

KĀPITI COAST DISTRICT COUNCIL – CORPORATE POLICY

Corporate Policy Title:	UNREASONABLE CONDUCT POLICY		
Policy No:	CP-20-049	Pages:	1 - 16
Group Responsible:	PEOPLE AND PARTNERSHIPS		
Approval Dates:			
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1. POLICY OBJECTIVE

1.1 The Unreasonable Conduct Policy (the Policy) has been developed to assist all employees to better manage unreasonable conduct (UC). Its aim is to set out:

- what might be considered unreasonable person conduct,
- the roles and responsibilities of the different employees involved in identifying, responding to, and managing UC,
- alternatives to applying the UC Policy,
- procedural fairness components to provide a robust and just process,
- how Kāpiti Coast District Council will prepare and protect employees dealing with unreasonable persons under this policy,
- how Kāpiti Coast District Council will ensure that this policy remains relevant, and
- other resources relevant to this policy.

1.2 Everyone in the Council is responsible for listening and responding to what people who interact with Council have to say.

1.3 Council has a zero-tolerance policy towards any harm, abuse or threats directed at employees. Any conduct of this kind will be dealt with under this policy, and in accordance with our duty of care and occupational health and safety responsibilities, and where appropriate with the Police and courts.

2. BACKGROUND

2.1 Kāpiti Coast District Council (Council) is committed to being accessible and responsive to all customers who approach the Council for assistance or with a complaint or request for information.

2.2 On occasion, the behaviour of those who interact with Council can become unreasonable, vexatious or abusive. When this happens, the Council will take proactive and

decisive action to manage any customer conduct that negatively and unreasonably impacts on the organisation and its employees.

2.3 The success of our operation depends on:

1. Our ability to do our work and perform our functions in the most effective and efficient ways possible;
2. The health, safety and security of our employees; and
3. Our ability to allocate our resources fairly across all the complaints we receive.

3. SCOPE

3.1 This policy applies to all employees of Kāpiti Coast District Council.

3.2 This policy applies to all individuals who interact with Council where:

- their behaviour has become unreasonable, vexatious, or abusive;
- where the persons conduct could be considered to be negatively and unreasonably impacting on the Council or Council employees; and/or
- where their conduct may create a health and safety risk for the Council or Council employees.

4. POLICY STATEMENT

4.1 COMPLAINTS MANAGEMENT MODEL



4.2 DEFINING UNREASONABLE CONDUCT

4.2.1 Unreasonable conduct

Most people who contact us act reasonably and responsibly, even if they are experiencing distress, frustration or anger about their complaint or concern. However, in a very small number of cases people behave in ways that are inappropriate and unacceptable. They can bombard us with unnecessary and excessive phone calls and emails, make inappropriate demands on our time and resources or refuse to accept our decisions and recommendations in relation to their complaints. On some occasions, they can be aggressive and verbally abusive towards employees, or threaten harm or violence. When customers behave in these ways, we consider their conduct to be 'unreasonable'.

4.2.2 Unreasonable conduct is any behaviour by a person which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for our organisation, employees, other service users and customers, or for the person themselves.

4.2.3 UC can be divided into five categories of conduct:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments
- unreasonable (and/or illegal) behaviours.

4.2.3.1 Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a person that has a disproportionate and unreasonable impact on our organisation, employees, services, time or resources. Some examples of unreasonably persistent behaviour include:

- an unwillingness or inability to accept reasonable explanations, including final decisions that have been comprehensively considered and communicated
- persistently demanding a review simply because it is available and without presenting the reasons for review
- pursuing and exhausting all available review options and refusing to accept further action cannot or will not be taken on their complaints
- reframing a complaint in an effort to get it taken up again
- bombarding employees with phone calls, visits, letters, emails (including being copied in on correspondence) after repeatedly being asked not to do so
- contacting different people within our organisation or externally in an attempt to get a different outcome or more sympathetic response to their complaint.

