

Handling unreasonable behaviour contact policy | Electoral Commission Search
Handling unreasonable behaviour contact policy On this page Introduction and scope What is unreasonable behaviour Handling unreasonable contact New enquiries, requests or complaints Equality considerations First published: 24 April 2023 Last updated: 24 April 2023 Summary We are committed to delivering a high level of customer service to voters, the regulated community and electoral administrators via our advice lines. Most interactions are positive. On rare occasions, the behaviour or actions of individuals can make it difficult to continue to engage with them. In these circumstances, we will consider the impact this has on staff and on their ability to do their work and provide a service to others. Our 'handling unreasonable contact' policy sets out the measures we will take when we believe the behaviour of individuals has become unreasonable or unacceptable. Introduction and scope The Commission has an important role providing information to external stakeholders. It runs a number of help and advice phone lines and inboxes providing information, advice and support to voters, the regulated community and electoral administrators. We also have a transparent and robust complaints system, that allows stakeholders with a complaint about the Commission's work to raise their concerns, receive a considered response and help the Commission learn from their experiences. The Commission is committed to openness and transparency in all its interactions with the public, and any other stakeholders. We aim to provide timely, accurate and informative responses and to ensure our communication to voters is clear, accessible and empathetic. While the vast majority of stakeholders pursue their enquiries, requests or complaints in a reasonable manner, a minority do not. In some instances, this can have a negative impact on the handling of their enquiry, request or complaint. It can also have a significant impact on our resources and on our ability to provide services to our other stakeholders. This policy sets out how the Commission deals with stakeholders who engage in unreasonable behaviour or needlessly repetitive contact. Commission colleagues have the right to be treated with courtesy and respect. Colleagues should not be exposed or subjected to abusive behaviour in any form. This policy seeks to define unreasonable behaviour and outline the steps staff can take when they encounter it. It relates to enquiries from all stakeholders to any team across the Commission. The one exception to this policy is the FOI team,. This policy does not cover statutory access to information requests under the Freedom of Information Act 2000, Data Subject Access Requests under UKGDPR, or requests made under Environmental legislation to the Commission. Complaints related to access to information requests are regulated by the Information Commissioners Office. What is unreasonable behaviour What is unreasonable behaviour We define unreasonable customer or stakeholder behaviour as: Behaviour which prevents us from dealing effectively with customer or stakeholder contact, either as a result of its nature or frequency, and which may cause distress to Commission team members. Examples of unreasonable behaviour Rude, inflammatory or derogatory language Offensive, racist, sexist or discriminatory language Verbal abuse, aggressive, threatening or violent language or behaviour. Refusing to specify the grounds of a complaint, despite offers of assistance Changing the basis of the enquiry, request or complaint as the matter proceeds Denying or changing statements made at an earlier stage Recording meetings and conversations inappropriately, covertly or without permission Referring to or submitting falsified documents Making excessive demands on staff time, due to lengthy or repetitious contact with staff, or by duplicating similar requests to different staff members Refusing to accept a decision or view; restating points with no new evidence Persistently approaching the Commission through different routes about the

