

OSPG Guidance: Unreasonable Behaviour Policy

VERSION 1.0

February 27, 2023

Issued by:



Kate Haines, Superintendent



OSPG

Office of the Superintendent
of Professional Governance



Version Control History

Version #	Date (YYY-MM-DD)	Modification	Approved by
1.0	2023-02-27	Initial version	Kate Haines, Superintendent



Unreasonable Behaviour Policy Background:

The Superintendent of Professional Governance (Superintendent) is responsible for oversight of systemic and general matters relating to professional governance by the regulatory bodies listed in schedule 1 of the *Professional Governance Act* (PGA). The responsibilities of the Superintendent are listed in section 7 of the PGA and include:

- Superintending the governance by regulatory bodies of registrants
- Conducting research and promoting or establishing policies on best practices with respect to regulatory bodies
- Providing for administrative matters that relate to regulatory bodies and are in the public interest
- Promoting professional governance by regulatory bodies and enforcing compliance with the PGA

Policy Application and Intent:

This policy applies to all forms of communication with the Office of the Superintendent of Professional Governance (OSPG), including:

- E-mails
- Letters
- Faxes
- Phone calls
- In person contact

The OSPG is routinely contacted by individuals to:

- Ask questions about the role of the Superintendent, OSPG, regulatory bodies, registrants and non-registrants.
- Make complaints about the actions of the regulatory bodies, registrants, non-registrants, the Superintendent, and the OSPG.
- Make complaints about the decisions rendered by regulatory bodies during their complaints and discipline process.
 - The OSPG is not an appeal body and cannot overturn or require changes to decisions rendered by regulatory bodies during their complaints and discipline process.

When contacted, the OSPG provides individuals with a timely and transparent response. Initial acknowledgement of an inquiry occurs first and is followed by a more fulsome response that provides background information and seeks to provide clear answers to any questions asked or responses to any statements made. The intent of this policy is to establish:

- The behaviours that the Superintendent and the OSPG consider unreasonable.
- The steps the OSPG will take to respond to unreasonable behaviour.



Unreasonable Behaviours:

Behaviour that may be considered unreasonable includes:

- Excessive demands on the time and resources of the OSPG, including:
 - Lengthy and/or frequent phone calls;
 - Voluminous and/or frequent correspondence; or,
 - Repeated contact or inquiries on matters that have previously been responded to.
- Refusing to provide information or providing false or misleading information in response to questions to gather information to respond to an individual's inquiry.
- Engaging in any form of aggressive, disrespectful, or intimidating behaviour including:
 - the use of abusive or offensive language;
 - Insults, whether or not staff is the focus of the insults; or,
 - An unreasonable fixation on an individual staff member.
- Discriminatory language or statements against an identifiable group of people, whether or not staff is the focus of the discriminatory language or statement.
- Patterns of shouting, interruption, or incessant speech that prevent staff from participating effectively in the discussion.

Responding to Unreasonable Behaviour

The OSPG will consider all relevant circumstances of a particular case when determining unreasonable behaviour. The chosen response will be taken only to the extent necessary to prevent or mitigate the effects of the unreasonable behaviour, while ensuring that the individual continues to have fair and reasonable access to the OSPG's services.

The individual will be informed:

- When the Superintendent/OSPG considers their behaviour to be unreasonable; and,
- Of the response selected and applied to their case.

Responses to unreasonable behaviour may include:

- Limiting the form of contact the individual may have with the Superintendent/OSPG, such as restricting who the individual may contact and how that contact may occur (i.e. only through e-mail).
- Informing the individual that further contact on the matter will not be acknowledged or replied to.
- Asking the individual to cease direct contact with the OSPG.
- For requests involving access to information, directing the individual to make a freedom of information request through the Information Access Operations website at: [Submit a General Freedom of Information Request - Province of British Columbia \(gov.bc.ca\)](http://www.gov.bc.ca).



OSPG

Office of the Superintendent
of Professional Governance

After these steps have been taken, the OSPG will cease to engage with the individual directly. If a freedom of information request is made through the Information Access Operations website noted above, OSPG will work with Information Access Operations to respond.