4.2.3.2 Unreasonable demands

Unreasonable demands are any demands (express or implied), made by a person, that have a disproportionate and unreasonable impact on our organisation, employees, services, time or resources. Some examples of unreasonable demands include:

- issuing instructions and making demands about how we have handled or should handle their complaint, the priority it was given or should be given, or the outcome that was or should be achieved
- insisting on outcomes that are not possible or appropriate in the circumstances, such as calling for someone to be sacked or prosecuted, an apology or compensation when there is no reasonable basis for expecting this
- asserting they must talk to a Group Manager or the Chief Executive, Mayor or Elected Members personally when it is not appropriate or warranted to do so
- emotional blackmail and manipulation with the intent to intimidate, harass or shame employees, or to portray themselves as being victimised, when this is not the case
- demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.

4.2.3.3 Unreasonable lack of cooperation

Unreasonable lack of cooperation is the lack of willingness or ability of a person to cooperate with our organisation, employees or complaints system and processes that results in a disproportionate and unreasonable use of our services, time or resources. Some examples of unreasonable lack of cooperation include:

- sending a constant stream of incomprehensible or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about, when the person is clearly capable of doing this
- providing little or no detail with a complaint or presenting information in a sporadic or disorganised manner
- refusing to follow or accept our suggestions or advice without a clear or justifiable reason for doing so
- arguing frequently or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations
- displaying unhelpful behaviour, such as withholding information, acting dishonestly or misquoting others.

4.2.3.4 Unreasonable arguments

Unreasonable arguments include any arguments that are incomprehensible, false or inflammatory, or that disproportionately and unreasonably impact upon our organisation, employees, services, time or resources. Arguments are unreasonable when they:

- are not supported by sufficient evidence or are based on conspiracy theories
- lead a person to reject all other valid contrary arguments
- have an impact that is disproportionate to the amount of time, resources and attention that the person demands
- are false, inflammatory or defamatory.

4.2.3.5 Unreasonable behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated a person is – because it compromises the health, safety and security of our employees, other service users or the person himself or herself. Some examples of unreasonable behaviour include:

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- harassment, intimidation or physical violence

- rude, confronting and threatening correspondence
- threats of harm to self or third parties, threats with a weapon or threats to damage property, including bomb threats
- stalking (in person or online)
- emotional manipulation.

4.3 ROLES AND RESPONSIBILITIES

4.3.1 All employees

In every interaction, we expect employees to act fairly, consistently, honestly, and appropriately.

On occasion, a person may choose to interact with the Council in a manner that is inappropriate.

This behaviour may impact on:

- the health, safety and security of our employees,
- our ability to do our work and perform our functions in the most effective and efficient ways possible, or
- our ability to allocate our resources fairly across all the complaints we receive.

Key to managing unreasonable conduct, all employees are responsible for familiarising themselves with the Complaints, Compliments, and Suggestions Policy, and this, the Unreasonable Conduct Policy.

These policies are supported by the procedure documents as outlined in the Complaints, Compliments, and Suggestions Policy document and Appendix A: Unreasonable Conduct Procedure for unreasonable people in this document.

To ensure transparency and accountability in applying this policy, all employees must keep full and accurate records of interactions with individuals who are being considered for, or already have, this policy being applied to them (both sent to and received from), as per the Public Records Act 2005.

Once a decision is made to consider engaging a person in accordance with the UC Policy, all phone calls must be recorded and a copy of all correspondence must be kept. A copy must be saved on Ed under a folder created with the complainant's name, in *Corporate Management – Unreasonable Conduct*.

Once the UC policy has been applied, all employees are responsible for recording and reporting incidents of non-compliance by those the policy is being applied to. This should be recorded in *Corporate Management – Unreasonable Conduct* and a copy forwarded to the nominated Group Manager who will decide whether any action needs to be taken to modify or further restrict the person's access to our services.

