



Pembrokeshire Coast National Park Authority

Unacceptable behaviour by Complainants Policy

This Document is also available in Welsh

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1. Policy Statement

- 1.1 To manage unacceptable behaviour of complainants and to protect staff and Members from the effect such behaviour may have on them.

2. Aim of Policy

- 2.1 The objectives of the Policy are:

- To provide a means of handling necessary communications with complainants whose behaviour has been deemed to be unacceptable.
- To improve unacceptable behaviour and actions so that normal complaints management practices can apply.

3. Scope of Policy

- 3.1 All complaints about services provided by the Pembrokeshire Coast National Park Authority (NPA) (including complaints relating to compliance with the Welsh Language Measure (Wales) 2011 Service Delivery standards.)

4. What is unacceptable behaviour?

- 4.1 Officers should always consider the effect that the situation surrounding the complaint may have had on the complainant. A person who is normally very reasonable may react differently in a stressful situation.
- 4.2 Attempts should always be made to defuse the situation so that, wherever possible, normal relations and procedure can take place.
- 4.3 However, when the complainant's continued behaviour renders that impossible, guidance should be sought from the Democratic Services Manager about the possible use of this policy.
- 4.4 Unacceptable actions may include:

4.4.1 Repetition

A complainant may repeat what amounts to the same complaint over a period of time to one or more officers / Members without raising anything new or may even repeatedly make contact with different officers / Members with exactly the same complaint.

4.4.2 Unreasonable pursuit

Once a complainant has been advised of what will happen regarding their complaint and when a response can be expected, it may be considered unreasonable to continue to excessively call officers / Members before that date.

4.4.3 Refusal to accept outcome

Sometimes an investigation will not lead to the result desired by the complainant, and the complainant may continue to raise the matter after the process has been closed.

4.4.4 Abusive behaviour/Harassment

Complainants may behave aggressively or threateningly toward staff and Members both in person or in correspondence or during telephone conversations.

4.4.5 Vexatious Behaviour

Complainants may submit multiple complaints against a particular team or member of staff in order to cause ongoing distress.

4.4.6 Abuse of the procedure

Many actions which could fall under the above descriptions are likely to be irrational. However, some complainants may complain repeatedly to further other ends, such as when a pressure group wishes to keep the profile of its chosen subject high, or when an attempt is being made to influence the NPA's legitimate decision-making processes.

5. Procedure under the policy

5.1 Who can start procedure?

5.1.1 Any officer or Member who feels that a complainant is behaving in a way which this policy identifies as unacceptable may raise the issue.

5.2 What should they do? The Informal Stage

5.2.1 The first action is to explain to the complainant, calmly and politely, why their behaviour is unacceptable and to try to influence that behaviour so that it becomes acceptable.

5.2.2 If that fails, the line manager should be consulted. They will review the case, based on the information provided by the officer. This information will include notes about the complaint and records of any contact deemed unreasonable.

5.2.3 The Manager will either advise the officer why the behaviour is not unreasonable, or will contact the Complainant, either by letter or e-mail, explaining why the behaviour is unreasonable and defining what would be considered reasonable. The letter would also advise the complainant of the future action to be taken by the National Park Authority if the behaviour were to continue.

5.3 What if the behaviour continues? The Formal Stage

5.3.1 The Monitoring Officer will decide when this stage of the policy is to be

engaged. A Complaints Panel will then consider the case, with the assistance of officers involved up to that point and decide on how to proceed. The Complaints Panel will consist of the Democratic Services Manager, a Head of Service and a Director.

5.3.2 The options open will include, but will not be limited to:

- Use of a single point of contact, including if appropriate a dedicated e mail address.
- Advising the complainant that only complaints unrelated to those already considered will be accepted
- Requiring all communications to be in writing only. (ie not in person or by telephone.)
- Meeting with the complainant.
- Indicating to the complainant a date by which a substantive response will be issued.
- Until that date is reached or the substantive response issued whichever is sooner, no communication will be accepted or responded to unless in a response to a request from the NPA for further specific information.
- Advising the complainant to contact the Public Services Ombudsman for Wales

5.4 Appeals

5.4.1 Appeals against the implementation of the Policy will be considered by the Chief Executive.

5.5 Future complaints

5.5.1 It is not acceptable to cut off all contact with a complainant, as it cannot be assumed that no genuine new complaints will be raised in the future.

5.6 Logging and review

5.6.1 The Democratic Services team will maintain a log of complainants for which the formal stage of this policy has been used. The management of this log will be compliant with the Data Protection Act 2018 and the General Data Protection Regulations and will include a review date.

5.6.2 When the review falls due, the Democratic Services team will bring the case to the attention of the Complaints Panel, who will decide whether the process need continue.

5.6.3 The log will be updated to reflect the decision. Expired entries should be removed a year after closure.

6. Roles and Responsibilities

6.1 Monitoring Officer

Overall responsibility for deciding when this policy is to be engaged will fall to the Monitoring Officer.

6.2 Complaints Panel

On receiving a referral the Panel will lead discussions with officers and, if appropriate, the complainant, leading to a decision on how communication with the complainant will be handled.

When the review (see para 5.6.1) falls due, the Complaints Panel will decide whether the process need to continue.

6.3 Chief Executive

Appeals against the implementation of the Policy will be considered by the Chief Executive.

6.4 Democratic Services Team

The Democratic Services team will maintain a log of complainants for which the formal stage of this policy has been used. The management of this log will be compliant with the Data Protection Act / General Data Protection Regulations and will include a review date.

6.5 Heads of Service

The relevant Head of Service will be consulted over each instance raised. He/She may nominate a single point of contact between the Complainant and the Authority and may even be the point of contact.

6.6 All Staff

Any officer who undertakes a suitably relevant role and has the requisite training or skills may be nominated as a single point of contact.

7. Monitoring and Assurance

7.1 The Democratic Services manager will provide an annual report on the use and working of the policy which will be included as an agenda item in the annual report to the Standards Committee by the Monitoring officer.

8. Related Policies and Operational Procedures.

Complaints Handling Policy