

# **Managing Candidate's (or their Representative) Contact in a Fair and Positive Way**

## **Introduction**

We aim to deal fairly and consistently with all our candidates (or their representative), including those whose actions we consider unacceptable. We believe that all candidates (or their representatives) have a right to be heard, understood and respected. We aim to provide a service that is accessible to all and will make every effort to accommodate the needs of our candidates (or their representative).

The behaviour or actions of any candidate (or their representative) using our service can sometimes make it difficult for us to deal with their issue, concern or complaint.

This policy explains how we treat candidates (or their representative) in a fair and positive way while managing actions that result in unreasonable demands on our services or on our team.

The policy is required to address a very limited number of cases where actions become unacceptable as they involve abuse of our staff, stop us doing our work or providing a service to other candidates.

This policy explains how we may restrict or change access to a service when we consider a candidate (or their representative's) actions to be unacceptable. This is to ensure we can protect our team members and the services we provide to our candidates.

Unacceptable actions are grouped under the following four headings with further details below:

- **Aggressive or abusive behaviour**
- **Unreasonable demands**
- **Unreasonable levels of contact**
- **Unreasonable use of the complaints process**

### **Aggressive or abusive behaviour**

We understand that many candidates (or their representative) can sometimes be angry about the issues they have raised as a concern, issue or a complaint. If that anger leads to aggression towards our staff, we consider that unacceptable and operate a “zero tolerance” approach.

Violence or abuse is not restricted to physical harm. It also includes behaviour or language, verbal or in writing, that may cause staff to feel afraid, threatened or abused. This includes threats, personal verbal abuse, offensive remarks and rudeness. Calls to our organisation are recorded and noted on a candidate’s Defence Recruiting System record.

### **Unreasonable demands**

A demand becomes unacceptable when it starts to, or would start to, impact greatly on our work and provision of services. For example, if the demand takes up an excessive amount of staff time which results in other candidates being disadvantaged.

Examples of unreasonable demands include:

- Repeatedly demanding responses within an unreasonable timescale;
- Insisting on seeing someone or speaking to a particular member of the team when that is not possible;
- Repeatedly changing the substance of a complaint or raising unrelated concerns.

### **Unreasonable levels of contact regarding a concern or a complaint**

We expect to have regular contact with candidates during their recruitment journey, and this is strongly encouraged. However, if the volume and duration of contact made to our team regarding an investigation into a concern, issue or a complaint is excessive, this can cause delays in us being able to provide an outcome. This can occur over a short period, such as a number of phone calls in one day, or it may occur over the lifespan of the complaint or issue.

Examples of unreasonable levels of contact include:

- The candidate (or their representative) repeatedly making long telephone calls to us after we have started our investigation;

- The candidate (or their representative) inundating Army Recruiting with copies of information which have been issued to us already or which are irrelevant to the concern, issue or complaint.

We consider that contact has become unacceptable when the amount of time dealing with it impacts on our ability to deal with that concern, issue or complaint, or impacts on the service we provide to other candidates. Contact time may involve time spent talking to a candidate (or their representative) on the phone; responding to and reviewing emails; or written correspondence.

### **Unreasonable use of the complaint's procedure**

Candidates (or their representative) have the right to raise issues, concerns or complain about our services through a range of means. They also have the right to do this more than once about our organisation if further incidents occur.

Examples of unreasonable use of the complaint's procedure include:

- When repeated complaints result in the harassment of staff; or
- The repeated complaints prevent us from completing our investigation or providing a full response to the issue, concern or complaint.

### **How we deal with unacceptable actions**

#### **Managing Aggressive and Abusive Behaviour**

We operate a "zero tolerance" approach to aggression towards our staff. Incidents may be reported to the police and this will always be the case if physical violence is used or threatened.

We will not consider any correspondence that is abusive to staff. We will tell the candidate (or their representative) that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues.

Our staff will end phone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour continues.

In extreme cases, we will inform the candidate (or their representative) that we will limit contact with them, for example, to written communications only or to contact through a third party and a note will be made on their Defence Recruiting System record.

### **Dealing with the other categories of unreasonable behaviour**

We must take action when unreasonable behaviour impairs the functioning of our services. We will ensure that any action we take is the minimum required to solve the problem, taking into account any personal circumstances including the seriousness of the complaint or issue and the needs of the candidate.

We consider access to a complaints system as a vital element of our service and it will only be in exceptional circumstances that we would consider such repeated use as unacceptable. We reserve the right to restrict access in those rare occasions.