All employees must take responsibility for protecting fellow employees, both in terms of health and safety considerations and ensuring that any private and confidential information relating to employees involved in the application of the UC policy is protected, to the extent possible, and subject to any legal requirements.

This policy may only be applied in exceptional circumstances (in accordance with the definitions set out in section 4.2) and prior approval must be obtained from the Group Manager, supported by advice from the Governance and Legal Services Manager and/or Legal Counsel.

4.3.2 **The Chief Executive**

The Chief Executive will be made aware of any unreasonable persons as deemed necessary, or as escalated, by the relevant Group Manager.

4.3.3 **Group Managers**

A Group Manager, in consultation with relevant employees, has the responsibility and authority to:

1. decide whether a person's conduct warrants application of the policy; and,
2. how the policy will be applied to the person.

The aim when taking such decisions will not be to punish the person, but rather to manage the impact of their conduct.

It is the responsibility of the Group Manager making these determinations to consider whether:

1. the policy is only being initiated in situations where it is warranted;
2. the customer has been given opportunity to engage with the Council in a reasonable manner before decision to apply the UC policy is made; and
3. where we have made mistakes or exacerbated the situation, we identify and recommend actions to be undertaken to mitigate the impact and reduce the likelihood of the UC policy being applied.

All Group Managers are responsible for:

1. supporting employees to apply this policy;
2. ensuring that there are systems in place for identifying, assessing and managing UC-related risks, or seek guidance;
3. taking steps to ensure that employees have a safe and supportive workplace, environment and culture, such as:
 - a) following a stressful interaction with a person behaving unreasonably, providing affected employees with the opportunity to debrief and express their concerns either formally or informally,
 - b) providing employees with proper support and assistance, including medical or police assistance and support through programmes such as Employee Assistance Programme (EAP) if necessary,
 - c) taking steps to minimise the impact of interactions under this policy on relevant employees;
4. assessing and recommending whether the person's behaviour should be considered under this policy, and making recommendations for managing the person; and,
5. participating in the periodic reviews required to ensure that this policy and procedures remain relevant and responsive.

4.3.4 **Case Manager**

A Case Manager is the Manager from the team experiencing the person's unreasonable conduct, or in cases where the person is reaching out to multiple teams, whichever team is the most applicable to manage the person i.e. has the knowledge base to respond to the person or is experiencing the most contact from the person.

They will be responsible for creating the memo to the Group Manager for application of the UC policy against a person alongside relevant evidence, and once a decision has been made to change or restrict access, for providing the material to be used in the periodic review of the restrictions applied and their continued applicability.

4.4 RESPONDING TO AND MANAGING UNREASONABLE CONDUCT

4.4.1 Changing or restricting a person's access to our services

UC will generally be managed by limiting or adapting the ways that we interact with or deliver services to people. This may include but is not limited to restricting:

- **who they have contact with** – including limiting a person to a single contact person in our organisation
- **what they can raise with us** – including restricting the subject matter that we will consider and respond to
- **when they can have contact with us** – including limiting a person's contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us
- **where they can make contact with us** – including limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office
- **how they can make contact with us** – including limiting or modifying the forms of contact that the person can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether.

When considering the restrictions set out in this section we recognise that discretion will need to be used to adapt them to suit the person's personal circumstances including disability, level of comprehension or literacy skills. In this regard, we also recognise that more than one strategy may need to be used in individual cases to ensure their appropriateness and efficacy.

Proposed restrictions or changes must be proportionate to the unreasonable conduct and the proposed changes must be the least restrictive means to address the impact of the unreasonable conduct on Council staff and services.

Prior to any UC application determinations being made by the Group Manager, Governance and Legal Services Manager and/or a Legal Counsel must review the UC case and recommendations.

