

Managing customer contact policy

1 Introduction

The Independent Police Complaints Commission (IPCC) is committed to providing a fair, consistent and accessible service to all its customers. This policy sets out the IPCC's approach to managing customer contact with a small minority of customers* whose actions or behaviour are considered unacceptable, impacting on the work of its staff. The IPCC deals with large numbers of cases each year. In the majority of cases these interactions are dealt with satisfactorily and without concern.

*By the term 'customer' the IPCC means anyone that comes into contact with the organisation.

However, the IPCC has a responsibility to provide a safe working environment for its staff and ensure that its service is cost effective and delivered fairly to all. Therefore, it reserves the right to manage customer contact where necessary. This will ensure public money is not mis-spent pursuing the demands of customers which take up a disproportionate amount of IPCC time.

The IPCC recognises that certain forms of mental illness or disability may make it difficult for people to express themselves or communicate clearly. The IPCC always aims to make reasonable adjustments to meet the needs of the individual if it is advised of any access requirements – but it may still need to manage contact in these circumstances when considered necessary.

2 Policy aims

The IPCC aims to deal fairly, honestly, consistently and appropriately with all customers. It believes customers have the right to be heard, understood and respected. It also considers that IPCC staff have the same rights. Therefore, the IPCC will not tolerate what it considers to be unacceptable behaviour towards its staff. Where it considers customers'

behaviour to impact on its work, it reserves the right to manage access to its services in order for it to provide a fair and accessible service to all customers.

3 Defining unacceptable behaviour

The IPCC understands people may have experienced frustrating or distressing circumstances leading up to making contact with the organisation. The IPCC does not view behaviour unacceptable just because a customer may be frustrated or angry. However, the behaviour of customers who are angry, demanding or persistent may result in unreasonable demands being placed on staff, or in staff bearing the brunt of unacceptable behaviour.

It is these actions that the IPCC aims to manage under this policy. It has grouped these actions under three broad headings:

Aggressive or abusive behaviour

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

Examples of behaviours grouped under this heading include threats, physical violence, personal and verbal abuse, derogatory remarks and rudeness.

Violence or abuse towards staff is unacceptable. The IPCC understands the difference between aggression and anger. The anger felt by many customers involves the subject matter of their case or query. However, it is not acceptable when anger escalates into aggression directed towards IPCC staff.

Unreasonable behaviour

Customers may make what the IPCC considers unreasonable demands on its service through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable behaviour or demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.

Examples of behaviour grouped under this heading include: demanding responses within unreasonable timescales or insisting on dealing with or speaking to particular members of staff, seeking to have staff replaced, continual phone calls, letters and emails that adopt a 'scattergun approach', and pursuing issues with numerous staff.

The IPCC considers these demands and behaviour to be unacceptable and unreasonable if they begin to impact substantially on the work of the IPCC – for example, taking up an excessive amount of staff time to the disadvantage of other customers or functions.

Unreasonably persistent

The IPCC recognises that some customers will not or cannot accept that the IPCC is unable to assist beyond a level of service provided already. Customers may persist in disagreeing with the action or decision taken in relation to their case or contact the IPCC repeatedly about the same issue.

Examples of behaviour grouped under this heading include: persistent refusal to accept a decision made in relation to a case, repeated requests to reverse an IPCC decision, persistent refusal to accept explanations relating to what the IPCC can or cannot do despite having information explained and clarified. The way in which these customers approach the IPCC may be entirely reasonable – however, their persistent behaviour in continuing to do so is not.

The IPCC considers the actions of persistent customers to be unacceptable when they take up what the IPCC considers to be disproportionate amounts of time and resources.

4 Managing unacceptable behaviour

The approach taken to manage unacceptable behaviour depends on its nature and extent. If it adversely affects the IPCC's ability to do its work and provide a fair service to others, it may need to restrict contact with the customer. Wherever possible, the IPCC aims to do this in a way that still allows access to its service and advises customers prior to putting any restrictions in place.

Example:

The IPCC made a case decision which a complainant disagreed with. The IPCC endeavours to clearly explain the reasons for case decisions, however case decisions are final. Despite attempts to explain the decision the complainant refused to accept explanations and proceeded to contact the IPCC by phone in excess of 50 times a day. The high volumes of telephone calls were managed by ceasing to accept calls from this complainant and requesting that all contact be in writing or by email.

The IPCC may report threats or use of physical violence, verbal abuse or harassment towards IPCC staff to the police. This will always be the case if physical violence is used or threatened and in such cases, the IPCC may not give the customer prior warning of this action.

