

Future Generations Commissioner Policy: Unacceptable and vexatious behaviour

Purpose:

Although most people who write to the Commissioner keep a respectful tone and manner, we occasionally receive letters, emails or social media comments that cause disruption, distress or irritation to our staff. This could lead to a disproportionate and unnecessary time and resources being spent on interactions with people who contact us.

This document sets out actions and behaviours that would be deemed unacceptable and vexatious, as well as how we would respond to interactions exhibiting said actions and behaviours. This is also in line with our duty as an employer to protect our staff from behaviour that may affect their performance, health and well-being.

What behaviours are unacceptable and vexatious:

This may include unreasonable demands towards the Commissioner and our staff, unreasonable persistence, or aggressive and abusive behaviour towards the Commissioner and our staff. These are defined below.

Unreasonable demands:

We may class something as an unreasonable demand if the amount of information they seek, the nature and scale of assistance and services they expect, or the number of approaches they make, is excessive. This may be dependent on the circumstances, including the seriousness of the issue or query.

Examples may include:

- Requesting action on matters unrelated to the Commissioner's duties and functions (especially following an explanation of said functions);
- Insisting on speaking or meeting with a specific member of staff (including the Commissioner);
- Sending us an unnecessary number of letters/emails or social media posts (especially repetitious letters and arguments that we have previously responded to);

The above list is non-exhaustive. As above, demands may be considered unreasonable if (dependent on circumstances) they take up a disproportionate amount of time and resources.

Unreasonable persistence:

Very rarely some correspondents appear not to accept that the Commissioner is unable to assist them. Other times, correspondents persistently argue with the Commissioner's choices and decisions; or they contact us continuously about issues that the Commissioner is not involved in or are not within the remit of her functions.

Examples may include:

- Persistent refusal to accept the Commissioner's powers, functions and what she can and cannot do;
- Continuously sending us letters, emails or social media posts about the same issue without presenting any new information;
- Persistently writing to us about issues that are unrelated to the Act, the Commissioner's office or our work.

As above, this list is non-exhaustive and may include other persistent behaviours.

Aggressive or abusive behaviour:

Aggressive or abusive behaviour includes, but is not restricted to, acts of aggression whether face to face, by phone, letter, email or social media – that may cause our staff to feel afraid, threatened or abused.

Examples include threats, physical violence, personal verbal abuse, inflammatory or derogatory remarks, unsubstantiated allegations and rudeness.

Aggressive or abusive behaviour towards our staff is unacceptable.

How we deal with unacceptable and vexatious behaviour?

If the unacceptable behaviour is exhibited over the telephone, staff may choose to terminate the call. The staff member taking the call has the discretion in making this decision. They can warn the caller that their behaviour is unacceptable and terminate the call if the unacceptable behaviour does not cease immediately.

We may choose not to respond to correspondence or social media posts (in whatever form) that displays unacceptable and vexatious behaviour on the part of the correspondent. In the event of receiving such correspondence, we will notify the correspondent that their behaviour is unacceptable or vexatious and ask them to stop communicating with us in such a way. A substantive response will not be provided if the correspondent does not change their behaviour.

In addition, where unacceptable and vexatious behaviour is exhibited, we reserve the right to:

- inform the correspondent that we will not respond to phone calls, further correspondence or social media posts on a particular matter;
- advise the correspondent that future correspondence will be read and filed, but only acknowledged or responded to if, in our opinion, the correspondent provides significant relevant new information;
- inform the correspondent that we will block their social media account; or
- take any other action that is deemed appropriate.

Threats, use of physical violence, verbal abuse or harassment of our staff are all likely to result in us ending all direct contact with the correspondent. Such behaviour may also constitute an offence and will be reported to the police in such cases.

If a correspondent considers that any action taken in relation to them in connection with this policy is unjustified, they may raise the matter using our complaints policy.

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