phone calls' or 'we will block your email address'].

Use this content if the customer has an existing complaint

Your existing complaint

Waka Kotahi currently has one file open in your name. This relates to [state the subject of complaint and describe complaint]. This file is being handled by [name and position of staff member]. While you may contact [name of officer] by [state method of communication such as email] about this matter, all your other contact with Waka Kotahi, including any future complaints, must be [explain how the customer may communicate with us according to the restrictions imposed].

Reviewing this decision

I have decided to restrict your contact with Waka Kotahi for [state the period of the restriction such as three months]. I will then review your restriction and decide if it can be withdrawn, or whether it needs to be continued or changed.

Use this content for restriction options one to four

Your right to appeal this decision

You can appeal this decision by contacting [provide name and preferred contact details of the senior manager who assessed the conduct]. We will appoint another senior manager to review your case and this decision.

Use this content for restriction option five

Your right to seek Ombudsman's review

You have the right to ask the Ombudsman to investigate and review this decision. You can obtain information about how to make a complaint at www.ombudsman.parliament.nz or by phoning freephone 0800 802 602.

If you have any questions about this letter, you may contact [provide name and preferred contact details of the tier three manager who assessed the conduct].

Yours sincerely

[Name]
[Manager Ministerial Services] [Chief Executive]

[Only the Chief Executive can decide to terminate a customer's access to Waka Kotahi services]

Appendix D: Review outcome letter

The purple text offers guidance or indicates where you need to insert content. Delete all the purple text before you finish drafting the letter.

Our reference: [reference]
Contact: [Staff member]
Telephone: [number]

[Date]

[Name of customer]
[Address of customer]

Dear [name of customer]

[Ending/extending/changing] the restrictions on your contact with Waka Kotahi

On [date] I reviewed the restrictions that Waka Kotahi placed on you on [date]. I am writing to you to tell you the outcome of this review.

Use this content if the customer was invited to participate in the review

Waka Kotahi invited you to participate in the review. I understand that you [did/did not] take part. After your [interview/reading your submissions], I considered the concerns and suggestions you raised, particularly your concerns about [include relevant information such as if the customer said his or her circumstances had changed].

I have reviewed our records of your conduct and contact with Waka Kotahi over the last [period before the review such as three months]. Our records show that [provide summary of relevant information such as 'our records show that you have continued to email us, sometimes up to four times a day, throughout the period of your restriction].

Use this content if the customer has complied with the restriction

Our records show that you have complied with the restrictions we imposed on your contact with Waka Kotahi.

Use this content if the customer has NOT complied with the restriction

This communication violated the restriction we'd imposed on your communication which limited your contact with Waka Kotahi to [state the restriction, its purpose and the impact of the customer's conduct.]

Decision

Use this content if the restriction is being removed

Due to [explain reasoning for the decision] I have decided to remove the restrictions that we have previously placed on your contact with Waka Kotahi. This decision is effective immediately. You may now contact Waka Kotahi using any of your normal options.

Use this content if the restriction is being extended

Due to [explain reasoning for the decision] I have decided to continue the restrictions that we have placed on your contact with Waka Kotahi for a further [state period that the restrictions will last for]. This decision is effective immediately.

Use this content for restriction options one to four

Your right to appeal this decision

You can appeal this decision by contacting [provide name and preferred contact details of the tier three manager who assessed the conduct]. We will appoint another senior manager to review your case and this decision.

Use this content for restriction option five

Your right to seek Ombudsman's review

You have the right to ask the Ombudsman to investigate and review this decision. You can find information about how to make a complaint at www.ombudsman.parliament.nz or by phoning freephone 0800 802 602.

Use this content if the restriction is being changed

Due to [explain reasoning for the decision] I have decided to change the restrictions that we have placed on your contact with Waka Kotahi to better suit your personal circumstances.

From [date], Waka Kotahi will only accept [provide details of who the customer can communicate with, how he or she can communicate with us and how often he or she can communicate with us].

You may not [state the restrictions clearly].

If you do not comply with this restriction, we will [describe what will happen such as 'we will immediately end your phone calls' or 'we will block your email address'].