4.4.2 Who – limiting the person to a sole contact point

Where a person repeatedly approaches multiple people within our organisation about the same issue, changes their issues repeatedly, reframes their issues or complaint, or raises an excessive number of complaints it may be appropriate to restrict their point of contact to a single employee (a Case Manager) who will exclusively manage their issue(s) or complaint(s) and interactions with the Council. This may ensure that they are dealt with consistently and may minimise the chances for misunderstandings, contradictions and manipulation.

Where a person submits a request or complaint on a different or new issue, the Case Manager must assess whether the request needs to be directed to the normal processes, such as LGOIMA.

To manage employee wellbeing, the Case Manager's Group Manager will provide them with regular support and guidance as needed. The Group Manager will also review the arrangement every six to twelve months to ensure that the arrangement continues to be effective.

If the Case Manager is unavailable for an extended period or is no longer suitable, a new Case Manager will be appointed. In this case, the individual will be advised of the change at the time.

4.4.3 What – restricting the subject matter of communications we will consider

Sometimes a person will:

- repeatedly communicate with us about trivial or insignificant issues
- repeatedly communicate about an issue that has already been comprehensively considered or reviewed by us
- communicate using inappropriate or abusive content or language.

In these cases, we may restrict the issues or subject matter the person can raise with us or that we will respond to.

For example, we may:

- refuse to respond to correspondence that raises an issue that has already been dealt with comprehensively, continues to raise a relatively trivial issue, or is not supported by clear evidence. The person will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further, in which case, we may do so on our own discretion
- restrict the person to one complaint or issue per month. Any attempts to circumvent this restriction, such as raising multiple complaints or issues in one complaint letter, may result in modifications or further restrictions being placed on their access
- return correspondence to the person and require them to remove any inappropriate content before we will agree to consider its contents. A copy of the inappropriate correspondence will also be made and kept for our records to identify repeat UC incidents.

4.4.4 When – limiting when and how a person can contact us

If a person's telephone, written or face-to-face contact with our organisation places an unreasonable demand on our time or resources because it is overly lengthy or disorganised, or affects the health, safety and security of our employees because it involves behaviour that is persistently rude, threatening, abusive or aggressive, or is unlawful or defamatory, we may limit when and/or how the person can interact with us. This may include:

- limiting telephone calls or face-to-face interviews to a particular time of the day or days of the week
- limiting the length or duration of telephone calls, written correspondence or face-to-face interviews. For example:
 - telephone calls may be limited to 10 minutes at a time and will be politely terminated at the end of that time period
 - written communication may be restricted to a maximum of 15 typed or written pages, single sided, font size 12, or it will be sent back to the person to be organised and summarised. This option is only appropriate in cases where the person is capable of summarising the information and refuses to do so
 - limiting face-to-face interviews to a maximum of 45 minutes
 - limiting the frequency of telephone calls, written correspondence or face-to-face interviews. Depending on the nature of the service(s) provided we may limit:
 - telephone calls to one every two weeks
 - written communications to one every two weeks
 - face-to-face interviews to one every six months.

For irrelevant, overly lengthy, disorganised or frequent written correspondence we may also:

- require the person to clearly identify how the information or supporting materials they have sent to us relate to the central issues that we have identified in their complaint

- restrict the frequency with which persons can send emails or other written communications to our office
- restrict a person to sending emails to a particular email account (such as the organisation's main account or other nominated account) or block their email access altogether and require that any further correspondence be sent by mail only.

4.4.4.1 **Writing only restrictions**

When a person is restricted to 'writing only' they may be restricted to written communications through:

- mail only,
- email only to a specific employees email or our general office email account,
- fax only to a specific fax number, and/or
- another relevant form of written contact where applicable.

If a person's contact is restricted to 'writing only', the Group Manager will clearly identify the specific means that the person can use to contact our office (such as mail only). If it is not suitable for a person to enter our premises to hand deliver their written communication, this must be communicated to them as well.

Any communications that are received by Council in a manner that contravenes a 'writing only' restriction will either be returned to the person or read and filed without acknowledgement.

