

Behaviour Policy

The Ombudsman Scheme is independent, impartial, and free. The Ombudsman is committed to dealing with all contacts fairly and to providing a good service. Occasionally the behaviour or actions of individuals using the service make it difficult for the Ombudsman to deal with them. To protect the Ombudsman's ability to continue working it may be necessary to take appropriate and proportionate action. This policy sets out our approach to those situations.

The Ombudsman makes decisions about the eligibility of complaints as well as completing investigations into accepted complaints. Inevitably, some people will disagree with the Ombudsman's decision not to accept a complaint or the outcome of an investigated complaint. Where an investigation has been carried out a complainant will always have had the opportunity to comment on a draft decision. The Ombudsman will consider very carefully any further representations made after the final decision. However, the Ombudsman will not continue to respond to contacts from complainants indefinitely. To do so would not be a good use of resources and may have a detrimental effect on the service provided to other Scheme users.

Very occasionally an individual may behave so unreasonably that it is necessary to restrict access to the Scheme's services in some way. The Ombudsman understands that people often feel very strongly about issues, but abusive, offensive or threatening behaviour is not acceptable. In the rare cases where unacceptable behaviour occurs, the Ombudsman will tell the person why their behaviour is unacceptable and ask them to modify it. If the unacceptable behaviour continues, the Ombudsman may take action to restrict that person's contact with the office and inform them of that restriction and the reason for it.

To ensure any restrictions imposed are appropriate and proportionate the Ombudsman will consult with the designated Waterways Ombudsman Committee Member before taking any of the following actions:

- requesting contact in a particular form (for example letters only);
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct

If the individual continues to behave in a way which is unacceptable, the Ombudsman and Committee Member may decide to terminate contact with that person.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the Ombudsman or staff, other options will be considered, for example reporting the matter to the Police or taking legal action. In such cases prior warning of that action may not be given.