

# Greater London Authority

Policy on dealing with persistent contact and/or unacceptable behaviour from members of the public and classing a person as vexatious

## **1. Introduction**

- 1.1 The Greater London Authority (GLA) is committed to dealing with enquiries, requests for information and complaints equitably, comprehensively and in a timely manner in accordance with the Authority's service standards.
- 1.2 This is usually a straightforward process, but in a minority of cases, people may contact the GLA in ways which are inappropriate, such as:
- Enquiries that can have a detriment effect on members of staff who have a right to undertake their work free from discrimination, abuse, harassment and/or threatening behaviour.
  - Enquiries that impede on the Authority's ability to respond or that require significant and unreasonable use of resources.
- 1.3 We will ensure that any enquiry or complaint is reviewed in accordance with the GLA procedures, before considering imposing any restrictions.
- 1.4 We will not normally limit the contact that individuals or complainants have with GLA staff or City Hall unless the situation requires us to.

## **2. Purpose of the policy**

- 2.1 To ensure we deal with all public contact in a way that is demonstrably consistent, fair and reasonable.
- 2.2 To set out how we will decide when contact should be treated as unreasonably persistent or unacceptable, and when a person may then be classed as vexatious.
- 2.3 To explain what we will do in these circumstances, and help staff understand clearly what is expected of them.

## **3. Definitions**

- 3.1 We define contact as any written communication in the form of letters, emails, faxes, messages or comments on GLA pages of social media sites or personal contact on the phone, or face-to-face (including at external GLA events).
- 3.2 We define 'unreasonable and persistent contact' as frequent or repetitive contact that hampers our response, or presents considerable resource issues for the GLA.

Features of 'unreasonable and persistent contact' include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

- Refusing to accept that the issues raised are not within the remit of the GLA to investigate, change or influence
- Making an unreasonable number of contacts in relation to a specific complaint or enquiry, placing undue stress on staff and resources

- Refusing to specify detailed information of their request, or the specific grounds of a complaint, despite offers of assistance
- Indicating that repeated contact will be made until there is a specific outcome, even when it has been made clear that this outcome cannot be achieved
- Introducing trivial or irrelevant new information whilst an enquiry/complaint is being dealt with and expecting this to be taken into account and commented on
- Refusing to follow the GLA's complaints procedure or co-operate with the complaints investigation while still wishing their complaint to be resolved
- Refusing to accept the outcome of the complaint investigation after its conclusion, complaining about the outcome, and/or denying that an adequate response has been given, even after the complaints procedure has been fully and properly implemented
- Electronically recording meetings and conversations without the prior knowledge and consent of the other person involved

3.3 We define 'unreasonable behaviour' as that which uses language considered to be of an abusive, threatening, or discriminatory nature.

Features of 'unreasonable behaviour' include the following (again the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

- Using abusive, discriminatory or foul language during any form of contact
- Making inappropriate, offensive or threatening comments during any form of contact
- Harassment or personal abuse/aggression towards members of staff
- Verbally threatening or using physical intimidation towards staff, either personally or through a representative
- A combination of all or some of these features

3.4 The description of 'unreasonable and persistent contact' and 'unreasonable behaviour' may apply separately or jointly, and may lead to a person being classed as Vexatious.

#### **4. Imposing restrictions**

4.1 In the first instance the member of staff dealing with the contact need to issue a warning to the individual, either by phone, letter, or email before escalating it to their manager.

4.2 The decision to apply the policy needs to be taken by the appropriate Head of Unit or Assistant Director and the individual informed including why they are being classed as vexatious and what restriction(s) are applicable **(please see attached draft vexatious letter)**.

4.3 Where possible the individual should be informed in writing of the decision to classify their contact(s) as vexatious.

4.4 Where the contact is by phone, the individual should be warned before the policy is applied. Please see below suggested phrases to warn caller before applying the policy:

4.4.1 When a caller starts to become abusive, even mildly, such as raising their voice or using swear words, or making personal comments directed at you, then you should respond with: **“I find your language, comments abusive or threatening or unjustified. Please stop or I will end the call.”**

4.4.2. If they ignore your objection, you may advise them as follows: **“I have already informed you that I would end the call if you continued to use this type of language or make these comments, I am now ending the call, goodbye.”** The call must then be terminated and you need to inform your line manager. You may also want to inform colleagues of the call in case the person calls back.

4.4.3. If the caller persistently asks the same question, or makes the same comments repeatedly, and especially if it becomes clear that they are not going to accept the response that you have already given them, you should respond with: **“I have given you all the information available and I have nothing further to add on this subject. As I have nothing further to add, I am going to end the call. Thank you for calling the Greater London Authority, goodbye”.**

4.5 Public Liaison Team Manager should then be notified that this action has been taken. A full record should be sent to, and will be kept by, Public Liaison Unit and this may be circulated internally to relevant staff as appropriate.

4.6 Any restriction imposed must be appropriate and proportionate and will be for maximum period of 6 months. In exceptional circumstances this may be extended, but should be reviewed every 3 months, or as and when further contact is received. Restrictions may include:

- Informing the individual that a decision has been made to classify their contact as unreasonable and we will no longer respond to or acknowledge any further contact from them on the specific topic
- Informing the individual that a decision has been made to classify their contact as abusive/discriminatory, and we will not be responding further unless the nature of their language is modified
- Informing the individual that calls will continue to be terminated in cases where this policy has been applied
- Requiring contact to take place with one member of staff only and/or restricting telephone calls to specific days/times
- Requiring any personal contact to take place in the presence of an appropriate witness
- Refusing to deal with the individual except through a third party e.g. solicitor /friend, etc. acting on their behalf
- Banning the individual from entering City Hall except by appointment

- Suspending all contact with the individual, whilst seeking legal advice or guidance

4.7 Where contact has been classed as Vexatious under one or more of the criteria above, and the individual persists with their contact, the matter will be referred to the Head of Governance & Resilience, who may then decide to deal with the issue in one of the following ways:

- Decide to refuse all contact with the individual and stop any investigation into their enquiry or complaint
- Forward details to our Legal Department, which may result in legal action
- Take action to involve the police or institute proceedings, in cases where material, comments or actions are grossly offensive, or threatening; as it may potentially be deemed to be an offence under the Public Order Act 1986, the Protection from Harassment Act 1997 or the Malicious Communications Act 1988

## **5. New enquiries/complaints from individuals who have been classed persistent, abusive or vexatious**

5.1 New enquiries/complaints, received from those who have previously come under this policy, that raise relevant issues not related to their previous enquiry, will be treated on their merits. The relevant Public Liaison Team Manager in any restrictions which have been applied are relevant in relation to the new enquiry/complaint.

## **6 Review**

6.1 Public Liaison Team Managers will review cases every three months and in consultation with relevant Head of Unit or Assistant Director will consider the following:

- Decide that the individual is no longer covered under the policy or
- Decide to continue to apply the policy (with justification for such decision)

6.2 The individual will be informed of the result of the review.

## **7 Record Keeping**

7.1 Assistant Directors/Head of Units will notify Public Liaison Team Manager whenever the policy is applied and Public Liaison Unit will keep a record consisting of the following information:

- The name and address of each individual classed as vexatious and the nature of their contact
- The name of the Head of Unit or Assistant Director who made the decision
- What restrictions have been implemented
- When any restriction came into force and when it will be reviewed
- Details of any further contact received
- Details of any escalation

7.2 A copy of this policy will be made available on request.

**ALL VEXATIOUS LETTER TEMPLATES CAN BE ACCESSED VIA THE WRITEON SYSTEM OR YOUR PLU LINK OFFICER**