

## Communication management policy

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### Purpose statement

Ahpra is committed to excellent service. It is our expectation that when a person approaches us with a request, application, notification, enquiry, or complaint, employees will take reasonable steps to assist them and will communicate with them respectfully.

At times the issues people raise with us give rise to strong emotions and different people have differing communication needs. However, our employees have the right to be treated with respect and feel safe in their interactions with both health practitioners and the public. It is also important that our resources are not unreasonably diverted from our primary focus of protecting the public. It is therefore our expectation that employees will be treated with respect and that resources will not be unreasonably diverted from our core work when people contact us.

This policy sets out our position regarding managing the communication we have with people who have demonstrated unreasonable or unsafe conduct towards staff and/or who unreasonably divert our resources away from our primary focus of protecting the public.

It is expected that Ahpra will only take steps to manage our communication with a person as a last resort, and after all other reasonable steps to facilitate unrestricted communication have been taken.

### Scope

This policy applies to anyone who contacts Ahpra, all Ahpra employees and members of National Boards (Board members).

This policy does not remove or override a person's rights in accordance with the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law), or any other applicable legislation. This includes making a notification in good faith, an application for registration, an application under the *Freedom of Information Act* or *Privacy Act* or a disclosure under our published *Public interest disclosure (Whistleblower) policy*.

We recognise that in circumstances where someone has an ongoing/open regulatory matter, there will be a requirement to continue to communicate with the person and there is nothing contained in this policy that will remove or override a person's right to receive reasonable updates about their ongoing/open regulatory matter, or to reasonably participate/engage in the notification, registration or compliance process.

### Communication management planning

The majority of people act reasonably and responsibly in their communication with Ahpra. However, this policy enables our employees to implement a plan to manage our contact with people in certain circumstances.

Ahpra may seek to implement a communication management plan for people who:

- demonstrate offensive or unsafe communication or behaviour towards our employees or board members
- demonstrate unreasonable persistence in circumstances where Ahpra has already responded reasonably and to the best of our ability, or
- make unreasonable demands on Ahpra where resources are substantially and unreasonably diverted away from other functions or unfairly allocated (compared to others).

## Definitions

### **Offensive or unsafe communication or behaviour**

Offensive or unsafe communication or behaviour may include:

- vulgar/offensive/racially motivated/ sexist comments, expressions or gestures
- verbal abuse of any nature
- threatening or aggressive behaviour or language
- physical violence against property or a person, and/or
- contact through social or professional networking platforms.

### **Unreasonable persistence**

Unreasonable persistence may include:

- repeatedly raising the same issue several times and despite several explanations/attempts to resolve concerns the person remains unsatisfied and continues contact, and/or
- raising the same issue with several Ahpra employees and/or through several different communication avenues

### **Make unreasonable demands on Ahpra**

Unreasonable demands on Ahpra that significantly and unreasonably divert resources away from Ahpra's primary function of protecting the public or otherwise create an inequitable distribution of resources.

## Authorisation

The following positions are authorised to decide to implement a communication management plan:

- A member of the National Executive
- National Director
- General Counsel
- National Manager

### **Implementing a communication management plan**

When implementing a communication management plan Ahpra may take any or all of the following steps to manage unreasonable communication:

- nominate specific channels of communication for future contact with Ahpra such as only contacting a specific employee, or communicating only in writing
- make arrangements to provide regular communication about ongoing regulatory matters but not responding to communications outside of those arrangements
- use technological solutions to redirect communication from the individual to a nominated Ahpra employee
- report all threats of harm to local police
- cease all communication with a person as a last resort and in circumstances where there is no ongoing regulatory matter, and
- any other action considered reasonable and necessary to manage unreasonable communication or behaviour.

## Review of decision

A decision made in accordance with this policy to implement a communication management plan must be communicated to the affected individual in writing unless it is considered that such communication may constitute an unreasonable risk to the safety of Ahpra employees, board members or the individual.

Ahpra will review any decision made in accordance with this policy 12 months after the date of the decision.

Any person affected by a decision made in accordance with this policy can make a complaint about the reasonableness of the decision in accordance with Ahpra's [Administrative complaints handling policy and procedure](#).

## Communication management policy review

This policy commenced July 2021.

This policy will be reviewed at least every five years to ensure that it continues to meet the needs of our organisation as well as the relevant standards and best practice guidelines.

When reviewing this policy, we will consider feedback received from practitioners, members of the public and employees. We will also undertake consultation with the National Health Practitioner Ombudsman and our staff to obtain suggestions to improve this policy.

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## Resources

- The Health Practitioner Regulation National Law(the National Law). [www.ahpra.gov.au/Legislation-and-Publications/Legislation.aspx](http://www.ahpra.gov.au/Legislation-and-Publications/Legislation.aspx)
- *Better practice guide to complaint handling*, Commonwealth Ombudsman, 1 April 2009. Available at: [www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf](http://www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf)
- *Guidelines for complaints handling in organisations*, Standards Australia, 29 October 2014. (ISO 10002:2014).
- *'Managing unreasonable complainant conduct practice manual' 2<sup>nd</sup> edition*, Commonwealth Ombudsman, May 2012. Available at: [http://www.ombudsman.gov.au/\\_data/assets/pdf\\_file/0022/35617/GL\\_Unreasonable-Complainant-Conduct-Manual-2012\\_LR.pdf](http://www.ombudsman.gov.au/_data/assets/pdf_file/0022/35617/GL_Unreasonable-Complainant-Conduct-Manual-2012_LR.pdf)
- *Good practice guide to dealing with challenging behaviour*, Victorian Ombudsman, May 2018. Available at: <https://www.ombudsman.vic.gov.au/getattachment/5e3f1e81-959b-404e-ae5f-12581afcc9b1/>
- *Complaints handling policy and procedure* <https://www.ahpra.gov.au/About-Ahpra/Complaints.aspx>
- *Public interest disclosure (Whistleblower) policy* <https://www.ahpra.gov.au/About-Ahpra/Complaints/Whistleblower-policy.aspx>