



EMS Policy		Version: 2.0
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Unreasonable Service User & Stakeholder Policy

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1.0 SCOPE

Coillte’s purpose is to manage the state forests on behalf of the people of Ireland. Our mission is to balance and deliver the multiple benefits of our forests to society for climate, nature, wood and people. We welcome feedback from our service users and stakeholders about how we manage our forests for the benefit of society.

Coillte’s Service User and Stakeholder Charter reflects the mutual expectations of Coillte and its service users and stakeholders and seeks to ensure that our organisation conforms to the highest principles of professional service. The Charter outlines our commitment to engagement with our service users and stakeholders. Equally, it outlines our expectation in return that people engaging with Coillte staff will be courteous, forthcoming, and respectful.


Coillte values feedback from our service users and stakeholders and is committed to dealing with all issues raised and complaints received fairly and impartially. We have robust procedures in place for dealing with all issues raised and complaints received that are subject to the requirements of our certifying bodies and relevant regulatory authorities. We are committed to ensuring that those who interact with Coillte are treated with fairness and respect.

2.0 UNREASONABLE BEHAVIOUR AND CONTACTS

Coillte acknowledges and supports the right of all its employees to work in an environment free of any type of bullying or harassment as set out in our Bullying and Harassment Policy and as defined by the Employment Equality Acts, 1998 - 2015. Coillte’s Unreasonable Service User and Stakeholder Policy (the “Policy”), applies to incidents of bullying and/or harassment in the workplace by any service user or stakeholder with whom an employee might reasonably expect to come into contact with, during the course of their employment.


Coillte expects staff to listen to service users and stakeholders, to treat them fairly and to respond to queries in a professional, respectful, and courteous manner. Generally, service users and stakeholders interact with us in a reasonable manner. However, we do not expect our staff to tolerate bullying or harassment to include but not limited to behaviour that is abusive, offensive, threatening, vexatious, or, due to the frequency of contact, accounts for a disproportionate amount of time and resources that could be spent more effectively dealing with other complaints and issues.

Unreasonable behaviour and conduct may include one or two isolated incidents or may be the accumulation of incidents or behaviour over a period of time.

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This type of behaviour is classified as unreasonable service user and stakeholder conduct and can be identified as comprising:

- 2.1 Unreasonable persistence** – This can include, but is not limited to, persistent refusal to accept a decision made on a complaint or continuing to pursue an issue/complaint without presenting new information, raising further additional queries on foot of receipt of the initial answer provided, changing or reframing a closed query to present it as a new issue, insisting that another member of staff examine a matter deemed to be closed or submitting a complaint that has been raised with a regulatory and/or certification body and is still under investigation. Service user or stakeholder action may also be considered unreasonably persistent if all review mechanisms have been exhausted and the service user or stakeholder continues to challenge Coillte’s decision relating to their complaint or issue.
- 2.2 Unreasonable demands** – this can include insisting on an investigation, which falls outside the scope of Coillte’s remit or outside of our control or responsibility, demanding responses within an unreasonable timescale, continual emails, calls or letters telling Coillte how to perform an investigation, repeatedly looking for information in a continuous and/or unreasonable manner, seeking a solution which is not realistic or proportionate to the matter raised, or seeking personal information on members of staff.
- 2.3 Obstructive communication** – this includes attempts to hinder the core business of Coillte, such as attempting to overload a division with excessive or voluminous correspondence; acting in concert; unreasonable requests to replace members of staff dealing with a query or seeking to provoke or create discord.
- 2.4 Unreasonable lack of co-operation** – Examples include but are not limited to: not identifying the issue(s) clearly, presenting too much information or manifestly disorganised information and expecting a swift response, a repeated failure to comply with Coillte procedures, withholding information which is needed to advance a query or complaint or failing to provide information to substantiate a complaint, changing the basis of their complaint or request in the middle of their engagement with Coillte or being misleading with the facts of their concern.
- 2.5 Unreasonable arguments** – Examples include, but are not limited to: misrepresenting issues, presenting irrelevant or unreasonable opinions, focusing on disproportionate or irrelevant details, advancing conspiracy theories that are unsupported by any evidence, insisting that a version of events is accepted as fact, despite an absence of objective evidence to support it, refusing to consider other versions of events, or being guided by desire for revenge or a grievance against Coillte, its employees and contractors.