Where a candidate (or their representative) repeatedly phones, visits, raises the same issues, or sends large numbers of documents where their relevance is not clear, we may decide to:

- Limit contact to telephone calls from the candidate (or their representative) at set times on set days;
- Restrict contact to a nominated member of our team who will deal with future correspondence from the candidate (or their representative);
- See or speak to the candidate (or their representative) by appointment only;
- Restrict contact from the candidate (or their representative) to writing only;
- Return any documents to the candidate (or their representative) or, in extreme cases, advise the candidate (or their representative) that further irrelevant documents will be destroyed;
- Take any other action that we consider appropriate.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the candidate (or their representative) that only a

certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.

We will always tell the candidate (or their representative) what action we are taking and why. Except where a “zero tolerance” approach is required, the candidate (or their representative) will be advised that their behaviour is giving cause for concern, to provide them with the opportunity to change their behaviour in advance of any restriction being applied. A written warning informing the candidate (or their representative) of our policy for dealing with problem behaviours will be sent and will:

- Identify the unacceptable behaviour;
- Explain why it is inappropriate;
- Explain the steps we have taken;
- Advise the candidate (or their representative) that, if they do this again restrictions will be put in place;
- Advise the candidate (or their representative) on how to challenge the decision.

### **How we make decisions about unacceptable behaviour**

Any member of staff who directly experiences aggressive or abusive behaviour from a candidate (or their representative) has the authority to deal immediately with that behaviour in a manner they consider appropriate and in line with this policy.

With the exception of such immediate decisions taken at the time of the incident, decisions to restrict contact with this organisation are only taken after extremely careful consideration of the situation by a senior member of staff, and where the behaviour is considered serious according to this policy. Wherever possible, we will give the candidate (or their representative) the opportunity to change their behaviour or action before a decision is taken.

## **How we deal with Persistent Aggressive and Abusive Behaviour**

We are charged with the recruitment of suitable candidates into the British Army. Whilst the established recruiting process sets out clear standards that need to be met by the candidates, i.e. health, fitness, ability to work in a team etc, the less obvious assessment that we are all involved in is to evaluate whether the candidate is suitable to join from a behavioural perspective.

If a candidate persists in demonstrating unreasonable and unacceptable behaviours where staff attempt to address the issue in fair, open and consistent communications with the candidate or their representative have failed to curtail it, the next stage of redress must be considered.

Recruiters should make a conscious evaluation of what they assess as the candidate's suitability for service in the British Army based on the candidates' demonstrated behaviour. This behaviour should be compared against the British Army's own Values and Standards.

### **British Army Values and Standards**

The British Army's Values and Standards are shown in the table below, and are available to the Candidate on the Apply Army Website at the following link:

<https://apply.army.mod.uk/what-we-offer/what-we-stand-for#>

The more detailed description of the British Army Values and Standards is provided in this publicly available PDF document:

[https://www.army.mod.uk/media/5219/20180910-values\\_standards\\_2018\\_final.pdf](https://www.army.mod.uk/media/5219/20180910-values_standards_2018_final.pdf)

## **Candidate Rejection – Demonstration of behaviour not commensurate with British Army Values and Standards**

With the exception of decisions taken at the time of the incident, decisions to restrict contact with Army Recruitment or to permanently reject the candidate are only taken after extremely careful consideration of the situation by a senior member of staff, and where the behaviour is considered serious according to this policy. Wherever possible, we will give the candidate (or their representative) the opportunity to change their behaviour or action before a decision is taken.

### **Final Opportunity.**

We will always tell the candidate (or their representative) what action we are taking and why. Except where a “zero tolerance” approach is required, the candidate (or their representative) will be advised that their behaviour is giving cause for concern, to provide them with the opportunity to change their behaviour in advance of any restriction being applied. A formal written warning informing the candidate (or their representative) of our policy for dealing with problem behaviours will be sent and will:

- Identify the unacceptable behaviour
- Explain why it is inappropriate citing the Army Values and Standards.
- Explain the steps we have taken
- Advise the candidate (or their representative) that, if they do this again, further restrictions or rejection will be enacted.
- Advise the candidate (or their representative) on how to challenge the decision.

### **Permanent Rejection.**

If a candidate has demonstrated behaviours for which we have ‘zero tolerance’ or has ignored the opportunity to change their behaviour offered in a ‘Final Opportunity’ letter, then it must be a consideration to ‘Permanently Reject’ the candidate. This decision must not be taken lightly, all avenues must be explored before taking this decision.

The decision to permanently reject a candidate can only be made after discussion and consultation and can only be made by the Assistant Director of the Army Recruiting Branch.

A formal letter informing the candidate (or their representative) of our policy for dealing with problem behaviours will be sent and will:

- Identify the unacceptable behaviour;
- Explain why it is inappropriate citing the Army Values and Standards;
- Explain the steps we have taken;
- Advise the candidate (or their representative) that this is a permanent rejection and that they will be unable to reapply to the British Army;
- Advise the candidate (or their representative) on how to challenge the decision.