

# Acceptable Behaviour When Communicating with the General Optical Council

---

Status of document: Final
Version: 4
Date of approval: 11 December 2024
Effective from: 1 January 2025
Owner: Council
Author: Head of Governance
Planned next review date: Approval date + 3 years

## 1. Policy statement

---

- 1.1 We are committed to providing a high quality service for those who contact us and are committed to resolving all complaints in a satisfactory manner. We will:
- be impartial and non-adversarial;
  - treat you politely, respectfully and considerately;
  - respect your dignity and privacy;
  - listen and respect your views;
  - always try to provide information in a way that can be understood;
  - where possible, make reasonable adjustments to our service to help you have your opinion heard; and
- consider how your complaint or feedback can improve the GOC processes.
- 1.2 Most people who contact us are responsible and display acceptable behaviour; this policy is concerned with those rare occasions when this is not the case. We accept that when contacting us to raise an issue, individuals may be distressed, frustrated or angry, however we expect to be treated in a respectful manner.
- 1.3 Our employees, workers, members and those working on our behalf will not tolerate unacceptable or unreasonable behaviour which could compromise their human rights, personal dignity and security. We will not permit unacceptable behaviour to impact on its core functions or what it considers in the public interest, this includes the protection of the public,

## 2. Purpose

---

- 2.1 The purpose of this policy is to provide guidance on:
- what we mean by unacceptable and unreasonable behaviour;
  - how we will manage such behaviour;
  - the options available to us to restrict or cease contact with those who behave unacceptably or unreasonably should the need arise; and
  - the appeal process.
- 2.2 In addition, the end of the document provides some useful contacts where further information or additional support can be found.

## 3. Scope

---

- 3.1 The policy covers anyone who demonstrates unacceptable or unreasonable behaviour when contacting employees, workers, members and those working on behalf of the GOC.
- 3.2 If the person demonstrating unacceptable or unreasonable behaviour is a GOC registrant, we will need to consider if the behaviour is in breach of our [standards of practice](#) and requires further consideration under our fitness to practise function.
- 3.3 No action will be taken under this policy which might allow concerns affecting patient safety or wider public interest to go uninvestigated.
- 3.4 Everyone at the GOC is expected to behave in an acceptable manner consistent with this policy when contacting registrants, members of the public and other stakeholders. If someone has behaved in an unacceptable or unreasonable way this will be dealt with in accordance with our [Complaints and Feedback about the General Optical Council policy](#).

3.5 This policy does not include freedom of information requests as they are specifically covered by guidance from the Information Commissioner's Office "[Dealing with vexatious requests \(section 14\)](#)".

#### **4. Unacceptable and unreasonable behaviour**

---

4.1 Unacceptable behaviour (both oral and written, including posts on social media or websites) that may potentially cause anyone working on our behalf to feel threatened, abused, personally attacked or intimidated and could compromise their human rights, personal dignity and security. We will not tolerate such behaviour.

4.2 Examples of the types of behaviour which we consider to be unacceptable include, but are not limited to:

- swearing and foul language;
- abusive or aggressive language or tone;
- threats of physical violence; and/or
- bullying, harassment or discrimination.

4.3 We will take steps to protect our employees, workers, members and contractors from unacceptable and unreasonable behaviour by limiting the way we communicate with you.

#### **5. Managing unacceptable and unreasonable behaviour in a telephone or face-to-face conversation**

---

5.1 If we consider that an individual's behaviour is unacceptable or unreasonable during a telephone conversation or at an in-person or online meeting they will:

- explain why they consider the behaviour unacceptable or unreasonable
- provide the individual with an opportunity to modify or stop their behaviour;
- If the behaviour continues, refer the individual to this policy (providing them with a copy);
- explain that if the unacceptable or unreasonable behaviour continues then it could result in the conversation/meeting being terminated and the GOC having to restrict access (as outlined in section 8); and/or
- if the unacceptable or unreasonable behaviour continues and the individual has been given a fair hearing, the call/meeting will be terminated and a record of the event completed. The record will be held on file and a copy provided to the Governance team.

