# Sample policy: managing challenging situations

## Policy statement

As an organisation delivering UK central government services, we are committed to offering a high-quality service. We take steps to make sure we treat everyone with dignity and respect. We aim to handle the complaints we receive in the best way possible, in line with the [UK Central Government Complaint Standards](https://www.ombudsman.org.uk/gcs).

We understand and accept that when making a complaint, people may be upset, distressed or angry, or feel let down by us. We aim to engage in a positive way with everyone who complains to us, so we can try to restore their trust in our organisation.

Sometimes a person who makes a complaint may behave or interact with us in a way that makes the process difficult to manage. This could affect our ability to provide a good service to that person and to other people who have complained. It may also affect the wellbeing of our colleagues. Where that happens, we will take appropriate action to protect colleagues and others. This policy explains how we will identify and respond to those types of interaction.

### Our promise

We will:

* help people who complain to us to engage positively so we can give them the best possible level of service
* train and support colleagues in effective ways to manage challenging interactions
* identify cases where action is needed to manage communication, so that any issues are resolved as quickly as possible
* make sure someone’s communication needs do not deny or undermine their right to have their complaint considered
* protect our colleagues and others if challenging communication is affecting anyone’s wellbeing or ability to do their job.

### What we will do at the start

Anyone who uses or is affected by our services has the right to:

* make a complaint to us
* receive a thorough and timely investigation and response.

Sometimes a person who brings a complaint to us might behave or interact in a way that makes the process difficult for us to manage. We understand that this could be because they have been through a frustrating, frightening or upsetting experience. They may be distressed, traumatised, grieving or feeling let down and angry.

We also understand that people with certain health conditions (including some neurological or mental health conditions, such as anxiety) may find it difficult to regulate their emotions, and this can make the situation even harder for them to manage.

In these situations, we will do everything we reasonably can to engage in a positive way. We will:

* respond with compassion and try to understand the feelings behind the behaviour
* take the time to listen and talk to the person to understand their concerns, how they have been affected and what they would like to achieve by complaining
* explain how the person can get support from [insert details of support available from your organisation or external providers] or specialist advice service
* explain our investigation process and how long it is likely to take
* set out how the person will be involved and kept updated so they fully understand what will happen and feel in control of their complaint.

But we will not do this at the expense of the wellbeing of colleagues or other people who are relying on us to provide a good service.

### Supporting people to complain

To help us do our job well, we need people who complain to us to cooperate and work with us.

We know people sometimes have difficulty meeting our requests. For example, they may not want to share that they have challenges with reading and writing, or they may find the situation very distressing. So we will always ask people who complain to us if there is anything we can do to make communication easier for them. We will also signpost them to any available sources of support and advice [insert relevant details].

We understand that if someone has experienced a trauma, has a physical or mental health condition, or has specific communication needs, they may need additional, or specialist help to make a complaint. If this might be the case, we will ask the person if anything would help them to make their complaint. We will consider their request and if a suggestion is reasonable, we will take steps to action it. We will never make assumptions about how a condition may affect someone, or what support they might need.

We may decide we cannot continue our investigation if a person making a complaint does not agree to work with us or does not respond when we ask for certain things, for example, to:

* complete and return consent forms
* agree the issues we will look into
* respond to requests for information and evidence
* comment on what we have found.

We will explain that we cannot continue considering their complaint if they will not provide what we need. If the person still does not cooperate, we will tell them we are stopping our work on their complaint. We will explain that if they are unhappy with that decision, they can approach the Parliamentary and Health Service Ombudsman via their MP. We will explain how to do that.

### How we manage challenging interactions

Sometimes, despite our best efforts, it may not be possible for us to establish positive and cooperative engagement with someone who has complained. If this situation puts unreasonable demands on our organisation or affects the wellbeing of our colleagues or others, we will actively manage the situation. This will help us deliver our services to everyone while reducing the impact of the challenging situation.

#### De-escalating the situation

Where a person’s engagement with us is using up an unfair or disproportionate amount of time and resource, [insert details of colleague(s) who will be responsible for attempting to de-escalate the situation] will talk or write to them to:

* clearly and factually set out the engagement that is causing the problem
* explain how this is affecting our organisation and, if relevant, our colleagues and other people using our service
* suggest how the behaviour needs to change for our investigation to continue
* explain what will happen if the behaviour does not change (usually this will mean we will limit communication in some way or stop considering their complaint).

#### Communication agreement

If our attempt to de-escalate the situation does not work, we (or the person making the complaint) may suggest a communication agreement or respect contract to restore the relationship. The decision to try this approach will usually be made by [insert details of colleague(s) responsible for overseeing such decisions].

We will:

* make sure the person (and any colleagues involved) understands why we are suggesting an agreement
* give the person (and any colleagues involved) the opportunity to say what they would like included in the plan, which should include:
  + what they can expect from us and what we expect from them
  + the specific commitments of the people involved
  + if appropriate, the consequences of not following the agreement.

The people involved should then sign the agreement.

We will agree a timeframe for reviewing the agreement. This can be lifted at any time if everyone agrees that the situation has improved.