This decision is effective immediately and will last for a further [state period that the restrictions will last for].

If your circumstances change during this period, you may [explain how the customer can contact Waka Kotahi and tell us what has changed].

Use this content for restriction options one to four

Your right to appeal this decision

You can appeal this decision by contacting [provide name and preferred contact details of the senior manager who assessed the conduct]. We will appoint another senior manager to review your case and this decision.

Use this content for restriction option five

Your right to seek Ombudsman's review

You have the right to ask the Ombudsman to investigate and review this decision. You can find information about how to make a complaint at www.ombudsman.parliament.nz or by phoning freephone 0800 802 602.

If you have any questions about this letter, you may contact me by [provide details of preferred means of contact].

Yours sincerely

[Name]

Manager Ministerial Services

Appendix E: Upcoming review letter

The purple text offers guidance or indicates where you need to insert content. Delete all the purple text before you finish drafting the letter.

Our reference: [reference]
Contact: [Staff member]
Telephone: [number]

[Date]

[Name of customer]
[Address of customer]

Dear [name of customer]

Reviewing our decision to restrict your contact with Waka Kotahi

It has been [state period since the restrictions were placed on the customer, such as three months] since we [imposed or upheld] restrictions on your contact with Waka Kotahi. We are now reviewing this decision to see if we need to maintain or change the restrictions, or whether we can remove them.

We would like to give you an opportunity to take part in the review by [state which option or options the customer can use]:

- writing to [contact person and address or email address]
- meeting with us in person. Please contact [contact person and telephone number] to arrange a time for the meeting
- telephone. Please contact [contact person and telephone number] to arrange a time for the telephone call
- [other method such as skype meeting].

Use this content if the customer is invited to send us a letter or email

In your [letter/email], you should include information about how you have complied with the current contact restrictions and any other information that will help us decide whether the restrictions can be removed or if they need to be continued or changed to better suit your personal circumstances.

We must receive your [letter/email] by [time and date]. If we do not receive it by this date, we will assume that you don't want to take part in the review. We will review our decision to place restrictions on you based on the information that we have available.

Use this content if the customer is invited to join a face-to-face or telephone meeting

The meeting will last about 30 minutes. We will discuss whether you have complied with the current contact restrictions and any other information that will help us decide whether the restrictions can be removed or if they need to be continued or changed to better suit your personal circumstances.

You should arrange the meeting with [name of staff member] by [time and date]. If we do not hear from you by this date, we will assume that you don't want to take part in the review. We will review our decision to place restrictions on you based on the information that we have available.

Once we have completed the review, we will contact you again by letter to tell you about our decision.

If you have any questions about this letter, you may contact me by [provide details of preferred means of contact].

Yours sincerely

[Name]
Manager Ministerial Services

Appendix F: Outcome of appeal letter

The purple text offers guidance or indicates where you need to insert content. Delete all the purple text before you finish drafting the letter.

Our reference: [reference]
Contact: [Staff member]
Telephone: [number]

[Date]

[Name of customer]
[Address of customer]

Dear [name of customer]

Outcome of the appeal on the decision to restrict your contact with Waka Kotahi

On [date] I reviewed the restrictions that Waka Kotahi placed on you on [date] as a result of you appealing this action. I am writing to you to tell you the outcome of this review.

Waka Kotahi assigned a senior manager to review the decision made by [name and title of original decision maker] to restrict your contact with Waka Kotahi from [date].

I have reviewed our records of your conduct and contact with Waka Kotahi over the last [period before the review such as three months]. Our records show that [provide summary of relevant information such as 'our records show that you have continued to email us, sometimes up to four times a day, throughout the period of your restriction].

Decision

Use this content if the restriction is being removed

Due to [explain reasoning for the decision] I have decided to remove the restrictions that we have previously placed on your contact with Waka Kotahi. I am upholding your appeal; this decision is effective immediately. You may now contact Waka Kotahi using any of your normal options.

Use this content if the restriction is being upheld options one to four

Due to [explain reasoning for the decision] I have reviewed all of the information available and consider the restrictions placed on your contact to be reasonable. I am therefore declining your review. It is my view that the restrictions put in place protect Waka Kotahi staff from harmful communications both via phone and email whilst still ensuring you have one point of contact for your correspondence where any issues you raise are managed appropriately.

