



## **POLICY ON THE MANAGEMENT OF UNREASONABLE COMPLAINANT BEHAVIOUR**

### **Introduction**

The Authority values the feedback on our services that we receive through the complaints process and we are committed to dealing with all complaints fairly and impartially, and to making our service as accessible as possible.

In a minority of cases people pursue their complaints in a way that is unreasonable. They may behave unacceptably or be unreasonably persistent in their contacts and submission of information. This can hinder us in providing our services and consume significant amounts of resource.

### **Unreasonable complainant behaviour**

The following actions and behaviours are examples of complainant conduct which are often problematic. Single incidents may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and interferes with proper consideration of the complaint.

- Refusing to cooperate with the complaints investigation process
- Refusing to accept that certain issues are not within the scope of a complaints procedure
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous Authority staff, or detailed letters every few days, and expecting immediate responses
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced
- Raising many detailed but unimportant questions, and insisting they are all answered
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- Introducing trivial or irrelevant new information at a later stage
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints
- Refusing to accept the decision; repeatedly arguing points with no new evidence

We will not tolerate threatening, offensive, abusive or other forms of unacceptable behaviour from complainants. When it occurs, we will take proportionate action to protect the wellbeing of our staff and the integrity of our processes. When necessary, we will take action to restrict access to our service when unreasonable behaviour of this nature persists.

## **Warnings**

In most instances when we consider someone's behaviour is unreasonable, we will explain why and ask them to change it. We will share this policy and warn them that, if the behaviour continues, we may take action to restrict their contact with our offices. Where the behaviour is so extreme that it threatens the immediate safety and welfare of our staff, we may report the matter to the police or consider taking legal action. In such cases, we may not give the complainant prior warning.

## **Restricting access to the Authority's services**

The decision to restrict access to our staff will be taken by the Monitoring Officer or Chief Executive. They will write to the complainant with a copy of this policy to explain:

- why the decision has been taken
- what it means for his or her contacts with the Authority
- how long any restrictions will last

The sort of restrictions imposed could include:

- restricting telephone calls to specified days and limited times
- limiting contacts to one form only (for example, a maximum of one letter or email a week)
- requiring contact to take place with one named officer
- responding only with an acknowledgement confirming receipt of a letter or email unless new material is presented
- requiring the complainant to enter into an agreement about their future contacts with the Authority

Other suitable options will be considered in the light of the complainant's circumstances. Our objective, wherever possible, is to complete consideration of the complaint on its merits in a managed way.

Restrictions should be lifted and relationships returned to normal unless there are good grounds to extend them. We will tell the complainant of the outcome of our review. If restrictions are to continue, we will explain our reasons and state when these will next be reviewed.

## **Terminating access to the Authority's service**

If a complainant continues to behave unreasonably, or overrides the restrictions placed on access to our service, we may decide to terminate contact with them and end any investigation into their complaint.

## **New complaints**

New complaints from people whose behaviour has previously been deemed unreasonable will be treated on their merits. Restrictions imposed in respect of an earlier complaint will not automatically apply to a new matter.