



Procedure: **Unreasonable Complaints**

Approved by: Leadership Group

Date Approved: February 2021
Frequency of review: N/A New Policy
Complainant Policy

1. PURPOSE

This procedure has been developed to ensure BHA complies with current legislation, regulatory expectations, and good practice.

Please refer to the Policy for Scope, Responsibilities, Legislative, and Regulatory Requirements, etc.

2. KEY STAFF RESPONSIBILITIES

See Policy

3. DEFINITIONS

BHA – Broadland Housing Association
Complainant - The person or person's raising a complaint

4. RELATED DOCUMENTS

See Policy

5. OVERVIEW

Types of contact/behaviour:

It is important that both staff and customers are clear about when contact about a complaint is becoming unmanageable and when this policy may be used.

The types of contact or behaviour which may lead to us using this policy are listed below. Please be advised this is not an exhaustive list.

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.

- Insisting on the complaint being dealt with in ways which are incompatible with the published complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with phone calls, emails, contact on social media, or detailed letters on a frequent basis, and expecting immediate responses.
- 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
- Insisting on seeing or speaking to a particular member of staff when they are unavailable.

When dealing with a customer, if a member of staff thinks that the customer is pursuing a complaint as above, they should warn the customer and give them the opportunity to change their contact or behaviour. BHA will always discuss using an advocate with the customer to ensure the communication can continue in a positive way.

If the customer continues to communicate or make contact after a warning, the member of staff will tell the customer that formal action will be considered in line with this policy.

Formal Action that can be taken

Any action taken should be proportionate to the nature and frequency of the complainant's current contact.

Executive Director approval is required (using Appendix A) before restrictions can be placed on a customer by a member of staff. The Executive Director will seek the approval of two Board members, (one tenant and one independent) and advise the staff member making the request of the decision.

The following is a list of actions that can be considered and put in place:

- providing a single point of contact.
- limiting contact to a single form i.e. to writing, email or telephone only.
- limiting contact to certain times or to a limited number of times per week or month.
- declining to give any further consideration to an issue unless any additional evidence or information is provided.
- only considering a certain number of issues in a specific period.