4.4.5 **Where – limiting face-to-face interviews to secure areas**

If a person is violent or overtly aggressive, unreasonably disruptive, threatening or demanding, or makes frequent unannounced visits to our premises, we may consider restricting our face-to-face contact with them. These restrictions may include:

- restricting access to particular secured premises or areas of the office, such as a reception area, or secured room or facility
- restricting their ability to attend our premises to specified times of the day or days of the week only – for example, when additional security is available, or times or days that are less busy
- allowing them to attend our office on an appointment-only basis and only with specified employees. During these meetings employees should always seek the support and assistance of a colleague for added safety and security
- banning the person from attending our premises altogether and allowing some other form of contact such as 'writing only' or 'telephone only' contact – this may result in the application of Council's Serving a Trespass Notice Procedure.

4.4.6 **Contact through a representative only**

In cases where we cannot completely restrict our contact with a person and their conduct is particularly difficult to manage, we may also restrict them to contact through an external representative or support person only. The representative may be nominated by the person but must be approved as part of the application of the UC policy. When assessing a representative's suitability, the Manager should consider factors such as the nominated representative's competency and literacy skills, demeanour and behaviour, and relationship with the person. If the Manager determines that the representative may exacerbate the situation with the person, the person will be asked to nominate another person or we may assist them in this regard.

4.4.7 **Completely terminating a person's access to our services**

In exceptionally rare cases, and as a last resort when all other strategies have been considered or attempted (this requirement may be overridden where the person's behaviour is unlawful), the Group Manager may decide that it is necessary for Council to completely restrict (that is, terminate) a person's contact or access to our services.

A decision to have no further contact with a person will only be made if it appears that the person is unlikely to modify their conduct and/or their conduct poses a significant risk for our employees or other parties because it involves one or more of the following types of conduct:

- acts of aggression, verbal or physical abuse, threats of harm, harassment, intimidation, stalking, assault
- damage to property while on our premises
- threats with a weapon or other items that could be used to harm another person or themselves
- physically preventing an employee from moving around freely either within their office or during an off-site visit (for example trapping the employee in the person's home)
- conduct that is otherwise unlawful.

We acknowledge that if the person is a ratepayer, our relationship with them will continue for the provision of infrastructure and services as provided to all ratepayers.

4.5 OTHER RESOLUTION STRATEGIES

4.5.1 Using alternative dispute-resolution (ADR) strategies to manage conflicts with persons

If at any stage of the investigation or application of the UC policy it becomes apparent that we cannot terminate our services to a person in a particular case or that we bear some responsibility for causing or exacerbating their conduct, the Council may consider using alternative dispute-resolution strategies such as mediation and conciliation to resolve the conflict with the person and attempt to rebuild our relationship with them. If alternative dispute resolution is considered an appropriate option in a particular case, the mediation will be conducted by an independent third party to ensure transparency and impartiality.

However, we recognise that in UC situations, alternative dispute resolution may not be an appropriate or effective strategy, particularly if the person is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

4.5.2 Other strategies

Guidance for customer strategies are provided in *the Managing Unreasonable Complainant Conduct Practice Manual (New Zealand Ombudsman October 2012)*.

4.5.3 Other legal instruments

A person's access to our services and our premises may also be restricted (directly or indirectly) using legal mechanisms such as trespass laws and legislation or legal orders, to protect employees from personal violence, intimidation or stalking by the person.

4.6 PROCEDURAL FAIRNESS

4.6.1 Pre-UC policy warning letter and monitoring

Before application of the UC policy is considered, we must thoroughly review, by consulting with relevant employees and considering the person's prior conduct and history.

We must also give the person the opportunity to change their behaviour when dealing with Council by clearly communicating the specific behaviour that is of concern, and what we consider acceptable behaviour. This requirement may be overridden in extreme cases e.g. where an individual's behaviour is unlawful.

