



An Roinn Gnóthaí Eachtracha agus Trádála Department of Foreign Affairs and Trade

Policy on Responding to Unreasonable Customer Communication

What is the purpose of this policy?

Quality customer service is a key priority for all divisions of the Department of Foreign Affairs and Trade (DFAT). This policy should be read in conjunction with the DFAT Customer Service Charter which outlines the high standard of customer service underpinning interactions with customers at home and abroad. The Charter commits DFAT to:

- Being responsive and professional in dealing with customers;
- Treating everyone fairly and impartially;
- Using clear and simple language in all communications;
- Dealing with enquiries efficiently;
- Providing effective assistance based on individual circumstances;
- Respecting the right to privacy and the confidentiality of customer's personal information.

Dealing with a Government Department for the first time can be daunting. Diversity in language fluency, literacy levels and abilities can make it difficult for members of the public to engage with bureaucracy. This can lead to unease and antagonistic behaviour. DFAT believes that all customers should have the reasonable expectation to be heard, understood and respected. Department staff should have the same expectations. The vast majority of DFAT customer interactions are conducted in a calm, reasonable and respectful manner, including during times of stress. However, on occasion a small number of customers may behave in a way which is unreasonable and unacceptable. This Policy on Responding to Unreasonable Customer Communication was developed to set out how such unreasonable communications are dealt with.

What is unreasonable communication?

DFAT requires staff to listen to customers, to treat them fairly and to respond to queries in a professional, respectful and courteous manner. This does not mean that staff are expected to tolerate behaviour by any person which is abusive, threatening, intimidating, offensive or deemed to be bullying. Staff should not tolerate communications which, due to their frequency or nature, take up a disproportionate amount of time or resources. Unreasonable communication may include one or more isolated incidents or may be the accumulation of incidents or contacts over a period of time. The types of communication which are considered to be unreasonable and which may cause the implementation of this policy are set out below.

1. Aggressive or intimidating communication.

Aggressive or intimidating communication can include threats of violence against staff; bullying or harassment of staff; making untrue allegations against staff or any other rude,

offensive or aggressive behaviour. Seeking to provoke or create discord, begin arguments or cause upset via online posts or comments, email or other means of communication including on social media are also considered to be aggressive or intimidating communications.

2. Obstructive communication.

Obstructive communication includes attempts to hinder the core business of DFAT, such as attempting to overload a division with excessive or voluminous correspondence; unreasonable requests to replace members of staff dealing with a query or trolling (see above).

3. Unreasonable persistence.

This can include continuing to correspond on a matter which the department has examined and considers to be closed; changing or reframing a closed query to present it as a new issue; or insisting that another member of staff examine a matter deemed to be closed.

4. Unreasonable level of cooperation.

This can include: a repeated failure to comply with procedures; withholding information which is needed to advance an application or a query; failing to provide adequate responses to questions raised; failing to precisely define the information which is sought or the way in which DFAT can assist; presenting a large volume of documentation in a disorganised way; or presenting documents which appear to have been manipulated or falsified.

5. Unreasonable demands.

This can include: insisting on provision of information on an issue which is outside of the control or responsibility of DFAT; seeking a solution which is not realistic or proportionate to the matter raised; or seeking personal information on members of staff.

6. Unreasonable arguments.

This can include: exaggerating issues; presenting irrelevant or unrelated matters; focussing on disproportionate or irrelevant details; insisting that a version of events is accepted as fact despite an absence of objective evidence; presenting conspiracy theories; engaging in arguments which are not related to the immediate matter under consideration; or corresponding with DFAT in pursuit of a grievance.

What is the response to unreasonable communication?

Communication with a member of the public will not normally be restricted unless this is deemed necessary, proportionate and in the public interest. Where it is considered that the communication is unreasonable, the customer will be notified of this and asked to cease. This may range from politely terminating a conversation to asking a member of the public to leave a DFAT building or facility. A member of staff who experiences unreasonable behaviour should report the matter to their line manager without delay.

If the unreasonable behaviour continues, action may be taken to restrict a customer's contact with the department. The decision to restrict contact with the customer will only be taken after the service provided to the customer concerned has been reviewed. The decision will normally be taken by a Supervisor. Any restrictions put in place will be appropriate and proportionate and the customer will have the option of appealing the restriction to a more senior officer.

The responses to unreasonable communications are:

- Restricting contact to a particular format only;
- Restricting contact to take place with a named officer only;
- Restricting telephone calls to specified days, times and durations;
- Restricting written correspondence to a particular format;
- Limiting the number of queries in any given period;
- Asking the customer to enter into an agreement about their future conduct;
- Restricting email communication.

Where the options above prove unsuccessful or where the unreasonable communication shows no signs of abating it may be deemed necessary to terminate all contact with the customer for a specified period or indefinitely, as is necessary and proportionate in the circumstances. This decision will normally be taken by a Counsellor or Principal Officer.

Customers will receive written notification of the Department's intended response via email or post with an explanation of why it was deemed necessary and of the procedure for appealing the decision to a more senior officer. In the event that the customer's communication or response threatens the immediate safety or welfare of staff, themselves or others it may be considered appropriate to report the matter to An Garda Síochána or the relevant local authorities.

Where a communication is considered to be unacceptable, a written record will be maintained by the appropriate unit. This will include dates and times of relevant contacts, a factual description of events, relevant correspondence and, where available, contemporaneous notes of telephone conversations with the customer.

In the event of an appeal, a review will be undertaken by a more senior staff member with no previous involvement in the case. The appeal can affirm, amend or annul the original decision. The appeal decision will be final.

A decision to limit contact or access altogether will be reviewed 12 months after the decision or as otherwise stipulated in the decision letter. The review of the restriction will be conducted by an officer at the level of Principal Officer or Counsellor. This may not be the officer who made the original decision.

Access to passport and consular services and rights of access.

The implementation of this policy does not prejudice reasonable access to the passport, consular and emergency assistance services provided by the Department of Foreign Affairs and Trade, and its embassies, nor does it restrict the right of any person to raise relevant issues under the DFAT Customer Service Complaints Procedure. Nothing in this policy prevents any person from making requests under the Freedom of Information Act 2014 or the Data Protection Act 2018/EU General Data Protection Regulation, or from raising appropriate issues with the Office of the Ombudsman or the Workplace Relations Commission or under the Disability Act 2005, as appropriate, or under any other appropriate statutory provision.

This policy will be reviewed after a period of 1 year.

October 2020