

Northern Ireland Policing Board

Policy on Unacceptable Behaviour

Introduction

1. This policy sets out the procedure to be adopted by the Northern Ireland Policing Board (hereafter the Board) when dealing with individuals whose actions or behaviour is considered to be unacceptable. In this policy, the term 'individual' refers to anyone who contacts the Board.

Aims of the Policy

2. The aims of the policy are to:
 - I. Deal fairly, honestly, consistently and appropriately with all individuals, including those whose actions or behaviours the Board considers to be unacceptable.
 - II. Believe that all individuals have the right to be heard, understood and respected. The Board also believes that it must balance the rights of an individual to contact the Board, with the rights of the staff of the Board not to be subjected to unacceptable actions or behaviour.
 - III. Provide a service that is accessible to all individuals. However, the Board retains the right, where it considers an individual's actions or behaviour to be unacceptable, to restrict or change access to that service.
 - IV. Ensure that individuals, by their behaviour or conduct, do not disadvantage other individuals or Board staff.

Defining Unacceptable Actions or Behaviour

3. It is accepted that individuals may act out of character in times of difficulty or distress, as they may have encountered upsetting or distressing circumstances prior to contacting the Board. The Board does not, therefore, view actions or behaviour as unacceptable simply because an individual is assertive or determined. However, the actions or behaviour of individuals who are angry, demanding, or persistent, may result in unreasonable demands on the Board, or unacceptable behaviour towards Board staff. It is these actions or behaviours that the Board considers to be unacceptable that are addressed in this policy. The unacceptable actions or behaviours can be grouped under these three broad headings:

- (i) Aggressive or Abusive Behaviour

Board staff can expect to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Staff understand that the anger felt by many individuals is directed towards the subject matter that they have contacted the Board about. However, it is not

acceptable when that anger escalates into aggression directed towards staff.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

Examples of actions or behaviours which fall under this heading include threats; physical violence; personal verbal abuse; derogatory remarks; and rudeness. The Board also considers that inflammatory statements and unsubstantiated allegations may be regarded as abusive behaviour.

(ii) Unreasonable Demands

Individuals may make what the Board considers to be unreasonable demands through the amount of information they seek, the nature and scale of service they expect, or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the individual.

Examples of actions which fall under this heading include vexatious issues (see Annex 1); demanding responses within an unreasonable timescale; insisting on seeing or speaking to a particular member of staff who is unavailable; continual phone calls or letters; repeatedly changing the substance and focus of their enquiry; or raising unrelated concerns. Such demands may be considered unacceptable and unreasonable if they start to impact substantially on the work of the Board i.e. taking up an excessive amount of staff time to the disadvantage of other individuals or adverse impact on Board functions.

(iii) Unreasonable Persistence

The Board recognises that some individuals will not, or cannot, accept that the Board is unable to assist them further or provide a level of service other than that provided already. Individuals may persist in disagreeing with the action or decision taken in relation to their enquiry or contact the Board persistently about the same issue.

Examples of actions which fall under this heading include vexatious enquiries; persistent refusal to accept a decision made in relation to an enquiry; persistent refusal to accept explanations relating to what the Board can or cannot do; and continuing to pursue an enquiry without presenting any new information. The way in which these individuals approach the Board may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not. The actions of persistent individuals are considered to be unacceptable when they take up a disproportionate amount of time and Board resources. (See Annex 1 for further details of unacceptable behaviours).

Managing Unacceptable Actions or Behaviour

4. There are likely to be relatively few individuals whose actions or behaviours are considered to be unacceptable. How the Board aims to manage those actions or behaviours depends on their nature and extent. If it adversely affects the Board's ability to do its work and provide a service to others, it may be necessary to restrict individual contact with the Board in order to manage the unacceptable actions or behaviour. The Board aims to do this in a way, wherever possible, that allows an enquiry to progress to completion through the Board's normal handling process. Contact may be restricted in person, by telephone, letter or electronically or by any combination of these. The Board will endeavour to maintain at least one form of contact. In extreme situations, the individual will be notified in writing that their name is on a "no personal contact list". This means that they must restrict contact with the Board to either written communication or through a third party.
5. The threat or use of physical violence, verbal abuse, or harassment towards the staff is likely to result in the ending of all direct contact with the individual. Incidents may be reported to the police, i.e. if physical violence is used or threatened.
6. If an individual repeatedly phones, visits the Board, sends irrelevant documents, or raises the same issues, a decision may be taken to:
 - I. Only take telephone calls from the individual at set times on set days, or put an arrangement in place for only one member of staff to deal with the calls or correspondence in future.
 - II. Require the individual to either make an appointment to see a named member of staff before visiting the Board, or to only contact the Board in writing.
 - III. Return the documents to the individual or, in extreme cases, advise the individual that further irrelevant documents will be destroyed.
 - IV. Take other action that is considered appropriate. The individual will be advised of what action is to be taken and the reasons for doing so.
7. If an individual continues to correspond on a wide range of issues, and this action is considered excessive, they may be told that only a certain number of issues will be considered in a given period, and asked to limit or focus their requests accordingly.
8. If during the course of their work, e.g. phone call or interview, a member of staff encounters an individual who is particularly aggressive, they should speak immediately to their Line Manager who should inform a member of the Board's Senior Management Team (SMT).
9. The member of SMT responsible for that work area should normally decide the action to be taken in cases of unacceptable actions or behaviour by individuals. The action taken may include reporting the matter to the police or

seeking specific advice in respect of security concerns. Where the matter is particularly urgent and the relevant member of SMT is unavailable another member of SMT should be consulted.

