



Office for
Nuclear Regulation

ONR Unreasonable Behaviour Policy

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1. Policy Statement

This policy explains the action that we will take in response to those we consider to display unreasonable behaviour towards our staff. For matters relating to Freedom of Information (FOI) requests, reference should also be made to [the FOI section of our website](#). For dutyholder matters, reference should also be made as appropriate to our [Enforcement Policy Statement](#).

We are proud that all our staff are dedicated and accountable for providing a professional and fair service to the public and stakeholders we serve. Our attitudes and behaviours are underpinned by our organisational values: accountable, open-minded, fair and supportive. Everyone we work with is entitled to be treated respectfully, courteously and in a polite manner.

We expect the individuals, groups and organisations that we serve to treat our staff in the same professional manner, with dignity, courtesy and mutual respect. We are pleased that the majority of those we engage with always act reasonably towards us.

On the rare occasion that threatening, abusive or offensive behaviour is experienced by our staff, we will not tolerate it. No member of staff will be expected to, nor feel obliged to, engage in person, by phone, or in written correspondence with anyone who is behaving unreasonably. We have a zero-tolerance approach to unreasonable behaviour.

Similarly, our staff should not be expected to deal with an individual/group who, because of their frequency of contact, places an excessive strain on time, resources, and/or causes undue stress for staff.

We are a public body, accountable to Parliament, and we need to be proportionate in our use of resources to provide value and fairness across the range of stakeholders and public that we engage with. We do not normally limit the form or amount of contact any individual/group has with us. But where we consider behaviour to be unreasonable, we may place restrictions on how and/or whether an individual/group may contact us.

We will aim to resolve any behaviour considered to be unreasonable through dialogue in the first instance. If that is not possible, this policy sets out the action we will take to balance the interests of an individual/group with our duty to protect the health, safety and wellbeing of our staff to ensure they have an appropriate working environment.

2. Policy Scope

We consider unreasonable behaviour to be:

- Behaviour or language that may cause staff to feel afraid, intimidated, threatened or abused. For example, the use of language that could be described as foul, offensive, inappropriate, of a racial nature discriminatory, threats or physical violence, derogatory remarks, rudeness, harassment, inflammatory statements or unsubstantiated allegations.

- Communication that we consider unreasonably demanding, or persistent in its frequency, type and nature, and places a strain on time and resources. For example, pursuing complaints in inappropriate ways, or raising issues which appear to have no substance, are outside of our remit, or have already been explored and the outcome determined.

Our resources, including staff time, must be used responsibly and directed to where they can provide most value to the public. This means, for example, that we may need to use our discretion in how we respond to correspondence, such as requests for information and to what extent. We cannot always respond in the manner and provide the answers that someone would like.

We expect our staff to be treated with courtesy and respect in all circumstances. We recognise that individuals/groups can at times feel angry, frustrated, under pressure, distressed, or determined to pursue their concerns, but this cannot be to the detriment of our staff wellbeing.

The definition of unreasonable behaviour depends largely on the circumstances of each case. Factors we will take into account include: the frequency of contact, the content of the contact, the actions taken by us to resolve the issue, and the level of disruption caused. Correspondence from and/or engagement with individuals/groups who we have dealt with previously will be treated on their own merit.

Examples of unreasonable behaviour include (not exhaustive):

- Making excessive demands on the time and resources of staff whilst an issue/complaint is being reviewed. This could include: excessive telephone contact; sending emails to numerous members of staff, or numerous emails to one staff member; writing frequent, lengthy, complex letters and demanding immediate and comprehensive responses;
- Making unfounded allegations about our conduct/integrity without evidence and/or purposefully misrepresenting our position in the public domain;
- Submitting repeated issues/complaints with additions and/or variations to the original complaint, after exhausting the complaints process, and insisting to go through the full complaints process again;
- Refusing to accept an outcome of a complaint once concluded. This could include: repeatedly arguing particular points, complaining about the decision, and not accepting the further escalation routes;
- Insisting that the complaint should be dealt with in ways which are incompatible with standard procedure and/or good practice;
- Refusing to accept documented evidence as factual; and
- Sending repeated requests to us that are not within our remit to answer.

