
External Contact Policy

Unacceptable behaviour

1. Purpose and background

- 1.1** Ofcom is committed to providing a fair, transparent, impartial and accessible service for all of its stakeholders¹. However, we have to ensure that we provide a safe working environment for our colleagues and that we are able to work efficiently and effectively. All our colleagues can expect to be treated with dignity and respect in accordance with our values, and in a workplace that is free from harassment, bullying and victimization.
- 1.2** On occasions, stakeholders, including members of the public, may make unreasonable demands or demonstrate behaviour that could: risk adversely affecting the service we provide; cause offence to our colleagues; or cause our colleagues to feel threatened. When this happens, we may take action to manage contact with that stakeholder to protect Ofcom's colleagues and to maintain the effectiveness of our service. Further information about how we would expect to do this is below.

2. Unacceptable behaviour

- 2.1** As noted above, where Ofcom colleagues experience unacceptable behaviour from an individual/stakeholder, we may take proportionate action to manage contact with that individual/stakeholder to protect our colleagues and to maintain the effectiveness of our service (see below "Managing contact").
- 2.2** Examples of unacceptable behaviour may include, but are not limited to:
- a) use of abusive, obscene or threatening language, or comments of a personal (including discriminatory) nature;
 - b) submission of vexatious complaints (i.e. complaints which are without basis and which tend to, or appear to have been made with an intention to, cause worry, upset, annoyance or embarrassment);
 - c) engaging in unnecessarily frequent and/or lengthy contact with Ofcom which is largely repetitive in nature and which hinders our colleagues' consideration of that individual/stakeholder's or other stakeholders' cases, or requires a disproportionate level of resource to handle that individual/stakeholder's case; or
 - d) intimidating, threatening and/or violent physical behaviour.

¹ Stakeholders are any individual or group that has an interest or concern in Ofcom's work. This may be a member of the public, individuals representing an organisation (such as a regulated company, a licensee, or a supplier), or organisations as a whole. However, this list is not exhaustive.

3. Managing contact

- 3.1 We recognise that in some cases, what appears to be unreasonable behaviour may be due to an underlying reason e.g. in times of upset, distress, or illness, and we will be mindful of this when deciding whether it is appropriate to manage contact and how to do so.
- 3.2 However, we may refer a matter to the police if we consider a criminal offence may have been threatened or committed. In addition, as outlined in paragraph 4.1, if the behaviour threatens the immediate safety and wellbeing of our colleagues, we may contact the police and forgo standard procedure.
- 3.3 We have separate procedures for managing contact on our social media accounts, as set out in part (5).

Warning before managing contact

- 3.4 In most instances, when we consider an individual/stakeholder's behaviour is unacceptable, we will explain why and ask them to change it. We will also warn them that, if the behaviour continues, we may take action to manage their contact with our colleagues.
- 3.5 We would expect, at this stage, to provide the relevant individual/stakeholder with the opportunity to explain the reasons for their behaviour and to explain any adjustments that they (or Ofcom) may be able to make in order to prevent such behaviour reoccurring.

How we may manage contact

- 3.6 Where an individual/stakeholder's unacceptable behaviour persists, we will decide whether the circumstances justify placing any restrictions on their contact with Ofcom. The decision to manage contact will be made by the manager of the team the individual/stakeholder has contacted, unless the manager has delegated the responsibility.
- 3.7 The type of restrictions that we may consider include, but are not limited to:
- a) arranging for a single, named Ofcom colleague to deal with all future calls or correspondence from that individual/stakeholder;
 - b) limiting future contact from that particular individual/stakeholder to a particular form (for example, emails or letters only) and/or frequency;
 - c) informing the individual/stakeholder that, if their case has been dealt with and no further assistance can be provided, their case has been closed and that any further correspondence on that same issue will be read and filed without further acknowledgement (unless there is something new to consider); and/or
 - d) where an individual is in contact with Ofcom on behalf of a stakeholder organisation, requiring any future contact from that organisation to be from another individual.

- 3.8 The precise nature and action will depend on the nature of the unacceptable behaviour, the circumstances and impact on our colleagues, and individual/stakeholder involved. Any decision to manage contact will not be taken lightly, and Ofcom will only take those steps which it considers are proportionate to the circumstances.

Communicating our decision

- 3.9 Except in certain circumstances, as outlined below, we will always tell the individual/stakeholder (and, where relevant, any stakeholder organisation that an individual represents) clearly in writing why we have decided to manage future contact and the arrangements that we have decided to put in place including, where applicable, how long a restriction will remain in place. Individuals/stakeholders should let us know if they have any special requirements and, in particular, if there are any reasonable adjustments we may be able to make when communicating our decisions.