10. Correspondence – The Board will not normally deal with correspondence (letter or electronic) that is abusive to staff. When such correspondence is received, the individual will be advised that their language is considered to be offensive, unnecessary and unhelpful. They will be asked to refrain from using such language and advised that they will not receive a response to their correspondence until they do.

11. Telephone Calls – A member of staff may decide to terminate a telephone call if the caller is considered to be aggressive, abusive or offensive. However, before terminating a telephone call, the caller will be warned that their behaviour is considered unacceptable and that the call will be terminated if the unacceptable behaviour does not stop. If a call is terminated in such circumstances, the member of staff should make a note of the action taken and the reason(s) for doing so. The matter should also be brought to the attention of their Line Manager and the appropriate member of SMT.

13. Personal Callers to the Board – If, on arrival at the Board, an individual appears to be aggressive or abusive the relevant Director or another member of SMT should be informed immediately. Any subsequent meeting (if applicable) should be conducted with another appropriate Board official in attendance. If the individual persists in acts of aggression the Board's security personnel may be called to remove the individual from the Board's premises.

14. Persistent Disputes Regarding a Board Decision

If the Board has already responded in detail to an expression of dissatisfaction, and the individual continues to dispute the decision taken relating to their enquiry, any further correspondence from the individual will be regarded as 'unreasonably persistent'. The individual should be told that no future phone calls will be accepted, or meetings granted concerning their enquiry, and that any future contact on the issue must be submitted in writing.

Such correspondence will be noted and filed and only acknowledged or responded to if the individual provides significant new information relating to the enquiry.

Deciding to Restrict Individual Contact

15. Board Staff who directly experience aggressive or abusive behaviour from an individual have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and which is in line with this Policy. With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Board are only taken after careful consideration of the situation by the appropriate member of SMT. Wherever possible, the Board will give an individual the opportunity to modify their behaviour or action before such a decision is taken. The individual will be

informed in writing why a decision has been made to restrict future contact, the restricted contact arrangements, and, if relevant, the length of time that these restrictions will be in place.

Appealing a Decision to Restrict Contact

16. An individual can appeal a decision to restrict contact. An SMT member who was not involved in the original decision should consider any such appeal. Having considered the individual's appeal, they should advise the individual in writing that either the restricted contact arrangements continue to apply or that a different course of action has been agreed.

If dissatisfied with the outcome of the appeal the individual may refer the matter to the Northern Ireland Public Services Ombudsman:

Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast
BT1 6HN
<https://nipso.org.uk/nipso/>

Recording and Reviewing a Decision to Restrict Contact

17. Where it is decided to restrict individual contact, an entry is made on the individual's case file (if applicable) and on the Complaints Register. A decision to restrict contact may be reconsidered if the individual demonstrates a more acceptable approach. The relevant member of SMT should review the status of all individuals with restricted contact arrangements on an annual basis or sooner if deemed appropriate.

Policy Review

18. This policy will be reviewed every three years or more frequently if required.

Unacceptable Behaviour

An individual may be defined as displaying unacceptable behaviour where current or previous contact with them demonstrates that they:

- I. change the substance of an enquiry continually by raising new issues, or seek to prolong contact by continually raising issues upon receipt of a response whilst the issue of enquiry is being addressed. Care must be taken not to discard new issues that are significantly different from the original enquiry as these might need to be addressed separately.
- II. are unwilling to accept documented evidence as being factual; deny receipt of an adequate response in spite of correspondence specifically answering their questions; or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- III. do not clearly identify the precise issues that they wish to have addressed, despite reasonable efforts of staff and, where appropriate, third party advisors to help them specify their concerns; and/or where the concerns identified are not within the Board's remit to address.
- IV. focus on a trivial matter to an extent that is out of proportion to its significance, and continue to focus on this point. It is recognised that determining what is a 'trivial' matter can be subjective, and careful judgement must be used in applying this criteria.
- V. have, in the course of their enquiry, had an excessive number of contacts with the Board placing unreasonable demands on staff. A contact may be in person or by telephone, letter or electronically. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.
- VI. have harassed, been personally abusive, or verbally aggressive on more than one occasion towards staff dealing with their enquiry. Staff must recognise that individuals may sometimes act out of character at times of stress, anxiety or distress and should make reasonable allowances for this. All incidents of harassment must be recorded.
- VII. are known to have recorded meetings or face to face / telephone conversations without the prior knowledge and consent of other parties involved.
- VIII. display unreasonable demands or expectations, and fail to accept that these may be unreasonable, i.e. insist on a response to an enquiry being provided more urgently than is either reasonable or normal practice.