

Limited Contact Policy

Adopted:	November 2020
Contact Officer:	Customer First Learning Specialist / Director of Customers
Last Amended/Reviewed:	September 2020
Version/Reviewed by:	V1 – November 2020
Next Formal Policy Review:	Biannually – September 2022 (If regulations are amended, then changes need to be made immediately)
Formal Review of Policy by:	Board
Policy Links:	Equality and Diversity Policy Complaints Policy Reasonable Adjustments Policy Code of Conduct for Staff, Board Members and Involved Customers Anti-Social Behaviour Policy Performance Management & Assurance Framework

Brief Policy Summary:

This policy has been designed to support our approach to effectively managing and learning from our complaints and aligns to the Complaints Policy.

Occasionally, the behaviour or actions of individuals using the Complaints Service makes it very challenging for LHP staff to deal with their complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our process.

When this happens, we will take action to protect our staff. We will also consider the impact of the behaviour on our ability to do our work and provide services to others. This policy explains how we will approach these situations.

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1. Purpose

- 1.1 To provide a framework to support staff to decide whether the Limited Contact Policy should be applied and when applied, delivered fairly and consistently and to inform customers of where and when it may be applied.

2. Objectives

- 2.1 This policy is intended to provide a clear and straight forward explanation of the Limited Contact Policy to support staff to invoke this policy where all other avenues have been exhausted and therefore there is no other alternative.
- 2.2 The complaints process itself and how to access the service is comprehensively advertised and simple to access however in some instances where a complainant behaves inappropriately, uses foul language and generally abuses their position as a valued customer, LHP will invoke the Limited Contact Policy.
- 2.3 This policy will only be used with the permission and comprehensive review of rationale to invoke by the Executive Director of Customers.

3. Scope

- 3.1 LHP recognises that in a minority of complaint cases, complainants can pursue their complaints in a way which can impede the investigation of their complaint, distract from the main concern and on occasion can abuse staff endeavouring to address their complaint.

3.2 LHP does not tolerate unacceptable and abusive behaviour by complainants or any other customer contacting the business.

3.3 Unacceptable and abusive behaviour in the context of this policy includes:

- Using abusive or foul language on the telephone or face to face
- Consistently sending multiple emails demanding feedback
- Consistently leaving multiple voice mails demanding feedback

3.4 LHP will take appropriate action to protect staff from this type of behaviour and ensure that a complaint is addressed within the advertised time scales by invoking this policy whilst continuing to address a complaint through the measured approach identified within the two stages of the Complaints Policy.

4. Actions that LHP considers as unacceptable

4.1 LHP recognises that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a customer using the complaints service.

4.2 We consider actions that result in unreasonable demands on our service or unreasonable behaviour towards LHP's staff to be unacceptable. It is these actions that we aim to manage under this Policy.

5 Aggressive or abusive behaviour

5.1 We understand that many customers may be angry about the issues they have raised in their complaint. If that anger escalates into aggression towards LHP staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.

5.2 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused.

5.3 We will judge each situation individually and appreciate individuals who come to us may be upset.

5.4 Language which is designed to:

- insult or degrade,
- is racist,
- sexist or homophobic; or
- which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence is unacceptable.

6. Unreasonable demands

6.1 A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the complaints service.

6.2 Examples of this behaviour include:

- repeatedly demanding response within an unreasonable timescale,
- insisting on seeing or speaking to a member of staff, when that is not possible,
- repeatedly changing the substance of a complaint or raising unrelated concerns.

An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own complaint from being dealt with quickly.

7 Unreasonable levels of contact

7.1 Sometimes the volume and duration of contact made to our complaints service by an individual causes problems. This can occur over a short period.

7.2 It may occur over the lifespan of a complaint when a customer repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

7.3 LHP considers that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other customers' complaints.

8 Unreasonable refusal to co-operate

8.1 When we are investigating a complaint, we will need to check back with the complainant to:

- Agreeing the complaint what we will be investigating and understanding the outcomes expected
- The provision of further information, evidence or comments on request, or
- Help us by summarising their concerns.

8.2 Sometimes, an individual repeatedly refuses to co-operate and this makes it difficult for us to proceed with a thorough investigation however we will always seek to assist someone if they have a specific, genuine difficulty complying with a request.

8.3 We consider it is unreasonable to bring a complaint to us and then not respond to reasonable requests to support our investigation

9. Unreasonable use of the complaints process

9.1 Individuals with complaints about LHP's service have a right to pursue their concerns through a range of different routes. They also have the right to complain more than once about the services they receive from LHP if subsequent incidents occur.

9.2 This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision.

9.3 We consider access to a complaints service very important and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable - but we reserve the right to do so in such cases.

10 Reasonable adjustments

10.1 LHP understands that some of our customers have disabilities which may make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset.

10.2 We also recognise that some disabilities can make it difficult for customers to understand the impact that their behaviour might have on other people.

10.3 We will always consider making reasonable adjustments for a disabled customer if we are asked to do so or hold the information that informs us that an individual has a condition or a requirement for greater support for example:

- We would use different methods of communication to meet customer needs
- Agree with the complainant to give clear warnings when we feel that a customer's behaviour is unacceptable so that they can change it
- We would not consider it to be reasonable to expect our staff to accept being subjected to aggressive, offensive or abusive actions, language or behaviour.

10.4 We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or our work.

10.5 LHP also recognises that there may be occasions where it is difficult to distinguish whether a complainant's behaviour is persistent or is a case of Anti-Social Behaviour (ASB). If unsure we will address concerns through our ASB Policy and use the sanctions within the Tenancy Agreement.

