

<b>Township of South Algonquin Corporate Policy</b>			
<b>DEPARTMENT:</b> Corporate Services			<b>POLICY #:</b>
<b>POLICY:</b> Unreasonable Behaviour Conduct Policy			
<b>DATE:</b> 2025	<b>REV. DATE:</b>	<b>REL. BY-LAW:</b>	<b>PAGE #:</b> 1 of 6

### Policy Statement

The Corporation of the Township of South Algonquin endeavors to provide exemplary service to all members of the public by addressing service requests and complaints equitably, comprehensively, and in a timely manner.

However, vexatious, frivolous, and/or unreasonably persistent requests can compromise the Township's ability to deliver fair and effective service. In such cases, it may be necessary to limit contact with individuals to ensure that Township resources are used efficiently while maintaining a high standard of customer service and responsiveness.

The Township is also responsible for ensuring a safe work environment for all Township staff and Council members, free from harassment, discrimination, and violence, in accordance with the Occupational Health and Safety Act. This includes maintaining a safe and respectful environment during Council meetings and for all forms of public interaction and communication.

Discriminatory, harassing, or inappropriate behavior toward Township staff or members of Council will not be tolerated under any circumstances. This applies to in-person interactions, written communications, and all digital or social media platforms—particularly when staff or Council are carrying out official duties in the community.

For immediate threats to persons or property, please call 911.

### Purpose

The purpose of this policy is to:

- Provide clear guidance to staff in identifying vexatious, frivolous, and/or unreasonable behavior
- Outline the appropriate actions to be taken in such circumstances

- Ensure that all members of the public are treated in ways that are consistent, fair, and reasonable
- Protect Township staff and Council from unreasonable, abusive, or harmful behavior, while continuing to provide responsive service to the community

This policy supports the Township's commitment to maintaining a respectful, inclusive, and professional environment for both staff and the public.

### **SCOPE**

This policy is not intended to deal with generally difficult customers. This policy applies to unreasonable customer behaviour, unreasonably persistent customers and behaviour that is vexatious. Deciding whether a request is vexatious, frivolous or unreasonable is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or criteria in deciding whether a request is vexatious, frivolous or unreasonable. The key question is whether the request is likely to cause distress, disruption, irritation or create an unreasonable burden on staff resources, without proper or justified cause.

The decision to classify someone's behaviour as unreasonable, or to classify a request as vexatious or frivolous, could have serious consequences for the individual, including restricting their access to Township services.

The decision may be as a result of a repeated pattern of conduct when, on several occasions, a customer engages in one or more of the behaviours or actions identified as unreasonable, frivolous or vexatious. This does not preclude a single significant incident being dealt with under this policy.

### **Examples of Unreasonable Behaviour**

Examples of what might be considered unreasonable behaviour are listed below. The list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category:

- Engaging in aggressive, disrespectful or intimidating behaviours, bullying, harassment or using coarse language while accessing a Township program, service, event or facility;
- Loitering, causing a disturbance or acting under the influence of drugs and alcohol while attending Township premises;
- Engaging in other illegal activity, including theft, violence and vandalism;
- Refusing to specify the grounds of a complaint, despite offers of assistance;
- Changing the basis of the complaint/request as the matter proceeds;
- Denying or changing statements made at an earlier stage;

- Covertly recording meeting and conversations;
- Submitting falsified documents from themselves or others;
- Making excessive demands on the time and resources of staff with lengthy phone calls, repeated emails or repeated letters, and expecting unreasonable response times;
- Refusing to accept the decision;
- Repeatedly arguing points with no new evidence;
- Persistently approaching the Corporation through different routes about the same issue;
- Causing distress to staff, which could include harassment, use of hostile, abusive or offensive language, or an unreasonable fixation on an individual member of staff (in person or online); and/or;
- Making unjustified complaints about staff who are trying to investigate and resolve the issues, and seeking to have them replaced or disciplined.

#### **Examples of Vexatious or Frivolous Requests**

Examples of what might be considered to be vexatious or frivolous requests are listed below.

The list is not exhaustive, and for a request to be considered as vexatious or frivolous it is likely that more than one of the examples is relevant:

- Submission of requests for information or answers to questions with a high volume and/or frequency of correspondence;
- Requests for information the requester has already seen, or requests with a clear intention to reopen issues that have already been considered;
- Where complying with the request would impose significant burden on the Corporation in terms of expense, and negatively impact our ability to provide service to others;
- Where the requester states or implies that the request is meant to cause maximum inconvenience, disruption or annoyance;
- Where the request lacks any serious purpose or value. An apparent lack of value would not usually be enough on its own to make a request vexatious or frivolous, but may when considered with other examples; and/or
- Harassing the Municipality and/or staff, which could include very high volume and frequency of correspondence or mingling requests with accusations and complaints.

