

UNACCEPTABLE BEHAVIOURS POLICY

Introduction

1 The NAO welcomes correspondence from the public that helps us carry out our statutory audit functions, for example information indicating possible misuse of public money or improper conduct in provision of public services. We receive high volumes of correspondence each year and have a clear process for handling and responding to it. Unfortunately, in a very few rare cases, organisations including the NAO can be impacted by unacceptable correspondent behaviour.

2 This policy sets out the NAO's approach to instances where contact by an external person, irrespective of the form in which the contact is made, involves actions or behaviours that we consider to be unacceptable. We will implement this policy as a last resort when the behaviours of someone are aggressive, abusive, unreasonably demanding or persistent, causing inappropriate or excessive pressure on NAO staff.

Purpose

3 Everyone has the right to be heard, understood and respected. NAO staff have the same rights. This policy:

- clarifies what the NAO regards as unacceptable behaviours towards our staff;
- helps us deal fairly, consistently and appropriately with people who contact the NAO, including those whose behaviours or actions we regard as unacceptable;
- confirms our right to limit or terminate access to the NAO if we conclude that a person's behaviour is unacceptable;
- ensures unacceptable behaviours do not harm or impact adversely NAO staff and other people who contact us.

What we regard as unacceptable behaviour

4 We recognise that people may be facing difficult or distressing circumstances when contacting the NAO and this may cause them to act out of character. We do not regard a person's actions or behaviour as unacceptable just because they are determined or passionate about the issues they are raising. However, the behaviours of people who are aggressive, abusive, unreasonably demanding or persistent may cause inappropriate or excessive demands and pressure on NAO staff, and as a last resort this unacceptable behaviours policy will be applied. We describe different aspects of unacceptable behaviour below.

Aggression or abuse

5 Aggression or abuse is not restricted to acts of violence that may result in physical harm. It includes behaviour or language (oral or written) that may cause NAO staff to feel afraid, threatened or offended. Such behaviours include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider inflammatory statements and unsubstantiated allegations to be abusive behaviour.

6 We expect people to treat NAO staff courteously and with respect. Aggressive or abusive behaviour towards our colleagues is unacceptable. We understand that anger felt by people who contact us can be about the issue they are raising. However, it is not acceptable when this anger escalates into aggression or abuse directed towards our staff.

Unreasonable demands

7 People may make what we consider unreasonable demands through the nature and scale of their request or the number of times they contact us. Demands we consider to be unreasonable will always depend on the specific circumstances and nature of the contact and issues raised. Examples of where we may conclude that a person's actions are unacceptable include:

- demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular employee without appropriate justification
- continual or excessively lengthy telephone calls, emails or letters
- repeatedly changing the substance of the issue
- repeatedly seeking responses or action from the NAO on areas which are outside our remit, even after we have explained this

8 Our judgement will also be informed by the impact of the person's actions on our work, for example, a person taking up a disproportionate amount of our time and resources that impacts adversely on our ability to assist other correspondents or the performance of our statutory audit functions.

9 When considering requests for information under the Freedom of Information Act 2000 our actions will be consistent with our obligations under the Act and informed by relevant guidance produced by the Information Commissioner's Office.

Unreasonable persistence

10 Sometimes people don't accept that we will not or cannot help them further. For example:

- persistently refusing to accept a decision we have made about an issue or complaint about a public body they have brought to our attention
- persistently refusing to accept our explanation about what we can or cannot do
- continuing to pursue an issue without presenting any new information or arguments.

11 The way in which people contact us may be entirely reasonable, but their persistent behaviour in continuing to do so may not be. We consider a person's behaviour to be unacceptable when they display one or more of the characteristics identified above and are judged to be taking up a disproportionate amount of our time and resources.

Managing unacceptable behaviours

12 There are very few people whose behaviours we consider unacceptable. How we manage these behaviours when they do occur depends on their nature and extent.

13 If we consider a person's behaviour or actions to be unacceptable, we may choose to implement various measures, such as:

- only take telephone calls from them at set times on set days or put an arrangement in place for only one employee to deal with calls or correspondence from them in the future
- require them to make an appointment to see a named employee before visiting our office
- require that they only write to us, not visit our offices or call us
- return documents to them or advise them that we will not consider and may destroy further irrelevant documents

- ask them to limit or focus their contact to relevant issues
- take other action, including restricting or ending future correspondence entirely.

14 The threat or use of physical violence, verbal abuse or harassment towards NAO staff will result in us ending all direct contact with the person. We may report such incidents to the police if appropriate. This will always be the case if a person uses physical violence or threatens any of our colleagues. If a person uses offensive language, we will ask them to stop. There may be occasions where we require future contact to be through a third party.

15 NAO staff are entitled to end telephone calls if they consider a caller is aggressive, abusive or offensive, or if the nature of the call falls outside of the NAO's remit. The staff member taking the call has the right to make this decision, advise the caller that the behaviour is unacceptable or outside of the NAO's remit, and end the call if they judge it appropriate to do so.

Deciding to restrict or end contact

16 NAO staff who directly experience aggressive or abusive behaviour from a person who has contacted us have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

17 In the case of permanent decisions to limit or end contact with a person, NAO's Director of External Communications will carefully consider each case, consulting other NAO colleagues as judged appropriate. Wherever possible, we will give the person an opportunity to modify their behaviour or actions before we decide to restrict future contact.

18 Where we have decided to restrict or end contact with a person we will typically:

- notify them of this policy and why we have decided to restrict or end future contact; and
- where appropriate, provide details of the restricted contact arrangements.

19 In exceptional circumstances, for example where someone has been violent or aggressive towards our staff or where we have had to involve law enforcement, we reserve the right to end all contact without notice.

Appealing a decision to restrict or end contact

20 People can appeal a decision to restrict or end contact. Appeals must be submitted to us within 20 calendar days of the date we notify a person of our decision. Please use this [form](#) to lodge your appeal.

21 Your appeal will be considered by a senior person not involved in the original decision and we will inform you of the outcome if our position changes. The outcome of the appeal process is final and will be considered the last correspondence on the matter.

22 If you are unable to use the appeal form and require an alternative way of appealing for accessibility reasons, please contact us using one of the options outlined [here](#) so we can make alternative arrangements.

Recording and reviewing a decision to restrict or end contact

23 We will note incidents of unacceptable behaviour and any subsequent decision to restrict or end contact with a person on our systems.

24 Where we consider it appropriate, we may reconsider our decision to restrict or end our contact with a person. NAO's Director of External Communications will review such cases and update our records as appropriate with any changes.