Example:

From early contact with the IPCC a complainant was abusive and this was noted on the case. As this continued the complainant was advised not to contact the IPCC by phone. The complainant continued to call the IPCC and proceeded to make threats to staff. This incident was reported to the police with no prior warning to the complainant. This is an extreme example. However, it is a reflection of the type of incident that will not be accepted by the IPCC.

6 Accountability for restricting customer contact

IPCC staff who experience unacceptable behaviour over the phone have the right to either place callers on hold or end telephone calls if the call is considered aggressive, abusive or offensive. This is covered as part of this policy and in the IPCC telephone policy.

Staff are accountable for their actions and are required to log all instances where calls have been terminated, noting the reason for ending the call. Staff also have the responsibility to report any instances of unacceptable behaviour to their manager in order to ensure fairness and consistency of approach when a head of function is taking a decision to manage contact.

With the exception of ending a telephone call, decisions to restrict contact with the IPCC can only be authorised by a head of function with careful consideration given to the circumstances of the situation.

A customer will be advised in writing (or an alternative accessible format) that their behaviour is considered to be unacceptable. They will also be advised that the IPCC may take steps to manage communication in order to handle their contact with the IPCC - a copy of the policy will be provided to give further explanation. Wherever possible, the IPCC will give a customer the opportunity to adapt their behaviour or action before a decision is taken.

It may be necessary to apply restrictions if all internal review mechanisms have been exhausted and the customer continues to display unacceptable behaviour that is impacting on the work of IPCC staff.

A manager can request authorisation to restrict contact from the relevant head of function. However, the head of function should be satisfied the following criteria has been considered before any action is taken:

- The matter – whether it be a complaint / case / query / request – is being, or has been, considered and addressed properly.
- Any case-related decision reached as a result of an investigation is the right one.
- Communication with the customer has been adequate and the customer is not providing any significant new information that might affect the consideration of the case.
- All efforts have been made with the customer to dispel misunderstandings and move matters towards a resolution.
- Any specific access requirements and appropriate solutions have been considered to ensure that the customer is not being denied access to the IPCC.
- Putting the customer in touch with a suitable gateway organisation, such as a Citizens Advice Bureau, has been considered – or the customer has been urged to seek legal advice.

Where a customer continues to display unacceptable behaviour the IPCC will exercise its right to restrict contact. The precise nature and action will be appropriate and proportionate to the nature of the unacceptable behaviour. It may decide to (this list is not exhaustive):

- Place time limits on telephone conversations and personal contacts (for example, one call on one specified morning/afternoon of any week).
- Restrict communication to one method of contact (telephone, letter, email, etc).
- Arrange for the customer to communicate with one specific point of contact only – where appropriate to do so.
- Record or monitor telephone calls.
- Read and file future correspondence, but acknowledge or respond to it only if the customer provides new information or is making a new complaint.
- Refuse to consider demands to re-open a closed case or case decision.
- Take other action that it considers appropriate – in severe circumstances this may include blocking telephone numbers and / or email addresses.

It will, however, always tell customers what action it is taking and why. It will write to them (or an alternative accessible format) explaining the reasons for managing future contact, describing the restricted contact arrangements and, if relevant, clarifying how long these restrictions will be in place.

Customers will also be told how they can dispute the decision to restrict contact.

Where the behaviour in question is considered to be harassment/aggressive, or in situations where it threatens IPCC staff safety and welfare, police involvement or legal action may be necessary. In such cases, the IPCC may not give the customer prior warning of this action.

If a restriction has been put in place and a customer breaks its conditions, staff have the right not to engage in conversation or respond to requests as appropriate.

7 Disputing a decision to restrict contact

A customer can raise any concerns or disagreements against a decision to restrict contact through the IPCC internal complaints procedure. After such concerns have been considered, the customer will be informed in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

8 Record keeping and reviewing a decision to restrict contact

The IPCC will record all decisions to restrict contact with customers. Accurate details will be noted on the relevant case file and any limits put in place will be reviewed as a minimum annually.

A decision to restrict customer contact may be reconsidered if the customer demonstrates a more acceptable approach. The annual review should indicate whether the restriction still applies or advise otherwise.

9 How the policy links to other policies / Acts

In situations where a member of IPCC staff feels unsafe or unfairly treated by a customer, the managing customer contact, telephone policy, health and safety, dignity at work, diversity at work policies and IPCC equality schemes would also apply.

The Freedom of Information Act (Section 14) covers vexatious and repeated requests for information.

Section 14 of the Act should be referred to in conjunction with this policy. The Act gives the IPCC the right to refuse information to members of the public on the grounds that the request is vexatious or unnecessarily repeated. The IPCC will adhere to its responsibilities set out in the Data Protection Act in respect of the storage and retention of personal data.