#### **6. Managing unacceptable and unreasonable behaviour in emails and letters**

---

6.1 If we considers that the behaviour of an individual is unacceptable or unreasonable via letters or emails they will:

- respond in writing and explain why they consider the behaviour to be unacceptable or unreasonable and provide the individual with a copy of this policy;
- provide the individual with an opportunity to modify or stop the unacceptable or unreasonable behaviour;
- explain that if the unacceptable or unreasonable behaviour continues then it could result in the GOC having to restrict access; and/or

- all correspondence will be logged and the individual's line manager and the Head of Governance informed;
- if the unacceptable or unreasonable behaviour continues and the individual has been given a fair hearing, the emails/letters will be archived and a record of the incident will be completed. The record will be held on file and a copy provided to the Governance team.

## 7. Managing Contact with our members

---

- 7.1 We use the term members to refer to anyone who has been appointed to perform the role of a member as described within our legislation. This will generally refer to a member of a committee or Council. Our members remain independent of our operational work. Some members have specific roles in relation to considering FtP cases, corporate complaints or other appeals and therefore must remain independent of the issues being considered. It is important that individuals do not correspond directly with our members when raising issues with us (including in telephone conversations, letters, emails and social media).
- 7.2 If individuals contact a member via phone or face to face, the member will politely advise them to contact the GOC directly to raise their issues via the proper processes. A record will be completed and passed to the Governance team to ensure it is logged with the appropriate team for a response.
- 7.3 If individuals contact a member via written correspondence this should be passed to the Governance team to ensure it is logged with the appropriate team and managed by an employee via the proper processes.

## 8. Restricting Access to the GOC

---

- 8.1 We are committed to providing a high-quality service for those who contact us and wish to resolve all complaints in a satisfactory manner. However, if an individual behaves in an unacceptable or unreasonable manner, we will consider imposing access restrictions. We will make two requests (either oral or written) asking an individual to modify or stop their unacceptable or unreasonable behaviour. Following this, if their behaviour remains unacceptable or unreasonable, we will impose access restrictions.
- 8.2 If an individual does not modify or stop their behaviour, we will consider taking one or more of the following actions to restrict access without further warning:
- requiring contact only in writing or other specified means;
  - requiring contact be limited to a named person or specific mailbox;
  - restricting telephone calls to specified days and times;
  - requesting that they sign an agreement which will set out the behaviours we expect;
  - limiting direct contact until the standards of their behaviour improve;
  - prohibiting visits to the GOC offices which have not been agreed in advance;
  - apply a 'read only' approach to correspondence; and/or
  - in extreme cases, notify the police, refer the individual (if a registrant) for investigation relating to their fitness to practise or take legal action.
- 8.3 A decision to restrict access can be made only by a Director, the Chief Executive and Registrar or the Chair of Council. In taking this decision we will take into account any reasonable adjustments which are required and ensure that such action will not restrict us

from fulfilling our regulatory functions. We will also take into account other considerations such as whether the individual has received a fair hearing, whether the issue has been dealt with appropriately and a full response given, whether the individual has been communicated with appropriately, the individual's circumstances and that sufficient opportunities have been provided for the behaviour to be amended.

8.4 If we decide to restrict access we will:

- write to the individual to inform them why we have restricted access;
- advise what restrictions we have imposed;
- state how long the restrictions will apply for;
- explain the consequences of non-compliance with the restrictions; and
- provide details of the appeal mechanism available.

8.5 The restrictions placed will apply as soon as the correspondence has been sent and will also apply for the duration of any appeal.

8.6 In exceptional circumstances, where someone at the GOC may be victimised or harassed by an individual, correspondence with the individual may be signed anonymously.

## 9. Failure to Comply with Access Restrictions

---

9.1 If the individual does not agree to the restrictions placed on them, or they breach the restrictions we will automatically cease direct contact, until they are prepared to modify their behaviour to a standard which we consider acceptable or are willing to comply with the access restrictions.

9.2 A decision to cease direct contact until their behaviour improves can be made only by a Director, the Chief Executive and Registrar or the Chair of Council. In taking this decision we will take into account any reasonable adjustments which are required and ensure that such action will not restrict us from fulfilling our regulatory functions. We will also take into account other considerations such as whether the issue has been dealt with appropriately, whether the individual has been communicated with appropriately, the individual's circumstances and that sufficient opportunities have been provided for the behaviour to be amended.

9.3 If we decide to cease direct contact we will:

- write to inform the individual why we have ceased direct contact;
- identify the third party through whom we will accept contact;
- advise the individual what actions they need to take in order for us to engage with them directly, such as modifying behaviour or signing an undertaking; and
- provide details of the appeal mechanism available.