We must then give the person time to demonstrate a behaviour change before considering whether to apply the UC policy.

A warning letter will include: incident details, reason for concern, impact of behaviour on council employees and resources, example of reasonable behaviour, and potential consequences for continuing the behaviour.

4.6.2 Application of the UC policy

We must ensure that at all times during the process to apply the UC policy we are mindful of our duty to treat the person fairly.

This will include:

- impartiality and open-mindedness
- transparency
- the person's involvement in the UC process
- evidence considered is relevant and timely
- restrictions considered are proportionate to the unreasonable behaviour
- sensitivity of the UC policy application and outcome
- and demonstrated through the consistency and fairness of the procedure as set out in Appendix A: Unreasonable Conduct Procedures.

4.6.3 Notification of UC decision to the person and employees

The person must be formally notified, in writing, of the UC decision indicating what restrictions have been put in place, why, and how this will impact on them.

Relevant employees should also be notified about changes to access.

4.6.4 Right of appeal

An individual may request a review of a complaint via the Complaints, Compliments, and Suggestions Policy process. If an individual has completed the Council's complaint's process and remains dissatisfied, the individual may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) and review the decision to ensure that we have acted fairly, reasonably and consistently and have observed the principles of good administrative practice, including procedural fairness.

4.6.5 Periodic reviews

Depending on the nature of the access restrictions, all applications of this policy will be reviewed every six to twelve months after the service change or restriction was introduced or continued (refer to date the decision was made).

The Case Manager will invite the person to participate in the review process in writing only, unless they determine that this invitation will provoke further UC.

The nominated Group Manager, or their appropriate delegated party, is responsible for conducting the periodic reviews.

The review must include: notification to the person of the upcoming review (and its subsequent outcome), a full review of all case notes, a record of the result of the review, and notification to relevant employees of the result of the review.

4.6.6 Ombudsman may request copies of our records

Kāpiti Coast District Council will keep records of all cases where this policy is applied, including a record of the total number of cases where it is used every year. This data will be made available as required pursuant to the Local Government Official Information and Meetings Act 1987 and the Ombudsmen Act 1975.

4.7 BUILDING INTERNAL RESILIENCE AND CAPACITY

4.7.1 Identifying, assessing and managing UC-related risks

As an organisation, we expect that our employees can work in a safe environment. As a result, all employees are responsible to notify their Manager or Group Manager of UC incidents.

Where potential, actual or perceived hazards or risks are identified, the Manager and Group Manager has an obligation to review and consequently mitigate or remove them from our employees' environment.

On an ongoing basis, we need to identify, assess, review and control potential or actual UC-related hazards or risks. This dovetails in with the Council Health and Safety Policy Statement and Healthy and Safety Policy to provide a robust risk management approach.

4.7.2 Employees reactions to stressful situations

Dealing with persons who are demanding, abusive, aggressive or violent can be extremely stressful and at times distressing or even frightening for employees. It is normal to get upset or experience stress when dealing with difficult situations.

As an organisation, we have a responsibility to support employees who experience stress as a result of situations arising at work and we will do our best to provide employees with debriefing and counselling opportunities when needed. However, to do this we also need the help of all Council employees to identify stressful incidents and situations. As a result, all employees have a responsibility to notify relevant Team Leaders, Managers, or Group Managers of UC incidents and any stressful incidents that they believe require the involvement of management.

4.7.2.1 Debriefing

Debriefing means talking things through following a difficult or stressful incident. It is an important way of dealing with stress. Many employees naturally do this with colleagues after a difficult interaction, but debriefing can also be done with a Team Leader or Manager, or as a team following a significant incident. We encourage all employees to engage in an appropriate level of debriefing when necessary. Employees may also access an external professional service as needed. All employees can access the Employee Assistance Program (EAP) – a free, confidential counselling service. Details are available on HubKap, from Human Resources, or from your Manager.