Before deciding to apply any restrictions, the Township will ensure that:

- a) The request has been dealt with properly and in line with the relevant procedures and statutory guidelines.
- b) Staff have made reasonable efforts to satisfy or resolve the request.
- c) The customer is not presenting new material or information about the situation or that it is not a new request.

Each case will be considered on an individual basis. The decision to classify a customer's behavior as unreasonable or to classify the request as vexatious will be made by the Department Head of the relevant service area in consultation with the CAO/Clerk.

## **Dealing with the Complaint**

### **Employee**

If an employee believes that a request is unreasonable, frivolous or vexatious, the employee should consult with their Department Head, provide any supporting materials and advise the Department Head of the steps that have been taken to resolve the issue, including as appropriate:

- i. The length of time that staff have been in contact with the customer, history of the interactions (where appropriate) and the amount of correspondence that has been exchanged with the customer;
- ii. The number of requests that the customer has brought and the status of each;
- iii. The nature of the customers' behavior; and
- iv. Amount of time that has been consumed and the impact.

### **Department Head**

The Department Head is responsible for reviewing the information provided by staff in a timely manner and confirming that this policy should apply or not. Department Heads may want to contact other Township departments to determine if the customer is contacting multiple Town staff/departments.

The Department Head will:

- i. Review the information provided by staff and determining if the customer's behavior warrants the application of restrictions;
- ii. Work with the staff to determine appropriate restrictions, how to inform the customer of the restrictions and determine a review date for removing, modifying or continuing restrictions;
- iii. Meet with the CAO/Clerk and outline the situation including proposed restrictions, how to inform the customer of the restrictions and determine a review date for removing, modifying or continuing restrictions;
- iv. Ensure that relevant staff are aware of and trained on this policy and any accompanying guidelines and protocols.

### **CAO/Clerk**

Before making a determination to classify a customer's behaviour as unreasonable or to classify a request as frivolous or vexatious the CAO/Clerk must be satisfied that;

- v. The request has been properly investigated;
- vi. Communication with the customer has been adequate; and

- vii. The customer is not attempting to provide new information when contacting staff.

When the decision, in consultation with the CAO/Clerk has been taken to classify a customer's behaviour as unreasonable or to classify a request as frivolous or vexatious, the customer (where possible and appropriate) will receive written notification that:

- Details what action staff have taken and why;
- Explains what it means for the customer's contacts with the Corporation;
- Advises how long the restrictions will last and when the decision will be reviewed; and
- Advises the customer on how they could appeal the restrictions.

### **Application of Restrictions**

Restrictions will be tailored to deal with the individual circumstances and may include one or more of the following (the list is not exhaustive):

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the customer to one method of contact (telephone, letter, email, etc.).
- Requiring the customer to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Requiring the customer to make contact by telephone only through a third party e.g. solicitor/ counsellor/ friend acting on their behalf.
- Limiting or regulating the customer's use of Township of South Algonquin services e.g. community centres, access to technology systems.
- Refusing the customer access to any Township of South Algonquin's buildings except by appointment.
- Informing the customer that further contact on the matter of the complaint/request will not be acknowledged or replied to.
- Pursuing Legal actions e.g. issuance of Notice of Trespass.
- Where efforts to resolve matters with the customer have not been successful the case or request may be closed with no further communication with the customer.
- Other actions as deemed appropriate.

### **Review of Restrictions**

When any restrictions are put in place, a review date will be set. This will be based on the circumstances of the case and could be for a period of 3 months or longer depending on the severity of the situation. The status of a customer will be reviewed by the relevant Department Head on or before the review date. The customer (where possible) will be informed of the outcome of the review. Where the Department Head, in consultation with the CAO/Clerk feels the restrictions should continue, the customer will be notified of the reasons and given another date for review.

### **Dispute**

In the event complaints cannot be resolved with the Township, they may be submitted to the Provincial Ombudsman's office.

### **POLICY ADMINISTRATION AND REVIEW**

This policy shall be administered by the CAO/Clerk and will be reviewed every three (3) years or as required based on revisions to corporate practices or Provincial legislation.

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