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2.6 Unreasonable behaviour – Examples of unreasonable behaviours (whether oral or written) include bullying and harassment, threats, physical violence, physical or verbal abuse, derogatory, racist or grossly defamatory remarks, aggressive or intimidatory communication, and rudeness. It is also considered that inflammatory statements and unsubstantiated allegations can be abusive behaviour. Unreasonable behaviour may also include copying senior management or other staff within Coillte in communications for the purpose of intimidating or pressuring staff.


3.0 PROCEDURE TO MANAGE UNREASONABLE BEHAVIOUR & CONTACTS

If Coillte considers service user or stakeholder behaviour or contact to be unreasonable, the person in question will be notified and asked to cease. If the unreasonable behaviour or contact continues, Coillte will take action to restrict or manage the service user or stakeholder contact with Coillte staff and contractors. This decision will only be taken after a Coillte review group (“**the Group**”) has assessed the situation. Any restrictions put in place will be appropriate, proportionate and in line with the nature of the behaviour. The responses to unreasonable communications include but are not limited to:

- 3.1** Limiting contact to a particular contact channel or format or medium of contact (e.g. by letter only);
- 3.2** Providing a single point of contact;
- 3.3** Limiting the frequency and duration of contact over a set timeframe;
- 3.4** Future correspondence which is deemed to be unreasonable is read, acknowledged, and then filed but no substantive response is provided;
- 3.5** Only considering a certain number of issues in a specific period. In such circumstances a request to prioritise an issue will be considered;
- 3.6** Responding to the overall issue rather than each and every enquiry or complaint that has been classified as persistent and/or vexatious;
- 3.7** In rare cases, we may decide that it is necessary to temporarily terminate contact with the service user or stakeholder if it appears that they are unlikely to modify their conduct, or their conduct is deemed by Coillte to pose a significant risk for our staff.

In such cases, Coillte will write to the service user or stakeholder to inform them that their behaviour or contact has been found to be unreasonable and what restrictions on contact are being applied to address the matter. If the behaviour is so extreme that it threatens the immediate safety and welfare of Coillte 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 prior warning of that action.

If a restriction on contact is imposed, it shall not in any way prejudice a stakeholder’s rights with reference to the Charter regarding making a complaint, to be included in stakeholder consultation conducted by the Consultation and Stakeholder Manager and Access to Information on the Environment under the

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Access to Information on the Environment (AIE) Regulations 2007 to 2014 (the “**AIE Regulations**”).

Regardless of behaviour, Coillte staff will act respectfully and take an impartial attitude to any contact received.

4.0 APPEALING A RESTRICTION ON CONTACT

A service user or stakeholder may request an appeal of a decision to manage or restrict contact. This can be done in writing to the Company Secretary within ten working days of the decision. This will be considered by the Company Secretary, or a person nominated by them, who will determine if due process was followed by the Group in reaching a decision and that an appropriate restriction has been applied in the circumstances. The Company Secretary will aim to make this determination within fifteen working days of receipt of the appeal and the appellant will be informed of the determination in writing by email.

5.0 RECORDING OF INSTANCES OF UNREASONABLE BEHAVIOUR

A Central Register will be maintained by the Group to record all instances of unreasonable service user and stakeholder behaviour where sanctions or restrictions are applied. The stakeholder’s name and contact details, together with details of any sanctions or restrictions that have been imposed will be recorded in the Central Register, which will be made available to appropriate staff members for the purpose of ensuring adherence to any sanctions or restrictions imposed. In line with Coillte’s Privacy Notice, we will not keep this information for longer than is necessary to achieve the purpose for which it was collected.

6.0 MONITORING

Once a service user or stakeholder has had their contact managed or restricted under this Policy, the Group will review the restriction every three months, or on request by a staff member or team, or following any further incidents of unreasonable conduct, to ensure that the service user or stakeholder is complying with the restrictions. If the Group determines that the restrictions have been ineffective in managing the service user or stakeholder’s conduct or are otherwise inappropriate, the Group may decide to either modify the restrictions, impose further restrictions, or temporarily terminate the service user or stakeholder’s access entirely.

7.0 REVISION HISTORY

Revision #	Change details	Reason for change	Date
1	New Document	N/a	March 2023
2	Full scale review of document	Updated sections 2, 2.6, 3.0, 3.2, 3.3, 3.5, 3.6 and includes new sections 4, 5, 6 & 7.	February 2024