



## An tSeirbhís um Cheapacháin Phoiblí Public Appointments Service

### Unreasonable Conduct Policy

<b>Policy Owner:</b>	Catherine Dobbins, Head of Corporate Services, in conjunction with Compliance & Corporate Governance
<b>Head of Division:</b>	Catherine Dobbins, Head of Corporate Services
<b>Most recent review:</b>	2023 (#3)
<b>Approval:</b>	Approved by Catherine Dobbins, Head of Corporate Services.
<b>Effective date:</b>	1 August 2023
<b>Next review date:</b>	31 July 2025

### ***Role of the Public Appointments Service***

The role of this organisation is to recruit and select personnel for positions in the Public Service.

### ***Organisational Commitments***

Most people who complain to PAS act in a calm and reasonable manner. We understand that making a complaint against a public body can be stressful and that, from time to time, this stress may show in how you interact with this office. Our staff members know that managing these interactions is part of their job and will treat all candidates politely and respectfully.

However, our staff are not expected to tolerate behaviour that is abusive, offensive, threatening or, due to the frequency of contact, invest a disproportionate amount of time and resources on any particular individual, as staff are required to provide a level of service to all customers. This Policy is therefore being put in place to set out the process for escalating such behaviour to the senior management team for review. We have a duty of care to our staff to ensure they are supported on the rare occasions customer behaviour escalates to the level of what can reasonably be determined as abusive, offensive, threatening or being a significant drain on resources.

### ***What kind of behaviour is unacceptable?***

The following types of behaviour are not acceptable:

- Unreasonable persistence  
Excessive communications with a Recruitment Unit in relation to any recruitment process. If a decision/complaint has been examined and closed by PAS, the following is unreasonable persistence:
  - insisting the decision/complaint be re-examined by another Reviewer
  - continuing with an argument that has already been looked at
  - challenging minor aspects of the review or seeking vast amounts of additional material to counteract their allegations outside of the FOI process
- Unreasonable demands  
An unreasonable demand can include looking for a solution that is not realistic or is disproportionate, or telling the PAS how to carry out its functions.
- Unreasonable lack of co-operation  
You must present your enquiries/complaint in an organised manner. Unreasonable lack of co-operation can include: not identifying the enquiry/complaint clearly, presenting too much information and expecting a fast response, continuing to provide further information while the query/review is ongoing.
- Unreasonable arguments  
You may not make unreasonable arguments. Examples include exaggerating issues, presenting irrelevant or unreasonable arguments, focusing on small details, insisting your version of events is accepted as fact where there is no objective evidence to support it, refusing to consider other versions of events, or being guided by unfounded conspiracy theories or by desire for revenge or a grudge against another person or public body.
- Unreasonable behaviour  
Unreasonable behaviour includes threats of violence, abuse of PAS staff or Selection Board Members, and rude or aggressive conduct.

### ***What happens if I behave in this way?***

If we consider your behaviour to be unreasonable, we will tell you why and ask you to change it. If it might be useful, we will consider changing our service in a way that may help you avoid unreasonable behaviour in the future.

If the unreasonable behaviour continues, we will take action to put limits on your contact with our office. This decision will only normally be taken after a senior manager or member of the Management Board has reviewed the situation and once your original complaint or request for review has been dealt with fully in line with the Code. Restrictions will be appropriate and in line with the nature of the behaviour. The options we are most likely to consider are:

- asking you to contact us by letter only
- asking you to only make contact with a named staff member
- asking you to call by telephone only on certain days and times
- limiting your access to the office
- asking you to enter an agreement about your future conduct
- refusal to pursue a complaint or request for a review
- as a final option, terminating all contact with you if this behaviour shows no signs of stopping (the CEO will make this decision).

In all cases, we will write to tell you why we believe your behaviour is unreasonable and what action we propose to take. If the behaviour is so extreme that it threatens the immediate safety and welfare of PAS staff or others, we will consider other options. These could include, reporting the matter to An Garda Síochána or instigating legal action. In such cases, we may not give you prior warning of that action.

Regardless of your behaviour, our staff will continue to act respectfully and impartially towards you and will consider your complaint on its merits.

Right of appeal Customers who are dissatisfied with how the unreasonable conduct policy has been applied by an office holder may refer the matter to the Commission for examination under Section 8 of this Code.