

Unreasonable Behavior Policy

Policy Statement

The Office of the Information and Privacy Commissioner (OIPC) is committed to providing exemplary service to the public by addressing privacy and access issues in a timely and efficient manner, and promoting respectful communication between the OIPC and members of the public.

The OIPC recognizes that many applicants and complainants are facing difficult circumstances. The ability of OIPC staff to provide timely and fair access to OIPC services depends on reasonable conduct by all parties. In instances where unreasonable behaviour impacts the OIPC's ability to deliver timely and fair service, or the safety and well being of staff, restrictions for an individual applicant or complainant may be put in place.

The OIPC has the discretion to control its own procedures subject to the rules of procedural fairness and natural justice.

Purpose

The purpose of this policy is to ensure that communications with the OIPC are courteous and respectful, and that members of the public work cooperatively to efficiently address the issues brought to the OIPC.

This policy contributes to the OIPC's objectives of ensuring that the public can access OIPC services in a timely and fair manner, and to support the well being and safety of OIPC staff.

Behaviours that may be considered unreasonable include:

- Excessive demands on the time and resources of OIPC staff including:
 - lengthy and/or frequent phone calls,
 - voluminous and/or frequent correspondence,
 - repeated contacts or inquiries on matters that have previously been responded to conclusively, and/or
 - demanding immediate attention;
- Refusal to answer relevant questions or provide information necessary to analyze or respond to the individual's complaint or inquiry;
- Engaging in any form of aggressive, disrespectful or intimidating behaviour including:
 - the use of abusive or offensive language,
 - personal insults, or
 - an unreasonable fixation on an individual staff member;

- Discriminatory language or statements against an identifiable group of people, whether or not staff is the focus of the discriminatory language or statement;
- Patterns of shouting, interruption or incessant speech that prevent staff from participating effectively in the discussion;
- Covertly recording meetings and conversations;
- Loitering, causing a disturbance or acting under the influence of drugs and alcohol while attending OIPC premises.

Application

This policy applies to all forms of communication (including email, faxes, letters, telephone, social media and/or in-person) between the OIPC and members of the public.

When determining whether particular behaviours are unreasonable, the OIPC will consider all relevant circumstances of a particular case. Any restrictions imposed will be made only to the extent necessary to prevent or mitigate the effects of the unreasonable behaviour, while ensuring that the party continues to have fair and reasonable access to the Office's services.

The individual will be told verbally or in writing when the OIPC considers their behaviour to be unreasonable. The specific behaviour will be identified, and the individual will receive written notification of any access restrictions that are imposed.

Restrictions that may be imposed include:

- Limiting the individual's correspondence with OIPC staff to a particular format, time, duration, frequency or volume;
- Requiring any face-to-face interactions between the individual and OIPC staff to take place in the presence of another OIPC staff member;
- Requiring the individual to communicate with the OIPC only through a particular OIPC staff member;
- Limiting or regulating the individual's use of OIPC services;
- Refusing the individual access to OIPC premises except by appointment or specific permission;
- Informing the individual that further contact on the matter will not be acknowledged or replied to;
- Declining or discontinuing the complaint and/or review.