



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# ComReg Unreasonable Communications Policy

**Date:** May 2022

# Unreasonable Communications Policy

## Commission for Communications Regulation (ComReg) Policy for Dealing with Unreasonable Communications

### Introduction

ComReg is the statutory body responsible for the regulation of the electronic communications sector (telecommunications, radio communications, broadcasting transmission and premium rate services) and the postal sector in Ireland. We are responsible for facilitating competition, for protecting consumers and for encouraging innovation. Our role involves dealing with complex issues of law, economics and technology, and ensuring that our decisions are taken fairly and are clearly explained. In ComReg, all of our commissioners, directors and staff adhere to our Code of Business Conduct which sets our approach to responsible behaviour while working for ComReg. ComReg also complies with the 2016 Code of Practice for the Governance of State Bodies.

ComReg is a public Body and will interact with a range of stakeholders in writing, in person and by electronic communication (telephone, online chat function etc.). The range of stakeholders we interact with includes consumers of ComReg services and consumers of regulated services, Industry representatives, and others, whether as a result of our duties as a public body and as a regulator including Freedom of Information, data protection, accessibility, etc. We are a consumer-focused organisation and welcome contact from the public. The majority of people who contact ComReg are respectful and reasonable. In some situations, people who make contact may be under stress. We understand this and do our best to listen, empathise and, where possible, find a resolution.

As a public sector organisation, we are committed to providing a quality service to citizens. In order to achieve this we will interact with our customers in a straightforward, polite, helpful, open and professional manner and treat our customers fairly and consistently. We request that our customers approach us with courtesy and respect. Staff of ComReg are not obliged to deal with people who are offensive or abusive towards them and we reserve the right to decline enquiries which are of a frivolous, vexatious or repetitive nature.

## **Unreasonable Contact**

The majority of people who contact ComReg interact with us in a respectful and reasonable manner. We fully appreciate that some are particularly stressed when pursuing complaints against service providers and that, from time to time, this stress will show in how they interact with us.

Each member of our staff knows that managing such interactions is an intrinsic part of the job. However, this does not mean that we expect our staff to tolerate behaviour by our customers that is abusive, offensive, threatening 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 issues or other members of the public.

### **The following types of behaviour are classified as unreasonable contact and can be identified as comprising:**

***Unreasonable persistence:*** Persisting with an issue which has already been considered and closed by ComReg. The persistence may be manifested in different ways; for example, insisting that the issue be looked at again, re-framing it so as to present it as a new issue, persevering with an argument that has earlier been addressed.

***Unreasonable demands:*** An outcome or approach is expected that is unrealistic or disproportionate. Examples include repeated demands for investigation of a matter that is outside our remit, seeking a remedy that is disproportionate or unrealistic, or trying to direct ComReg as to how to conduct our work.

***Unreasonable lack of co-operation:*** Persistent presentation of the issue in a disorganised manner. Examples include not identifying the issue clearly, presentation of often unnecessary voluminous material while expecting almost instantaneous responses, altering the nature of the issue midway through the investigation process, and (occasional) dishonesty in the statement of facts.

***Unreasonable arguments:*** For example, exaggerating issues, presenting irrelevant and/or unreasonable arguments, placing too much emphasis on trivialities, insisting that their version of events be accepted as fact where there is no objective evidence to support this view, obstinately refusing to consider reasonable counter-arguments, being guided by unfounded conspiracy theories and/or by desire for revenge or retribution against another person.

***Unreasonable behaviour:*** Unreasonable behaviour includes threats of violence, abuse of the ComReg's staff, rude or aggressive conduct, and threats of self-harm.

## **How we manage unreasonable behaviour**

When we consider that a customer's behaviour is unreasonable we will tell them why we find their behaviour unreasonable and we will ask them to change it. Where it might be of assistance, we will consider possible adjustments to our service which may help the customer to avoid unreasonable behaviour into the future. However, if the unreasonable behaviour continues, we will take action to restrict the customer's contact with us. The decision to restrict access to ComReg will only normally be taken after we have reviewed the service given by ComReg to the particular customer. Any restrictions imposed will be appropriate and proportionate. The options we are likely to consider are:

- Requesting that contact be made only in a particular form (letter or email)
- Requiring that contact takes place with a named member of staff only
- Restricting telephone calls to specified days and times
- Restricting access to our offices or other communications channels
- Asking the person to enter into an agreement about their future conduct
- Terminating all contact if the unreasonable behaviour shows no signs of abating

In all cases, we will write to tell the customer why we believe their behaviour is unreasonable and what action we propose to take. However, where the behaviour is so extreme that it threatens the immediate safety and welfare of ComReg's staff or others, we will consider other options, for example, reporting the matter to An Garda Síochána or instigating legal action. In such cases, we may not give the complainant prior warning of that action. Regardless of the customer's behaviour, our staff will act respectfully to the customer and impartially with regard to the issue.

*\*ComReg acknowledges that this policy is based on that of the Office of the Ombudsman.*

**ENDS**