3. Action and next steps

To address unreasonable behaviour, we will normally adhere to the following overriding principles in the action we will take:

- We will call out and name the behaviour being observed/displayed
- We will explain the impact of the behaviour
- We will ask that the behaviour stops
- If it does not, we will restrict or terminate all future contact
- In extreme circumstances, where behaviour is particularly threatening or discriminatory, we will consider whether reporting to the appropriate authorities (e.g. the police) is necessary

Any action we take will be reasonable and proportionate, and will balance the interests of the individual/group with our duty to protect the wellbeing of our staff.

In response to specific forms of communications/engagement:

- **Telephone calls** - If unreasonable behaviour occurs during a phone call, we will advise the caller(s) that their behaviour is unacceptable and explain why. We will ask and give the opportunity for the caller(s) to stop the behaviour. If the unreasonable behaviour continues, we will inform the caller(s) that we will end the call and will document internally the reason for the termination.
 - **Written correspondence** - If unreasonable behaviour is displayed in written correspondence, we will respond in full in writing. We will also advise the correspondent(s) that their behaviour is unacceptable and explain why, and ask that it is not repeated in future correspondence. We will document internally the unreasonable behaviour and action taken.
- In person** - If unreasonable behaviour is experienced in person, we will advise the individual/group that their behaviour is unacceptable and why, and ask them to stop. If the unreasonable behaviour continues, we will remove ourselves from the dialogue/meeting. We will document internally the unreasonable behaviour and action taken.

Following an instance of unreasonable behaviour, our Head of Policy, or delegated authority, may decide that it is necessary to contact the individual/group concerned with a copy of this policy, and an explanation as to why their behaviour is causing concern and requesting them to stop it, noting:

- details of when the behaviour occurred;
- the reasons why the behaviour is considered to be unreasonable;
- an explanation of the effect this behaviour is having on our staff; and
- what could happen should the behaviour continue.

Where the behaviour is particularly serious or the unreasonable behaviour continues despite being asked to stop, an ONR director may decide that it is necessary to restrict or terminate access to ONR. This will be documented internally.

We may restrict or terminate access and take action such as, but not limited to:

- restricting contact to: one method (e.g. letters only), named member(s) of staff, and/or particular times of day;
- accepting contact through a third party only, designated by us;
- only acknowledging further correspondence where new and pertinent information is presented, which has not been previously considered;
- restricting the issues we will correspond on;
- requesting the individual to enter into an agreement about their future conduct; and/or
- terminating all further contact with us.

Where the behaviour is particularly serious, we may judge, at our discretion, that contact is ceased without notice. In that event, our Chief Executive will write directly to the individual/group.

4. Review of action and right to appeal

In the event of a decision to restrict or terminate access, where necessary, our Head of Policy will aim to carry out a review after approximately three months, and will make a recommendation as to whether the restriction should be extended, amended or removed. If it is extended, where appropriate, a further review date, usually after a further three months, will be diarised. Beyond that, reviews will be considered on a case by case basis.

If access is restored and an individual/group then continues to behave in a way which is deemed unreasonable, we may decide to re-impose the restrictions or terminate access completely.

Where an individual/group has changed their behaviour to the extent that we do not believe that the policy should still apply, we will amend or remove any restrictions.

Once this review has been completed, we will write to the individual/group and advise them of our decision and the reasons for it.

Individuals/groups can appeal a decision to restrict or terminate access under this policy via our [Complaints procedure](#).

If they are not satisfied with how we have handled the complaint, they can contact their [Member of Parliament \(MP\)](#) or ask for the complaint to be referred to the [Parliamentary and Health Service Ombudsman](#) (PHSO).