4. Exceptions to standard procedure

- 4.1 Where behaviour from an individual/stakeholder is so extreme that it threatens the immediate safety and welfare of our colleagues, we may report the matter to the police or consider taking legal action. In such cases, we may manage contact without giving that stakeholder prior warning or, depending on the severity of the behaviour, without issuing a written decision notice.
- 4.2 We note that some individuals, in the course of their contact with us, may:
- a) use more than one email or physical address;
 - b) use more than one phone number; and/or
 - c) adopt different identities.

If we consider we have sufficient evidence to identify a number of different contacts as having come from the same individual, any warnings and/or decisions provided to that individual will apply across all associated accounts and will be noted on our internal system. The individual will be advised of this, except in circumstances as outlined in paragraph 4.3 and 4.4.

- 4.3 If an individual/stakeholder has not provided us with an address for written correspondence, we note that we will be unable to provide a written decision to them regarding the management of their contact. In such circumstances, we will provide such decisions verbally. However, if an individual/stakeholder actively prevents us from providing notice of a verbal decision, we may manage their contact without advising them of our decision. The decision and evidence of any attempts to inform the individual/stakeholder will be noted on our internal system.
- 4.4 Given the nature of Ofcom's work, we frequently receive correspondence that does not require a response. For example, general comments on Ofcom decisions, general emails unrelated to Ofcom's remit, and spam. If we receive such correspondence and determine

that it also demonstrates unacceptable behaviour, we may choose to ignore it without providing a response to the individual/stakeholder. Where appropriate, for example in the case of spam items, this correspondence may also be deleted.

5. Managing contact on social media

- 5.1 Ofcom also engages with the public through social media platforms such as Twitter, Facebook, LinkedIn and Instagram. We request that social media users use language that is appropriate, respectful and polite when engaging with both Ofcom and other users on these platforms.
- 5.2 The examples of unacceptable behaviour outlined in paragraph 2.2 also apply to our social media pages. More specific examples of unacceptable behaviour with regard to social media may include, but are not limited to:
 - a) swearing, abusive, offensive or obscene language;
 - b) potentially libellous or defamatory statements; and/or
 - c) threats towards Ofcom and its colleagues, or other social media users on our pages.
- 5.3 Where possible, we use moderation filters to automatically hide inappropriate or potentially harmful content. Where this is not possible, we may remove or hide any inappropriate content without warning.
- 5.4 In most instances, when we consider a social media user's behaviour is unacceptable, we will contact them by direct message to explain why and ask them to change it. We will also warn them that, if the behaviour continues, we may ban or block them, but only as a last resort. Any users that are banned or blocked will be added to an internal list of similar users alongside evidence of their behaviour.
- 5.5 Where behaviour from a social media user is so extreme that it threatens the immediate safety and welfare of our colleagues, we may report the matter to the police or consider taking legal action, as outlined in paragraph 4.1, and place an immediate ban/block on their profile without warning.

6. Case handling complaint

- 6.1 If an individual/stakeholder believes Ofcom has not acted in accordance with this policy (for example, if they consider any restrictions imposed on their contact with Ofcom are disproportionate), they may be able to make a complaint to the Corporation Secretary about how Ofcom handled their contact.
- 6.2 Such complaints will only be considered by the Corporation Secretary after the team dealing with the application of the policy has set out what they consider to be their final position on the matter.
- 6.3 Where such a 'deadlock' has been reached the Corporation Secretary can investigate whether the communication between Ofcom and the individual/stakeholder in question

has been handled correctly. Where the Corporation Secretary upholds an individual/stakeholder's complaint, any arrangements put in place to manage their contact with Ofcom will be amended or removed as appropriate.

- 6.4 More information about how to contact the Corporation Secretary can be found on our ['Complaints about Ofcom' page](#).

7. Subsequent contact

- 7.1 If an individual/stakeholder's contact with Ofcom has been restricted, any future correspondence they have with Ofcom will need to be made in accordance with those restrictions.
- 7.2 For example, if Ofcom requires an individual/stakeholder to limit future contact to a particular form (for example, emails only) and to a particular frequency (for example, once per week), then any further correspondence should comply with those restrictions.
- 7.3 Similarly, if Ofcom has informed an individual/stakeholder that their case has been closed and that any further correspondence on that same issue will be read and filed without further acknowledgement, then Ofcom will read and file any further correspondence on that matter without further acknowledgment. While we will consider new information raised on the same issue, should it be provided, this does not mean the contact restrictions will be reconsidered. In addition, if the individual/stakeholder approaches Ofcom with an entirely new issue, this will be considered on its merits and restrictions imposed in respect of an earlier complaint or issue we will consider whether the earlier restrictions will still apply.

8. Review and revision

- 8.1 We reserve the right to make amendments to this policy, as necessary.