## 10. Appeals

---

10.1 Individuals may appeal the decision to have their access restricted, or direct contact stopped, within fifteen working days from being notified of the restriction or stoppage.

10.2 They should write to the Head of Governance (Andy Mackay-Sim [amackaysim@optical.org](mailto:amackaysim@optical.org)) detailing why the restriction should be cancelled or varied.

10.3 We will acknowledge receipt of the appeal within two working days.

10.4 In order for us to ensure that our decision-making is fair and robust we will ensure that the appeal is not considered by the same person(s) who requested that the restrictions be put in place, as follows:

<b>Decision to restrict access or cease contact with you made by:</b>	<b>Appeal will be considered by:</b>
Director	Another Director or Chief Executive and Registrar
Chief Executive and Registrar	Chair of Council
Chair of Council	Senior Council Member

10.5 We will notify the individual of the outcome of their appeal within fifteen working days. Following an appeal, the decision to cancel, vary or maintain the restrictions will be final. There is no further appeal.

## 11. Reviewing Access Restrictions

---

11.1 All access restrictions will have a time limit. Prior to the restriction expiring the GOC employee who originally made the decision to apply the access restriction or in the case of appeal the person who considered the restriction should remain in place, will consider whether the restriction should be:

- modified, for example if more than one restriction is in place some could be removed or if the behaviour has not changed more restrictions could be imposed;
- extended, for example if the removal of a restriction is likely to result in the unacceptable or persistent behaviour resuming; or
- lifted, for example, where the individual has satisfactorily modified or stopped their behaviour and therefore the restriction is no longer required.

11.2 If something changes, we will write to the individual before the restriction expires, notifying them of the outcome. The letter will:

- advise whether the restrictions have been modified, extended or lifted and explain the reasoning for the decision;
- state how long the restriction will apply for (where a restriction has been modified or extended);
- explain the consequences of non-compliance with the restriction; and
- provide details of the appeal mechanism available.

11.3 All access restrictions may be reviewed sooner should the need arise.

11.4 If the individual wishes to appeal the decision they should follow the process set out in section ten of this policy.

## 12. Managing Further Communications

---

12.1 Further communications received from individuals whose behaviour has previously been deemed unacceptable or unreasonable or where there are access restrictions in place, will be treated on their merits. Restrictions imposed in respect of earlier correspondence will not

automatically apply to a new matter but may be taken into account if a new decision to restrict access due to further unacceptable and unreasonable behaviour is being made.

12.2 All further communications (concerning matters previously raised and concluded) will be read but will not be acknowledged unless substantially new issues are raised relevant to the GOC's remit.

12.3 New relevant issues will be passed to the appropriate team for acknowledgement and action, when appropriate.

12.4 Other correspondence, which does not require acknowledgement or action, will be filed.

### 13. Access to Additional Support and Further Information

---

13.1 We accept that there will be times when individuals remain unhappy about a decision we have made, where we cannot provide them with the information or outcome they are seeking or where they may need additional support that we are unable to provide. Below are some suggested services who may be able to provide support and information:

<b>Professional Standards Authority</b>	<a href="http://www.professionalstandards.org.uk">www.professionalstandards.org.uk</a>
<i>Responsible for overseeing the UK's health and social care professional regulatory bodies, including the GOC.</i>	
<b>Optical Consumer Complaints Service</b>	<a href="http://www.opticalcomplaints.co.uk">www.opticalcomplaints.co.uk</a>
<i>An independent and free mediation service for consumers (patients) of optical care and the professionals providing that care.</i>	
<b>Citizens Advice</b>	<a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a>
<i>Provision of free, independent, confidential and impartial advice to everyone on their rights and responsibilities.</i>	
<b>Information Commissioner's Office</b>	<a href="http://www.ico.org.uk">www.ico.org.uk</a>
<i>Independent advice and guidance about the Freedom of Information (Fol) and Data Protection (DP) Acts.</i>	

### 14. Monitoring and Review

---

14.1 All restrictions applied under this policy will be reported to the Audit, Finance and Risk Committee as part of routine complaint reporting.

14.2 The Governance team will be responsible for reviewing this policy every three years, taking into account new or changes to legislation and regulations as well as best practice.

### 15. Protecting your data

---

15.1 Any information you supply will be stored and processed by us in accordance with the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018. Our privacy statement can be found [here](#).

15.2 All records relating to access restrictions will be retained by the GOC for a period of five years from the date the restriction was lifted, at which point they will be deleted.