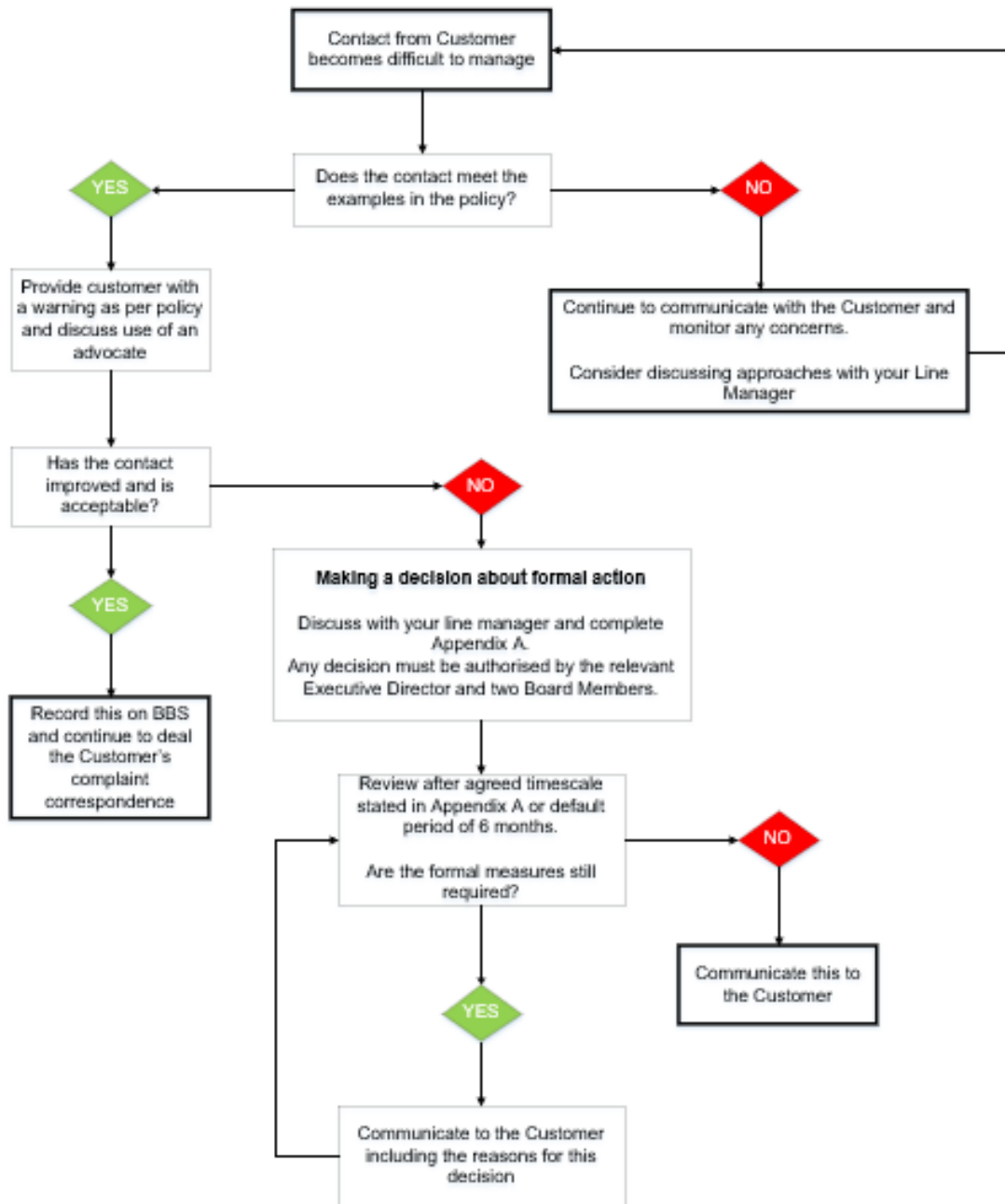
Where a decision on the type of action to be taken as been decided, this must be communicated to the customer using the template. This template includes:

- The types of behaviour/contact that led to the formal action.
- Details of the warning given, including the date.
- The action that has been agreed about future contact.
- The date for a review of the decision.
- Advising the customer if applicable that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information.
- How to appeal the decision.
- Information on how to contact the Housing Ombudsman.

6. REVIEW

This procedure will be subject to ongoing review in the light of experience, changes in legislation and policy and meeting the needs of our customers and stakeholders.

Unreasonable Complaints





Unreasonable Complaint Procedure (Appendix A)
Request to restrict a customer's communication/service access.

Customer Name/s	
Home address including postcode	
Property Type (e.g., flat/house and floor level)	
Does the customer have a protected characteristic under the Equality Act?	Yes/No (highlight as appropriate) If yes, please provide details:
Has the customer requested any reasonable adjustments to our service?	Yes/No (highlight as appropriate) If yes, please provide details:
Has use of an advocate been discussed with the customer as per the procedure? If No, this request cannot be made.	Yes, please provide details:

**Why are you making this request?
 (Provide details of the complaint to date in chronological order)**

What are you requesting to put in place?
Include the period and review date you are proposing.
Detail any impact under the Equality Act if the customer has a protected characteristic.
(Please see the procedure for guidance actions which can be considered).

I can confirm that I have considered all options available to try and resolve the complaint and I am requesting permission to implement the unreasonable complaints procedure.

Requested by: Print name	
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Procedure Owner: Executive Housing Director Directorate: Housing	Revised by: Head fo Housing Verified by: Leadership Group
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Signature:	
Date	
Senior Manager Signature	
Executive Director Approval	Yes/No (Highlight as appropriate)
Signature	
Date	
Exec Director comments:	

Independent board member approval	Yes/No (Highlight as appropriate)
Independent board member: Print name	
Signature:	
Date	
Independent board member comments:	
Tenant board member approval	Yes/No (Highlight as appropriate)
Tenant board member: Print name	
Signature:	
Date	
Tenant board member comments:	