

INVESTIGATION AND CONCILIATION SERVICE UNREASONABLE CONDUCT POLICY

Why we have this policy

Most people act reasonably and responsibly in their interactions with us, even when they are experiencing frustration or distress. However, in a small number of cases, people display inappropriate and unacceptable behaviour.

This document defines what we consider to be unreasonable conduct and describes the actions that we may take to change or restrict a person's access to our services.

We are committed to providing a safe, fair, and respectful service for everyone who engages with us. Providing this service depends upon our ability to work as effectively and efficiently as possible, ensure the safety and wellbeing of our staff and allocate our resources fairly across all the enquiries and complaints that we receive.

What is unreasonable conduct?

Unreasonable conduct includes:

- threatening harm or violence towards staff or third parties
- engaging in rude, aggressive or verbally abusive conduct towards staff, including making derogatory, racist, sexist, ableist, homophobic, biphobic, transphobic, ageist or demeaning remarks or sending threatening correspondence
- excessively calling, writing to and/or emailing the service
- providing the service with excessive amounts of information and documentation and refusing to provide information in a form that is requested by our staff
- acting dishonestly, providing false or misleading information or unreasonably withholding relevant information
- making unwarranted demands to have the matter dealt with in a particular way
- refusing to accept decisions made regarding enquiries or complaints
- persistently trying to make complaints about matters that have already been dealt with by the Commission.

Actions we can take

The law says that the Commission has a duty to make sure that our complaint handling function is performed efficiently and with the greatest possible benefit to the people of Australia. We have the power to do all things that are necessary or convenient when carrying out our functions.

We may consider conduct to be unreasonable and impose contact restrictions if people interact with us in a way that raises health, safety, resource or equity issues for our staff or other service users. We may also contact relevant authorities, including police.

Contact restrictions can include:

- ending a telephone or video call where a person is threatening, aggressive, rude or overly persistent
- not replying to threatening or abusive emails/correspondence
- implementing contact arrangements, such as requiring the person to communicate with our service in writing only or through a nominated third party.

If contact restrictions are imposed on an ongoing basis, the person will be advised in writing of the specific restrictions, the reasons for their implementation, and the duration of the restrictions.