



Restricted Contact Policy

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Responsible Director	Executive Director of Customer Service
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Date EIA Completed and location on intranet	Yes
Is a Data Privacy Impact Assessment (DPIA) Required?	No

VERSION CONTROL NOTICE

Always refer to documents stored on the [intranet](#) when applying policy and procedure.

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1.0 Introduction and scope

This Excessive Use and Unreasonable Behaviour Policy has been developed in line with Wandle's values, which are:

- Think customer
- Build relationships
- Work together
- Aim high
- Own it

It will ensure that actions we undertake will be underpinned by our vision of:

"Homes to be proud of and services you can trust"

Wandle is committed to ensuring residents can communicate with us easily, through a variety of channels and in a way that suits them whenever possible. It is for these reasons that Wandle rarely place limits on the type or frequency of contact customers can have with our staff. We will only consider putting restrictions in place in the exceptional circumstances set out in this policy. The application of this policy should not prevent us from resolving genuine concerns or complaints and we should take steps to ensure it does not prevent us from doing so.

When things go wrong with our service it is right that residents are able to express their frustration with us and it is understandable that some people may act out of character in times of distress. However, we will always treat our residents with respect and we expect them to treat our staff in the same way. No circumstances excuse inappropriate behaviour towards our staff.

Unreasonable requests and persistent communication can also be inappropriate when they put excessive demands on our business, inhibiting our ability to meet other obligations or provide a good service to other residents.

This policy outlines our approach to managing unreasonable persistence, unreasonable demands and abusive or aggressive behaviour.

2.0 Unacceptable behaviour

Unacceptable behaviour usually falls within three categories:

1. Unreasonable persistence
2. Unreasonable demands
3. Abusive or aggressive behaviour

2.1 Unreasonable persistence

We recognise that some residents will not or cannot accept that we are unable to assist them or provide a level of service other than that provided already. Residents may continue to disagree with the action or decision taken or persist in contacting us about the same issue.

Examples of unreasonable persistence include:

- Persistent refusal to accept explanations about what we can or cannot do
- Persistence in pursuing a matter when statutory routes of appeal are exhausted
- Regularly submitting subject access requests
- Persistently chasing a response in advance of a stated response deadline or without allowing us a reasonable time to respond
- Persistently contacting multiple staff or senior managers when asked to liaise with a named individual or team

The way in which these residents approach us may be entirely polite or reasonable but it is their persistent behaviour in continuing to do so that is not reasonable. We consider the actions of persistent residents to be unacceptable when they take up what we regard as being a disproportionate amount of time and resources.

2.2 Unreasonable demands

Unreasonable demands might involve the amount of information residents want from us and the nature and scale of service they expect from us. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the resident.

Examples of unreasonable demands include:

- Demanding a response within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff even when they may not be best suited to handling the issue
- Continual phone calls, emails, letters or online contacts (including via the MyWandle Portal)
- Repeatedly changing the substance of a complaint or subject access request
- Refusing to identify the precise issues which they wish to be investigated, despite reasonable efforts to help them to specify their concerns
- Continuing to seek a service that is not within our remit to deliver
- Expecting to communicate with us in a manner that doesn't comply with our current policies and procedures

We consider these demands as unacceptable and unreasonable if they start to substantially impact on our work, for example, taking up an excessive amount of staff time to the potential disadvantage of other residents.

2.3 Abusive or aggressive behaviour

Abusive or aggressive behaviour can be physical, verbal or written. Examples of aggressive or abusive behaviours include:

- Threats (explicit or implied)
- Physical violence
- Verbal abuse (in person or over the phone)
- Written abuse via any channel
- Derogatory remarks
- Rudeness
- Inflammatory statements or unsubstantiated allegations

- Repeatedly shouting or talking over staff so that they are unable to ask questions or offer explanations

We expect our staff to be treated courteously and with respect. Violence or abuse directed at members of staff is unacceptable and will not be tolerated. Legal action will also be considered where appropriate. This could include reporting incidents to the police, seeking injunctions or taking possession action.

3.0 Our Approach

Our aim is to provide the best customer experience we can and we will always try to communicate with residents through their preferred channel. Therefore we will only consider putting restrictions in place in the exceptional circumstances set out above. Applying this policy should not prevent us from resolving genuine concerns or complaints and we should take steps to ensure it does not prevent us from doing so.

Where a customer has been verbally abusive towards a member of staff our concerns should be brought to their immediate attention, advising them that their behaviour is unacceptable and will not be tolerated.

3.1 Record Keeping

Staff must ensure that they maintain detailed and accurate documentation to support and evidence our decision making for any case that may fall under this policy. All decisions to restrict contact or communication with a resident must be recorded centrally on a register or central log, depending on our future systems.

The current register and case files can be found here: [V:\Customer Services\Excessive use and abusive behaviour Policy and procedures](#)

3.2 Making the decision to restrict contact

Where customers make unreasonable demands on the service or are being unreasonably persistent it is important to treat them with the same courtesy and consideration given to all other customers.

Initially, when a resident's behaviour is considered unacceptable, this will be responded to by the member of staff communicating with the customer. Where the problem persists or escalates, their line manager will decide whether the case needs to be put to a panel for application of this policy.

The panel should consist of one head of service and, the line manager and one other manager, who will determine whether or not restrictions are required, what these should be and how long they should be applied. Each case will be considered on an individual basis.

Their case should be carefully reviewed to ensure that no factors have been overlooked which might explain the persistent nature of their behaviour, such as a mental health issue or disability.