Use this content for restriction is being upheld option five

Due to [explain reasoning for the decision] I have reviewed all of the information available and consider the restrictions placed on your contact to be reasonable. I am therefore declining your review. It is my view that the restrictions put in place protect Waka Kotahi staff from harmful communications both via phone and email.

Your right to seek Ombudsman's review

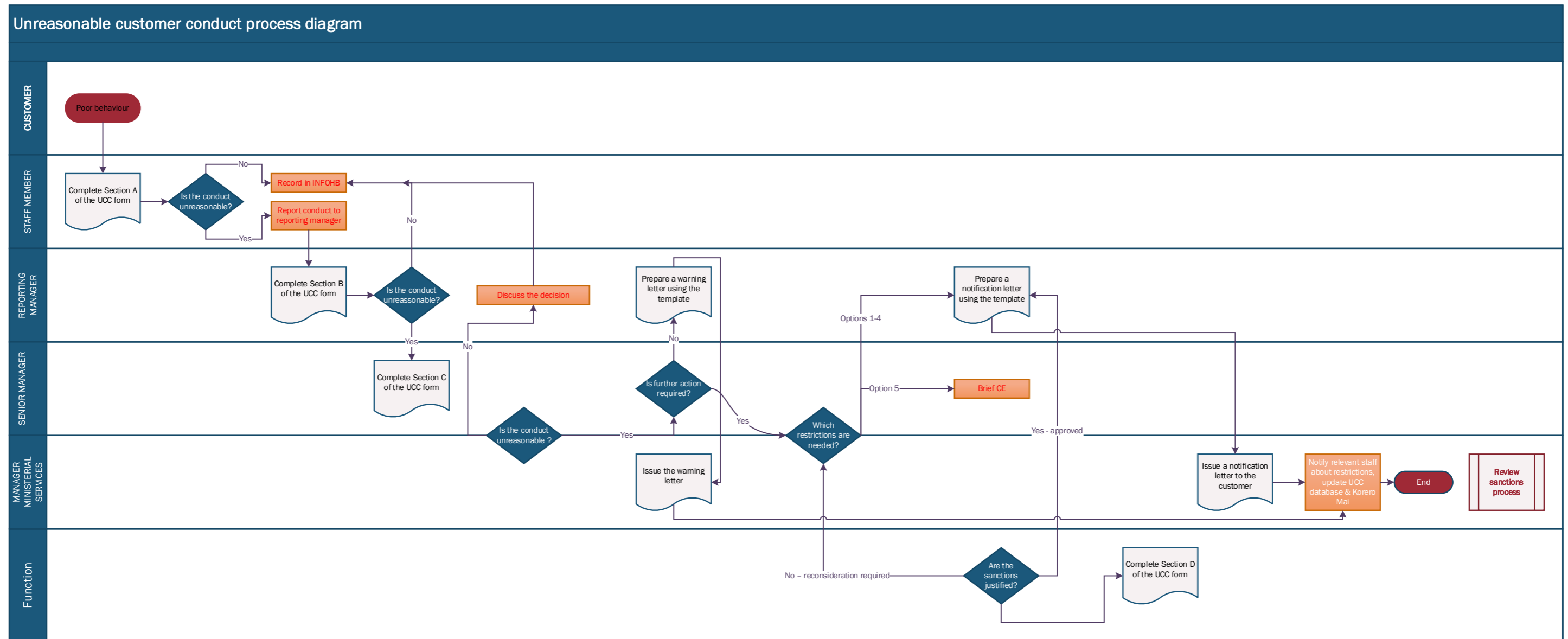
You have the right to ask the Ombudsman to investigate and review this decision. You can find information about how to make a complaint at www.ombudsman.parliament.nz or by phoning freephone 0800 802 602.

If you have any questions about this letter, you may contact me by [\[provide details of preferred means of contact\]](#).

Yours sincerely

[\[Name\]](#)
Senior Manager

Appendix G: Unreasonable customer conduct process diagram



Appendix H: Unreasonable customer conduct review process diagram