If employees feel there is a threat to their personal safety, or that there may be a risk to them in their home or outside of the workplace, this should be discussed immediately with their Manager, to take appropriate security measures.

4.7.2.1 Training and awareness

Council is committed to ensuring that all employees are aware of and know how to use this Policy. All employees who deal with persons in the course of their work will also

receive appropriate training and information on using this Policy and on managing UC, on induction and on a regular basis.

9.3 RECORD KEEPING

Managing UC will only be effective if we keep accurate and up-to-date records of our interactions with persons, in both Magiq and Ed. Good record keeping, as per the UC and Complaints, Compliments, and Suggestions Procedures, will ensure that all incidents of UC (and UC trends) are promptly identified and dealt with.

5 RELATED DOCUMENTS

- Complaints, Compliments, and Suggestions Policy and Complaints Policy Procedure
- HR-13-020 Health and Safety Policy
- Health and Safety Policy Statement
- HR-13-017 Employees Wellness Policy
- Care Register Policy
- Serving a Trespass Notice Procedure
- The Practice Manual – the Managing Unreasonable Person Conduct Practice Manual (New Zealand Ombudsman October 2012)
- Public Records Act 2005
- Local Government Official Information and Meetings Act 1987
- Ombudsmen Act 1975
- Harassment Act 1997
- Harmful Digital Communications Act 2015

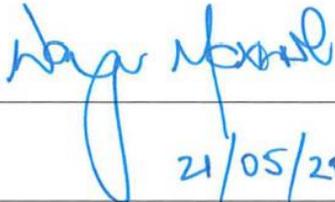
6 REVIEW PROCESS

- 6.1 Changes to this Policy may be made on recommendation of a Group Manager and approval by the Senior Leadership Team (“SLT”).
- 6.2 Every three years the policy will be formally reviewed and presented to SLT for sign-off.

