



Vexatious complaints and acceptable behaviour policy

This policy outlines how the Kent Police and Crime Commissioner (*the Commissioner*) and his staff will engage with members of the public – often those who are making complaints – in the instances where their behaviour may be challenging, or on occasion inappropriate.

Key points

- Every member of staff who works for the Commissioner will always treat every member of the public with courtesy, understanding and respect. They will try their utmost to resolve all issues that are raised in a timely, helpful manner.
- This policy does not abrogate any of the rights individuals have when making a complaint under the relevant legislation.
- We are aware that members of the public, especially those who are making a complaint about the Police, may become stressed, or raise their voices, or use bad language; each member of staff knows that managing such interactions is an intrinsic part of the job. However, it remains that staff who work for the Commissioner have the right to work free from abuse, spurious or malicious allegations, and unwarranted stress, and the right to deal appropriately with members of the public who do not respect that.

Vexatious and repeated complaints

1. Complaints against staff are handled in accordance with the Commissioner's own policy.
2. Complaints against the Chief Constable, the Commissioner, officers and staff of Kent Police are dealt with in accordance with the legislation and the Commissioner's policies.
3. Whilst all complaints will be managed as above, there may be occasions when officers feel it is appropriate to put certain restrictions on contact, or to disengage with a complainant.
4. This may be in cases where (this list is not exhaustive):

- The same complaint is made repeatedly, especially in cases where a disapplication¹ has been carried out;
 - The complaint relates to matters outside of the Kent Police and Crime Commissioner's jurisdiction;
 - The complaint has been fully investigated, and all avenues and appeals exhausted, but the complainant will not accept the outcome;
 - The complaint is offensive, or simply contains the individual's views about another person with no evidence to support them.
 - The level of contact or amount of information being sent to the Commissioner's office is such that it places an unreasonable burden on staff and affects their ability to carry out their duties.
5. Where a member of staff feels that a case meets any of these (or similar) criteria, they will raise it with the Commissioner's Chief Executive/Monitoring Officer, who will make a decision based on the evidence. This will be shared with the Commissioner.
 6. In these cases, the Chief Executive or the Deputy Monitoring Officer will write² to the individual and place parameters around their contact, or request that they desist entirely.
 7. Any decisions about restrictions on contact will be shared with staff in the Office, who will be empowered to handle that individual as set out (eg. in relation to frequency or type of contact).
 8. If the individual persists in contacting the Office when they have been told that there is no further action possible, then the Chief Executive or their Deputy will inform them in writing that they will no longer receive a response from the Office of the Police and Crime Commissioner (OPCC). All correspondence will be read to ensure that it does not include any new, viable allegations, but will be placed on file.
 9. The OPCC will continue to read any and all future correspondence and action any new or valid complaints in accordance with its own policies and the relevant legislation.

Acceptable behaviour

10. This section of the policy outlines what action the OPCC will take if they feel that an individual is behaving unreasonably or in a threatening manner. Whilst efforts will be made to engage with the member of the public, staff in the Commissioner's office are entitled to rely on this policy to guide their response.
11. All members of staff can access lone worker training in order that they can be assisted to deal with and defuse potentially difficult situations.

¹ Please see section 4 of the IOPC's Statutory Guidance

² There may be a legitimate reason an individual is unable to communicate with the OPCC in writing. If this is the case alternative methods of communication can be used. For disability related issues please see section 20 of the Equalities Act 2010 – Duty to make adjustments.

12. Any member of staff acting in accordance with this policy will not be considered as 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 actions as set out above in response to unacceptable behaviour the line manager will indicate their support for the action taken and, if they feel it necessary offer personal support and refer that person to welfare support.

13. In person

The Commissioner will not tolerate any abusive or threatening behaviour from members of the public towards their staff. If the individual is in, or at the door of, the Commissioner's office they will be told to leave, and will not be permitted to return unless as defined by the Chief Executive.

If it is in public, the member of staff will warn the individual about their behaviour and then will either themselves leave or request the individual to do so. If necessary, and if a Police Officer is present, then this behaviour will be brought to the officer's attention.

14. On the phone

If someone becomes abusive or threatening whilst on the phone, the member of staff will warn them that their behaviour is unacceptable and that if they continue, the call will be discontinued. If the caller does not desist, the member of staff can then terminate the call. If/when that person next contacts the office, they will be informed that all correspondence, for a set period as defined by the Chief Executive, will be in writing, subject to issues under the Equalities Act highlighted above.

15. Written communication

If any written communication is threatening or abusive towards any member of staff, then the author will be given a written warning that this is unacceptable, and told to desist. On occasion, the correspondence may be referred to Kent Police to see if any action needs to be taken. If they continue, their correspondence will be read, but no action will be taken, subject to any requirements under legislation.

16. Electronic communication

Any abusive posts, tweets, or other communication via social media or networks will be deleted after being recorded. Again, these may be referred to Kent Police for action. Further abuse of this nature will lead to the person being blocked.

17. As above, the Commissioner's office reserves the right to contact the Police and share any communication with them that they feel demonstrates that the author presents a threat to themselves or to

others, or threatens a breach of the peace or that any other criminal offence may have been or will be committed.

18. The Commissioner's Office will ensure that records are kept of all decisions about, and contact with, the complainant in cases where there is dispute.

This policy is subject to review by the Kent Police and Crime Commissioner; it was last updated in January 2018

Date	Name	Signed
September 2016	LS	
October 2017	SS	
January 2018	LS/SS	