3.3 Type of Restrictions

The form of restriction we apply will be determined by the panel. Any restriction will be appropriate and proportionate to the nature of the customer's contacts with us at that time.

Restrictions might include:

- Restricting the number of telephone call/e-mails that will be taken/responded to over a period of time (for example one call on one specified morning/afternoon of any week).
- Limiting the customer to one medium of contact (telephone, letter, e-mail to a specific address etc.)
- Requiring the customer to communicate only with a named employee or team.
- Requiring any personal contacts to take place in the presence of a witness
- Putting conditions on access to our complaint resolution process
- Banning a customer from Wandle's premises
- Involving the police in cases where we believe the customer has committed a criminal offence (for example, harassment, assault on staff or criminal damage), where assault is threatened, or where the customer refuses repeated requests to leave Wandle's premises
- Restricting customer access to the online MyWandle portal

3.4 Use of Flags

We will use red flags to identify which residents have been identified as being vexatious, abusive or having specific contact arrangements in place. We will follow our red flag procedure and guidance when applying red flags.

3.5 Other measures

Wandle may take other steps to protect our staff and/or other residents from abusive residents who have been allocated a red flag.

Such measures might include:

- Only visiting a resident's property with at least one other colleague or contractor present
- Only meeting a resident at our office, in a secure room and with other staff present
- Taking legal action, such as reporting to the police or seeking injunctions

A note will be added under the flag of any such measures and this information will be shared with any staff or contractors who are required to visit that resident's property.

3.6 Exceptions

Even when contact restrictions are in place, emergency and essential contact will always be permitted by phone. This might include an emergency repair or urgent safeguarding concern.

We will ensure that any restrictions to contact will not contradict our legislative requirements and that all residents will still be included in statutory consultations which take place during the period of restriction.

We will never entirely block customers access to our complaints process, but may put proportionate restrictions in place to prevent its abuse.

3.7 Length of time of restrictions

The length of time that restrictions or flags are placed upon a tenancy will be determined by the panel (no longer than 18 months per determination). The decision for the length of the restrictions must be documented.

3.8 Informing the resident

We will always inform a resident in writing when we intend to put in place restrictions on their level of contact or allocate them with a flag. We will outline why such restrictions or flags are being put in place, how long for, when we will review the decision and how the resident can appeal the decision themselves.

3.9 Internal review

We will review all flags or restrictions after the initial set period and may choose to extend this period upon review.

Flags or restrictions will be reviewed by a panel, via the same process, after no longer than 12 months and the resident must be informed of the outcome of such review.

3.10 Right to appeal our decision

Customers have right to appeal any decision to apply a red flag or contact restrictions. This will be considered by the relevant director. When informing the resident that we are putting a flag or restrictions in place we will always inform them of their right to appeal the decision and how to submit such a request.

The director must consider and respond to any request for a review within 28 days of the request being received.

4.0 Roles and Responsibilities

Head of Customer Service Delivery

Responsible for making sure all relevant teams are made aware of this policy.

Must also ensure the register of contract restrictions is maintained and updated.

Reporting member of staff

Potentially any member of staff can make a report if they feel that a resident is using Wandle's service excessively or is being abusive. They should make their report to their line manager.

Managing receiving report

Responsibility lies with the reporting officer's line manager to decide on whether a resident has breached this policy and whether a panel meeting should be held.

The manager who receives the report is responsible for convening the panel.

They must ensure that any actions or restrictions are implemented and that the appropriate procedure for applying red flags or contact restrictions is followed.

They should also ensure that a review is diarised and takes place.

Panel members

The panel will be always consist of 2 persons, one of whom will always be the Head of Customer Services and either another manager or Head of Service.

The panel will meet to establish the facts of the case, consider whether any restrictions or red flags should be put in place, or other action should take place. Panel members will ensure any relevant actions such as removal/addition of flags from the system are actioned.

5.0 Feedback Surveys

Residents with restricted contact will be excluded from participating in feedback surveys until the contact restriction has been reviewed and lifted. Residents will be advised of this approach when they are notified of the contact restriction in place.

6.0 Internal Related Documents

Policies	Complaints Safeguarding Adults & Children Data Protection Health & Safety
Procedures	Red Flag Procedure Subject Access Request Restricting Contact Process Map

7.0 Equality & Diversity

Equality & Diversity is central to our business; promoting fairness and opportunity for customers and staff; helping provide the best services shaped by and for customers; and right for recruiting and developing our staff.

We are committed to celebrating diversity. To ensure equal access to our services is available, Wandle will comply with the Equality Act 2010 and all other legislative requirements relating to equality. We will work to avoid exclusions or restrictions that are not appropriate to the housing and support needs of our tenants and that may lead to discrimination. We will endeavour to ensure that all tenants receive a consistent level of quality service.

Equality Consideration

Under the *Equality Act 2010* Wandle must consider whether our policies adversely affect our customers and/or staff.

The following table identifies whether this policy disproportionately impacts upon any individuals in regard to the key protected characteristics, as identified in the Act:

Special Characteristic	Any impact? (Yes or No)
age	No
disability	Yes
gender reassignment	No
marriage and civil partnership	No
pregnancy and maternity	No
race	No
religion or belief	No
sex	No
sexual orientation	No

As this policy may impact upon individuals in regard to one or more of these protected characteristics, an Equality Impact Assessment (EIA) has been completed and can be found at: <https://intranet.wandle.com/Interact/Pages/Content/Document.aspx?id=3412>