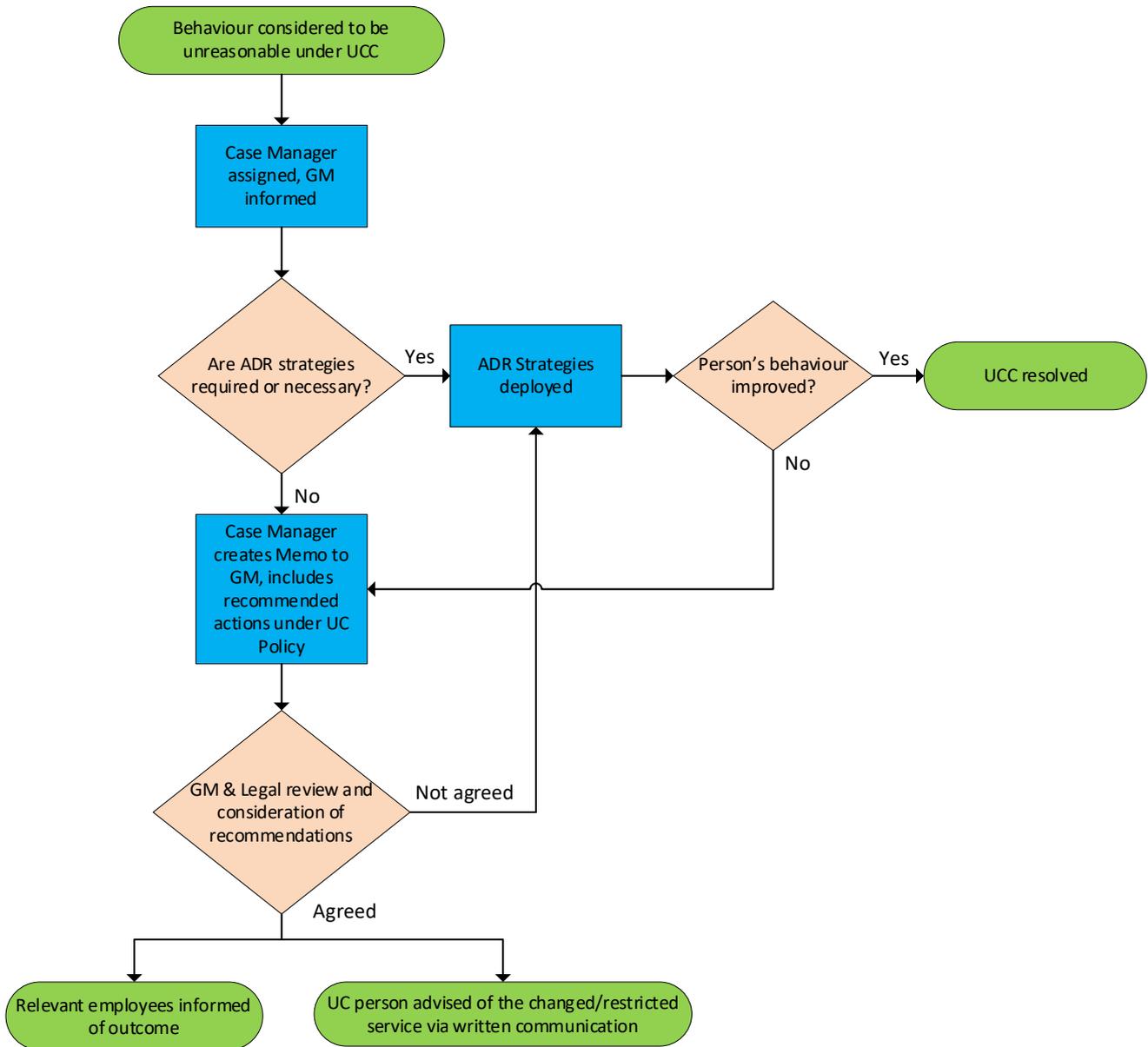
7 POLICY HISTORY

Version	Date	Policy Owner	Description of Change	Amended By	Approved By
1	22 February 2021	Janice McDougall, Group Manager People and Partnerships	New policy	Aston Mitchell, Policy Advisor	SLT/CE

8 SLT APPROVAL

Chief Executive Name:	Wayne Maxwell
Chief Executive Signature:	
Date:	21/05/2021

APPENDIX A: UNREASONABLE CONDUCT PROCEDURE



APPENDIX B: UNREASONABLE CONDUCT MEMO TO GROUP MANAGER

FOR DECISION

To: [Group Manager Name, Title]
From: [Case Manager Name, Title]
Date: DD MMMMMM YYYY
SUBJECT: UNREASONABLE CONDUCT – [PERSON]

PURPOSE OF REPORT

1. The purpose of this report is to advise on the unreasonable conduct exhibited by [PERSON] and seek approval to implement management measures for their unreasonable behaviour.

BACKGROUND

2. [Provide an overview of the unreasonable behaviour. Include information on when, where, how, etc. See Unreasonable Conduct Policy – section 4.2 DEFINING UNREASONABLE CONDUCT].
3. The unreasonable behaviours and management measures proposed below have been reviewed and agreed with the Governance and Legal Services Manager and/or Legal Counsel.

MANAGEMENT MEASURES PROPOSED

4. [Advise which specific measures are being proposed, and the reason for that particular measure. See Unreasonable Conduct Policy – section 4.4 RESPONDING TO AND MANAGING UNREASONABLE CONDUCT].

RECOMMENDATIONS

5. That the Group Manager:
 - a) **Notes** the information provided on the unreasonable person.
 - b) **Advise** of any changes required to the management measures proposed, if any.
 - c) **Approve** the management measures proposed.

Prepared by:

.....
[NAME OF CASE MANAGER]
[TITLE], [GROUP]

ATTACHMENTS:

- [EVIDENCE OF UNREASONABLE CONDUCT APPLICATION BEING REQUIRED]