



# Sussex Police & Crime Commissioner

## **Persistent Complainants and Unreasonable Communication Policy**

- 1.1 This policy is designed to help staff in the Office of the Sussex Police & Crime Commissioner (OSPCC) respond to unreasonably persistent complainants equitably, whilst not allowing their actions or behaviour to have a detrimental effect on other complainants, service users and/or staff.
- 1.2 The Chief Executive & Monitoring Officer (CEO) will determine on a case-by-case basis whether this policy should be applied in respect of an individual being deemed as a persistent complainant or by communicating with the OSPCC in an unreasonable way.
- 1.3 There may be occasions when there is a conflict of interest for the CEO, e.g. where the CEO has already been involved with dealing with the person involved. In these cases, the matter will be referred to the Chief Finance Officer (CFO) or the legal adviser to the OSPCC.

## **Key Points**

- 2.1 The OSPCC is committed to dealing with all complainants fairly and impartially.
- 2.2 The term 'unreasonably persistent complainant' is used for the purpose of this policy, not with a view to labelling individuals or denying their right to complain, but rather to identify the characteristics of a small number of complaints which, if not dealt with properly could:
  - have a detrimental effect on other members of the public and staff;
  - result in resources within the OSPCC being used inefficiently.
- 2.3 The policy also sets out what action OSPCC staff will take if they feel an individual is behaving unreasonably or in a threatening manner. Whilst efforts will be made to engage with the individual, OSPCC staff are entitled to rely on this policy to guide their actions.

## **Vexatious and Repeated Complaints**

- 3.1 Complaints against staff will be handled in accordance with the OSPCC's complaints policy.

- 3.2 Complaints against the Chief Constable, the PCC or Sussex Police officers and staff will be dealt with in accordance with the legislation and relevant OSPCC and Force policies.
- 3.3 Whilst all complainants will be managed as above, there may be occasions when staff feel it is appropriate to disengage with a complainant. This may be in cases where (the list is not exhaustive):
- The complaint is being, or has been, investigated properly and in accordance with the statutory procedures, but the complainant will not accept the outcome;
  - The same complaint is made repeatedly;
  - The complaint relates to matters outside of the OSPCC's remit;
  - The level of contact or amount of information being sent to the OSPCC is such that it places an unreasonable burden on staff and affects their ability to carry out their duties;
  - The complaint is offensive, or simply contains the individual's views about another person with no evidence.
- 3.4 Any new, valid complaint allegations subsequently communicated will be actioned in accordance with relevant legislation and OSPCC/Sussex Police policies.

### **Unreasonable Communication**

- 4.1 This section outlines what action OSPCC staff will take if they feel an individual is behaving unreasonably or in a threatening, abusive, insulting or intimidating manner. Whilst every effort will be made to engage with the individual, OSPCC staff are entitled to rely on this policy to guide their actions and afford the necessary protection.
- 4.2 Where a member of staff feels they need help in managing a potentially difficult situation, this should be discussed in the first instance with their line manager.
- 4.3 OSPCC staff acting in accordance with this policy will not be considered the subject of a complaint resulting from an incident unless there are significant aggravating factors. In all instances where a member of staff has taken appropriate action (as set out in this policy), the line manager will indicate their support and, if they feel it necessary offer their personal support and/or referral to Occupational Health.

### **In Person**

- 4.4 The OSPCC will not tolerate any abusive or threatening behaviour from individuals towards OSPCC staff. If the individual is in, or at the door of the OSPCC, they will be told to leave and will not be permitted to return for a set period as defined by the CEO.

If it is in public, the member of staff will warn the individual about their behaviour and will then either leave or request the individual does so.

### **On the Telephone**

- 4.5 If an individual becomes abusive or threatening whilst on the telephone to a member of staff, they will be given a warning that their behaviour is unacceptable and that if they continue, the member of staff will hang up. If the individual persists, the call will be terminated. If/when that individual next contacts the OSPCC, they will be informed that all correspondence, for set period as defined by the CEO, must be submitted in writing (subject to the Equality Act 2010).

### **Written Communication**

- 4.6 If any written communication is threatening or abusive towards a member of staff, then the author will be given a written warning that this is unacceptable, and asked to desist. If they continue, their correspondence will be read, but no action will be taken, subject to any legislative requirements.

### **Electronic Communication**

- 4.7 Any abusive posts, tweets, or other communication via social media/networks will be deleted after being recorded. Further abuse will lead to the person being blocked.

### **Action Undertaken**

- 5.1 Where a member of staff feels that a case meets any of the above (or similar) criteria, they will raise it with their line manager, who will make a recommendation to the CEO based on all the evidence available.
- 5.2 If the CEO agrees with the recommendation, they will write to the individual and inform them that they will no longer receive a response from the OSPCC. All future correspondence will be read to ensure that it does not include any new, valid complaint allegations, but will be placed on file with no further acknowledgement or action required. It should be made clear the complainants should not be prevented from contacting the police in relation to non-complaint issues or be left unsure about this due to unclear or uncomplete contact arrangements.

### **Disclaimer**

6. The OSPCC reserves the right to seek legal redress if necessary or refer any communication to the police.