

## PFCC Decision Report

**Report reference number:** 001-23

**Classification:** Not protectively marked

**Title of report:** Policy for Dealing with Persistent, Abusive or Unreasonable Contact, Correspondence and Complaints

**Area of county / stakeholders affected:** Countywide

**Report by:** Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

**Chief Officer:** Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

**Date of report:** 3 January 2023

**Enquiries to:** Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

### 1. Executive Summary

This policy sets out the processes and procedures adopted by the PFCC's office in responding to what is considered to be abusive, persistent or unreasonable contact, correspondence and complaints. It is applicable to all types of contact with the PFCC's office including telephone calls and emails to, and wider contact with, the office.

### 2. Recommendations

That the PFCC formally approves and adopts the updated Policy for Dealing with Persistent, Abusive or Unreasonable Contact, Correspondence and Complaints attached as Appendix 1 to this report.

### 3. Background to the Proposal

The PFCC's Policy for Dealing with Persistent, Abusive or Unreasonable Contact, Correspondence and Complaints has been subject to its scheduled bi-annual review.

#### **4. Proposal and Associated Benefits**

Updates made to the policy during this review:

- Provide clarity as to which members of staff can decide that an individual's contact with the PFCC's office is to be managed in accordance with the policy;
- Clarify the matters Strategic Heads should consider when assessing whether an individual's behaviour is abusive, persistent or unreasonable, and
- Allow for "warnings" to be issued to individuals whose behaviour appears likely to become abusive, persistent or unreasonable, and give them the opportunity to rectify this, before their contact with the PFCC's office is subjected to more restrictive management in accordance with the policy.

#### **5. Options Analysis**

The PFCC could chose not to adopt the updated policy, and instead to continue working to the current Policy for Dealing with Persistent, Abusive or Unreasonable Contact, Correspondence and Complaints, however this is not recommended as it would fail to achieve the benefits listed in section 4 above.

#### **6. Consultation and Engagement**

The review of the policy was carried out by the Head of Performance and Scrutiny (Policing and Crime) and consulted on via the Management Team before being referred to the Senior Management Team for consideration prior to approval.

#### **7. Strategic Links**

This policy contributes to the achievement of the PFCC's strategic priority to support officers and staff by ensuring that they do not have to endure or tolerate violent, threatening or abusive behaviour, and that the safety and wellbeing of staff are protected.

#### **8. Police operational implications**

There are no operational implications of this decision for Essex Police.

#### **9. Financial implications**

There are no financial implications arising from this decision. The updated policy is to be implemented within existing resources.

#### **10. Legal implications**

The policy is supported by national guidance including Independent Office of Police Conduct (IOPC) guidance on Managing Unacceptable or Unreasonable Complaint Behaviour. Where material, comments or actions are grossly offensive or threatening and may be construed as an offence under the Public Order Act 1986, the Protection from Harassment Act 1997 or the Malicious Communications Act 1998, the PFCC may involve the police or institute legal proceedings. In such cases, the PFCC's office may

not give the individual prior warning of that action and reserves the right to share any relevant communication with the police and / or to suspend all contact with the complainant / correspondent whilst legal advice is sought.

## **11. Staffing implications**

As set out in section 7 above, this policy is designed to ensure that staff do not have to endure or tolerate violent, threatening or abusive behaviour, and that the safety and wellbeing of staff are protected.

## **12. Equality, Diversity and Inclusion implications**

The policy sets out the PFCC's commitment to dealing with all contact, correspondence and complaints equitably, effectively and in a timely manner. In applying the policy, consideration will be given to the PFCC's obligations under the Equality Act 2010. The policy aims to ensure that the complaints and correspondence systems are accessible to all and, where appropriate, the PFCC's staff will make reasonable adjustments to help ensure accessibility. In particular, it will be considered whether the application of the policy may have an unfavourable impact on an individual, whether any impact is proportionate to a legitimate aim and whether reasonable adjustments can be made to allow the individual to engage with the office in an appropriate way.

## **13. Risks and Mitigations**

No risks have been identified with the recommendation to approve the updated policy attached at Appendix 1. Not approving the updated policy, however, may result in staff being subjected to violent, threatening or abusive behaviour, and their safety and wellbeing at work not being adequately protected.

## **14. Governance Boards**

The review of the policy was considered by the PFCC's Senior Management Team on 30 August 2022. The version attached for formal approval at Appendix 1 reflects the feedback received at that meeting.

## **15. Links to Future Plans**


The policy will next be reviewed in June 2024, or earlier if changes to legislation, regulations or best practice require this.

## **16. Background Papers and Appendices**

Appendix 1 - Policy for Dealing with Persistent, Abusive or Unreasonable Contact, Correspondence and Complaints

**Report Approval**

The report will be signed off by the PFCC's Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O. Sign: 

Print: P. Brent-Isherwood

Date: 3 January 2023

Chief Finance Officer Sign: 

Print: Janet Perry

Date: 25 January 2023

**Publication**

Is the report for publication? YES  NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

None

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

**Redaction**

If the report is for publication, is redaction required:

1. Of Decision Sheet? YES  NO  2. Of Appendix? YES  NO

If 'YES', please provide details of required redaction:

N/A

Date redaction carried out: .....

**Chief Finance Officer / Chief Executive Sign Off – for Redactions only**

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign: .....

Print: .....

**Chief Executive / Chief Finance Officer**

**Decision and Final Sign Off**

I agree the recommendations to this report:



Sign:

Print:

Roger Hirst

**PFCC**

**Date signed: 27 January 2023**

I do not agree the recommendations to this report because:

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Sign:

Print: