

Unreasonable behaviour

This policy applies to all users of our service, which includes anyone who has contact with us, or anyone who is representing someone else in their contact with us.

We want to make sure that we are accessible to everyone and that disputes are dealt with efficiently. But a few users of our service sometimes act in an unacceptable or unreasonable way. We have a duty to protect our staff, and our processes, from abuse.

What is unreasonable behaviour?

Unreasonable behaviour includes, but is not limited to:

- Rudeness, aggression, threats or harassment
- Manipulative or deceitful behaviour
- Making unreasonable demands of our service
- Making frequent and repeated contact with us or persistently going over the same ground
- Racism, homophobia etc directed at any member of our staff or anyone else involved in the dispute

What you can expect from us

We will treat you with fairness and respect and you can expect us to act reasonably in our dealings with you. We will tell you immediately if we are finding you are acting unreasonably. We will then take a series of steps:

Step 1

We will try to resolve matters informally; the member of staff dealing with you, or your case, will explain to you why they are finding your behaviour unacceptable and ask you to modify it.

Step 2

If there is no change, or we consider the behaviour to be serious from the outset, we will impose restrictions on you. These may include:

- Allowing telephone calls only on specific days and for limited time periods
- Limiting contact to one form only, and for a limited frequency – say one email a week
- Restricting contact to one member of staff
- Requiring you to enter into an agreement about your future behaviour before the case proceeds
- Requiring you to appoint a representative before the case proceeds (or, if you are representing someone, asking that you are replaced).

This list is not exhaustive and other options may be considered depending on the circumstances of the case and the individual.

Review

If we are investigating a dispute and the case is still open six months after any restrictions have been imposed, we will review the situation to see if those restrictions need to remain in place.

Step 3

In extreme cases where unreasonable behaviour continues and any restrictions imposed are ignored, we might decide to terminate contact with you altogether. If you are the person who brought a dispute to us, we might decide not to look into your dispute further. In that instance, we will write to tell you and you will have the opportunity to show why the Ombudsman should not discontinue your complaint.

Making a new application when restrictions have been imposed previously

If we receive a new dispute from someone who had restrictions placed on them in the past, we will assess whether or not they should apply to the new case. If someone brings an application who previously had a case dismissed because of their behaviour, we will consider whether or not we will look into this new matter, or if previously imposed restrictions should still apply. If we decide not to look into the new matter we will let you know, and might not enter into any further correspondence.

If you are unhappy with our decision

If you consider we ought not to have decided that you are acting unreasonably, or that we should not have imposed restrictions, you can raise that by making a complaint. See the "Complaints about us" section on our website.