

Public Conduct Policy

Approved By: Council
Approval Date:
Effective Date:
Revision Date:

Policy Statement

The Corporation of the Township of Douro-Dummer is committed to delivering excellent, impartial and accessible customer service.

Staff will provide the best customer service possible and are empowered to make decisions to ensure that each customer experience is meaningful, fair and respectful.

To achieve these objectives, unreasonable behaviour or frivolous and vexatious complaints or requests from members of the public who require Township services or access to Township premises may need to be limited in a manner that is clear, consistent, reasonable, and proportional to the individual's action(s). Situations arising from unreasonable behaviour may cause concern for the safety of individuals on Township premises or may compromise the enjoyment of Township facilities for other users. Vexatious, frivolous or unreasonably persistent requests may consume a disproportionate amount of a staff member's time and resources and can compromise a staff member's ability to provide assistance or deliver good customer service efficiently and effectively. Such requests may also impede staff from attending to other essential issues. These situations and requests may require the Township to put restrictions on the contact that certain individuals have with the Township.

Purpose:

The purpose of this policy is to provide a positive, safe, and supportive approach to promoting acceptable and appropriate interactions with the public. 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(s), including restricting their access to members of Council and to staff, services or property. As such, this Policy provides examples of behaviours and actions that are classified as frivolous and/or vexatious, as well as a clear process for staff to follow. Any restrictions made under this Policy are dependent on the particular context of the case in question.

Application: This Public Conduct Policy and its associated Procedure serves to provide notice of what constitutes unacceptable behaviour and sets expectations for both the public and Township staff, Council Members, Committee members and volunteers when interacting with members of the public.

This Policy and its Procedure applies to all forms of communication by any Member of the Public (as defined below), including, but not limited to, written, printed, electronic, online, verbal, telephone, or in-person communications, including participation in public meetings or Town Hall events. The location of such interactions includes, but is not limited to, any and all Township properties, including parks, Public Library, Municipal Office and recreation facilities, online environments managed by the Township, and all such places where the Township's business is conducted.

This Policy is not intended to deal with generally difficult clients and individuals. It applies to members of the public whose behaviours and actions are unreasonable, frivolous and/or vexatious. Determining whether particular behaviours or actions are unreasonable, frivolous or vexatious can be a flexible balancing exercise that requires all circumstances of a particular case to be taken into account. In many cases, the key question is whether the behaviours or actions are likely to cause distress, disruption or irritation, without proper or justified cause.

This Policy is meant to complement, not replace, the policies, Codes of Conduct, or other documents noted in the Reference and Related Policies Section of this Policy.

Definitions:

Member of the Public or Customer, includes, but is not limited to, residents, individuals, businesses, not-for-profit organizations, stakeholders, and community or corporate organizations that interact with the Township and its staff, Council Member, Committee Members and volunteers.

Frivolous – a complaint that is reasonably perceived by the Township to be: (a) without reasonable or probable cause; (b) without merit or substance; or (c) trivial.

Vexatious – a complaint that is frivolous and which is pursued in a manner that is reasonably perceived by the Township to be (a) malicious; (b) intended to embarrass or harass the recipient; or (c) intended to be a nuisance.

References & Related Policies:

Policy A08 – Accessible Customer Service Policy
Policy A14 – Code of Conduct (Administration)
Policy A17 – Integrated Accessibility Standards
Policy A23 – Township Complaint Handling

Policy A30 - Customer Service Standards Policy
Policy A31 – Routine Disclosure Policy
Policy P4 – Code of Conduct CBO
Policy P8 – Active Investigation Policy
Policy 9 – Building Department Customer Service Policy
By-law 2018-53 – Code of Conduct for Members of Council

Consequences of Non-Compliance:

It is important that all Township staff, Council Members, Committee members and volunteers are in compliance with the Policy as set out by the Township. Failure to comply with this Policy may result in disciplinary actions as per the HR Handbook and could result in Health and Safety issues.

Exceptions:

Nothing within this policy restricts or otherwise limits:

- The Township's authority to engage in litigation or seek legal redress for actions taken by individuals, regardless of whether those actions may fall within the scope of this policy;
- The Township's ability or obligation to comply with any requirements established by provincial or federal legislation; or
- Township staff's right to refuse unsafe work under the Occupational Health and Safety Act.

Review Cycle: This Policy will be reviewed on an as needed basis.