11 Imposing Restrictions

11.1 LHP will ensure that the complaint has or is being investigated thoroughly following the Complaints Policy.

11.2 If the disruptive behaviour continues, the Head of Service in consultation with the Director of Customers will issue a second letter to the complainant advising them that the way that they will contact us in the future will be restricted. This decision and the restrictions will be advised, along with the period that any restrictions will apply to the complainant in writing by the Director of Customers.

11.3 The letter will explain:

- Why we have taken this decision
- What precisely is the action that we are taking
- The duration of the restriction
- The review process of this policy and a copy of the policy
- The complainants right to contact the Housing Ombudsman regarding having the limited contact policy applied to them.

11.4 Restrictions will be reviewed quarterly from the date of the second letter and the complainant updated regarding the outcome of the review.

11.5 Restrictions will be appropriate and proportionate and tailored to address individual circumstances. This may include but is not limited to:

- Disallowing the complainant from making contact by telephone and / or email except through an agreed third party and requiring that they only make contact by letter.
- Access to our offices may be stopped
- Restricting contact with named members of staff only
- Restricting telephone calls to specific days, times and duration
- Personal contact to take place with appropriate witnesses' present
- Advising the complainant that we will no longer acknowledge or reply to further contact from them on specific topics of a complaint in which case a designated member of staff will be identified who will read future correspondence and advise outcomes accordingly.

11.6 Should the restrictions applied to the complainant not be adhered to and challenging behaviour continue, the Executive Director of Customers may decide to refuse all contact with the complainant and may even stop the investigation into their complaint.

11.7 Where the behaviour is so extreme, or it threatens the safety and welfare of LHP's staff we will consider taking further action including contacting the police or taking legal action.

12 New Complaints

- 12.1 New complaints from customers who have had this policy applied to them will be treated on their merit by the Director of Customers to ensure that genuine service requests and complaints are not being ignored.

13 Delivery and Monitoring

- 13.1 Comprehensive records will be retained by the Customer First Learning Specialist which will include details of the imposed restrictions and their start and end dates.
- 13.2 The Board will be provided within an annual complaints review, of the number of times this policy has been used along with the rationales for implementing the policy.

14 Review Cycle

- 14.1 This policy will be reviewed biannually in line with the Complaints Policy.



Equality Impact Assessment Initial Screening

Name of policy / strategy / project (the "initiative"):

Complaints Policy

Provide a brief summary of the aims and main activities of the initiative: (bullet points)

Occasionally, the behaviour or actions of individuals using the Complaints Service makes it very challenging for LHP staff to deal with their complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our process. When this happens, we will take action to protect our staff. We will also consider the impact of the behaviour on our ability to do our work and provide services to others.

Completed by:

Executive Director of Customers

Date: August 2020

STAGE 1: SCREENING

This stage establishes whether a proposed initiative will have an impact from an equality perspective on any particular group of people or community – i.e. on the grounds of race, religion/faith/belief, gender (including transgender), sexual orientation, age, disability, or whether it is "equality neutral" (i.e. have no effect either positive or negative).

Q 1. Who will benefit from this initiative? Is there likely to be a positive impact on specific groups/communities (whether or not they are the intended beneficiaries), and if so, how? Or is it clear at this stage that it will be equality 'neutral' i.e. will have no particular effect on any group? *Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality*

It is expected that this policy is equality neutral

Q 2. Is there likely to be an adverse impact on one or more minority/under-represented or community group as a result of this initiative? If so, who may be affected and why: Or is it clear at this stage that it will be equality 'neutral'? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

This policy is expected to have a positive impact on all our customers where applied.

Q 3. Is there sufficient data on the target beneficiary groups/communities? Are any of these groups under or over represented? Do they have access to the same resources? What are your sources of data and are there any gaps? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

The policy has been designed to provide a framework for the delivery of a fair and consistent response to complaints and designed to manage those instances when contact with LHP should be limited

Q 4. Outsourced services – if the initiative is partly or wholly provided by external organisations / agencies, please list any arrangements you plan to ensure that they promote equality and diversity. Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

N/A

Q 5. Is the impact of the initiative (whether positive or negative) significant enough to warrant a full impact assessment – see guidance? If not, will there be monitoring and review to assess the level of impact over a period of time? Please consider all aspects of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality

N/A

Q 6. To be completed at six monthly review Detail actions taken to assess the level of impact over a period of time, or to address any gaps in data. Please consider all aspect of Diversity including as a minimum: Age, Disability, Gender/Transgender, Race/Ethnicity, Religion/Faith/Belief, Sexuality



Guidelines: Things to consider

- Where a negative (i.e. adverse) impact is identified, it may be appropriate to make a full EIA (see Stage 2), or, as important, take early action to redress this – e.g. by abandoning or modifying the initiative. NB If the initiative contravenes equality legislation, it must be abandoned or modified.
- Where an initiative has a positive impact on groups/community relations, the EIA should make this explicit, to enable the outcomes to be monitored over its lifespan.
- Where there is a positive impact on particular groups, does this mean there could be an adverse impact on others, and if so, can this be justified? - e.g. Are there other existing or planned initiatives which redress this?
- It may not be possible to provide detailed answers to some of these questions at the start of the initiative. The EIA may identify a lack of relevant data, and that data-gathering is a specific action required to inform the initiative as it develops, and also to form part of a continuing evaluation and review process.
- It is envisaged that it will be rare for full impact assessments to be required. Usually, where there are particular problems identified in the screening stage, it is envisaged that changing the approach at this stage, and/or setting up a monitoring/evaluation system to review a policy's impact over time will tackle the problem.