same issue Making unjustified complaints about staff either to the Commission or other external bodies Sharing the names or contact details of individual staff members externally, such as via social media. Commission colleagues will use their judgement to determine whether behaviour they encounter meets the above definition of unreasonable. An isolated incidence of unreasonable behaviour may not necessarily require further action, it is for team members to determine if the behaviour prevents us from dealing effectively with the enquiry, or if it causes colleagues distress. The team members judgement to treat an individual as unreasonable is reviewed by a manager within their team for decision. We differentiate between 'persistent' enquirers and 'unreasonably persistent' enquirers. Stakeholders making a complaint can be persistent where they feel that we have not dealt with their complaint properly or followed our published guidelines. It is only once this persistence begins to prevent us from dealing effectively with other stakeholder enquiries, or causes distress that it would be considered unreasonable. Handling unreasonable contact All Commission colleagues are empowered to identify unreasonable behaviour outlined in this policy, and to act accordingly. The Commission does not tolerate abusive, offensive, violent or threatening behaviour against its team members. Colleagues are advised to quickly terminate any contact that is abusive, violent or threatening and report to their manager through completing an incident form. Their Manager will consider whether they agree with the team member and decide on the next steps. If we believe that a stakeholder is displaying behaviour that may constitute a criminal offence, the team member who has experienced the behaviour will consider whether they wish to report the incident to the police. They will have the Commission's support if they wish to do so. Where an individual has behaved unreasonably, we will record that they are classified as being unreasonable for a specified period of time. The Commission will not tolerate the publication of colleague's personal details. If a colleague at officer, senior officer or manager level has their name and phone number published online, on social media or in the press, we will write to the publisher and request that the information is removed. The same applies to colleagues in the Senior Leadership Team, Executive Team or on the Board for sensitive personal information, such as a home address. Terminating contact If it has been necessary to terminate a call, meeting or correspondence due to the behaviour of the stakeholder, an incident form will be completed and a view will be taken by a manager on the stakeholder's behaviour and any further action needed. Restricting future contact Before deciding to apply any restrictions, the relevant manager will ensure that: the enquiry, request or complaint has been dealt with properly and in line with the relevant procedures and statutory guidelines; and Generally, we have made every reasonable effort to satisfy the request or resolve the enquiry, request or complaint. If we believe that the stakeholder has acted unreasonably, restrictions will be tailored to deal with the individual circumstances and may include one or more of the following (the list is not exhaustive): Refusing to register and process further enquiries, requests or complaints about the same or similar matters Placing limits on the number and duration of contacts with staff Offering a restricted time slot for necessary calls Limiting the stakeholder to one method of contact (telephone, letter, email, etc.) Requiring the stakeholder to communicate only with one named member of staff Terminating contact altogether if they are abusive, offensive, violent or threatening. The team member will consider whether any behaviour that may constitute a criminal offence has occurred and whether they wish to report the incidence to the police. Terminating contact altogether if they persistently raise issues which have been responded to in full Refusing any

further meetings with the individual for a fixed period. New enquiries, requests or complaints We will not ignore new enquiries, requests or complaints from stakeholders who have previously behaved unreasonably or requests for information from stakeholders who have previously submitted a unreasonable request. New enquiries relating to a different topic, requests or complaints from people who have been classified as unreasonable under this policy will be treated on their merits,. The relevant head of service for the department will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint or request. Review The status of a stakeholder or complainant judged to be unreasonably persistent will be reviewed by the relevant head of service shortly before the end of the period of restriction. Generally the complainant will be informed of the result of the review if the decision to apply this policy to them has been changed or extended. They will be informed in writing if we have their contact details, or by phone if we do not hold an postal or email address. Record keeping Incident forms and records of restriction decisions will be retained by the relevant manager and the following information will be shared with all public facing teams within the Commission. The name and contact details of each stakeholder who is classified as unreasonable. Whether the stakeholder contacted us by phone, email or in person. Details of each information request classified as unreasonable, including the name and contact details of the requester. The restrictions which have been put in place. When any restrictions were put in place, and the end date of restrictions. Incidents and restriction decisions will be reported to Executive Team. When deciding to share information within the Commission and with third parties (if appropriate), the Commission will be guided by the provisions of the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR) and will ensure that the complainant's or stakeholder's rights to have their information processed in accordance with the statutory requirements is protected and adhered to. The Customer Service Manager will review the unreasonable requests/requestors annually. If there has been no follow up in the last 12 months the record will be either anonymised and no personal data is retained, or the record is deleted. If the person/request is considered to be still unreasonable by the Customer Services Manager this can be retained for another year with the Customer Services Manager documenting their decision. After 5 years on the list this should be reviewed by a Director to decide if it is appropriate to retain. At this point if retained it should be anonymised unless in exceptional circumstances that is a clear risk to the organisation confirmed in writing by the Director. After the 5-year Director review it goes back to annual manager review. The relevant teams within the organisation will be trained to ensure that colleagues understand and apply the policy correctly. Equality considerations Before we identify someone as engaging in unreasonable contact with the Commission, we will first consider whether they may have additional support needs which affects their communication with us. If we believe a stakeholder faces additional challenges when communicating with us as a result of a disability or support need, we will establish as quickly as possible their communication preferences and needs, and seek to accommodate these wherever possible. Disabilities are not always immediately apparent, so where appropriate we will take the time to understand how we can best communicate with each stakeholder. It is possible that some stakeholders may face additional challenges accessing the Commission's services or wider electoral or democratic services, which may lead to frustration. We will keep this mind and respond with sensitivity. To accommodate a stakeholder's communications needs, we can offer information in alternative formats, such as braille, British Sign Language, or via a face-to-face meetings. We will

consult with our equalities and diversity lead for advice on communications methods. We will make adjustments where necessary in delivering our advice and information services to meet disabled people needs. However, if after making adjustments the stakeholder behaves unreasonably, we will implement this policy and treat them as unreasonable.