If someone who has signed the agreement believes it is not being followed, they can raise their concerns with [insert details of colleague(s) responsible for considering any breaches of the communication agreement].

#### Specific actions

Alternatively, we will actively manage the situation by introducing an action or requirement.

We will consider each case individually. We will tailor any actions we take to the person and the situation. When we do this, we will remember that the behaviour may be caused by something unrelated to our organisation or the complaint. We will always explain that we are taking the actions to make sure we can deal with the complaint, and those of other people who use our service, as fairly and quickly as possible.

Any action or requirements will be appropriate, proportionate and tailored to the individual situation. Actions we might take include:

* restricting contact to a particular channel (for example, phone, email or letter)
* only allowing contact with a specific member of staff
* communicating through a third party, such as a professional advocate, rather than direct contact
* not providing direct contact details or staff names (where there is a risk that this could lead to harassment)
* directing phone calls to an automated service (where excessive phone contact is blocking others from accessing our service or where the person’s behaviour is abusive)
* restricting time or volume of contact
* telling the person that future correspondence will be read and placed on file but not responded to (unless new complaints are raised)
* advising that we will not deal with calls or correspondence that are abusive, threatening, offensive or discriminatory.

#### Appealing a decision to take action

We will make sure the person understands why we are taking the proposed action and how long that action will last. We will also tell them how they can challenge the decision if they disagree with it. [Insert details of appeal process and person responsible for considering appeals].

#### Reviewing actions

Any actions or requirements we put in place will be reviewed at appropriate intervals while we deal with the complaint. This is to confirm that the action is still needed and appropriate to the situation. [Insert details of review process and person responsible for reviewing such decisions].

### What we will do if the situation continues

If the situation continues, we may decide to end contact with the person. This decision will be made by [insert details of person responsible for overseeing such decisions]. We will tell the person that they can contact the Parliamentary and Health Service Ombudsman via their MP if they are unhappy with that decision.

### Threats to the safety and welfare of colleagues

#### Protecting colleagues and others

Some situations may require us to take immediate action. These include threatening, violent or abusive behaviour towards any of our colleagues. All our colleagues should feel confident about taking immediate action under this policy to ensure their own and others’ safety and wellbeing.

Any colleague who experiences such behaviour should immediately tell their manager or senior colleague and ask for their advice and support.

#### Situation 1: responding to threatening language or behaviour in person or by phone

When threatening, violent or abusive behaviour happens, we will give the person a verbal or written warning, explaining what will happen if the behaviour continues. This gives the person an opportunity to change their behaviour. All colleagues should alert [insert details, for example, their manager, supervisor or senior colleague] when such behaviour happens so they can give advice and support.

If someone’s behaviour is threatening, violent or abusive, colleagues are empowered to give a verbal warning. For example:

* ‘What you have just said sounded like a serious threat. When serious threats are made, I need to notify a senior manager and possibly the police. Did you mean what you said?’
* ‘The language you have used is offensive and I ask you not to repeat it.’

They will then explain that if the language or behaviour continues, they will end the call or walk away.

If a colleague feels it would be unsafe to give a verbal warning (for example, if the person’s behaviour is extreme) they should simply say they are ending the call or meeting. The colleague should immediately notify [insert details, for example, their manager, senior colleague or security]. This will then be followed up with a written warning to the person by [insert details of person responsible for overseeing such decisions].

#### Situation 2: responding to threatening language in writing

If we receive violent or abusive correspondence or email, [insert details of person responsible for overseeing such decisions] will write to the person explaining that what they have said is not acceptable. We will explain that if they would like us to consider (or continue considering) their complaint, they should write again using appropriate language.

If the language continues, we will tell the person we are unable to deal with their complaint. We will explain that they can contact the Parliamentary and Health Service Ombudsman via their MP if they are unhappy with that decision. We will give details of how to do that.

#### Situation 3: responding to online threats

Online contact, through websites or social media, is a fast-evolving area of communication. Colleagues should always get advice and discuss any incidents that concern them with [insert details, for example, their manager, senior colleague, security IT lead].

If a post suggests someone may have a complaint about our organisation, and it is appropriate, we will respond to the person’s post explaining how to make their complaint, including contact details, so that we can look into the matter.

If the post is threatening, violent or abusive, we will take action. This might include:

* blocking accounts or using other technical options available on the relevant platform
* using the relevant social media platform’s own reporting mechanisms to have the content removed
* limiting contact with the person through other channels, to reduce risk to our colleagues.

If someone makes a direct threat on social media, we will respond to it as we would respond to any physical threat (see below for more details).

#### Situation 4: responding to physical threats

If any colleague is physically threatened, they should immediately report the threat to [insert details, for example, their manager, senior colleague or security] and consider reporting the matter to the police. The decision will be a matter of judgement. In some cases, it may not be appropriate (for example, if the person withdraws the threat immediately and was clearly not being serious).

The option of calling the police is an important safeguard for colleagues. The person who receives the physical threat should be confident and supported in calling the police when it is needed.

The colleague who has been personally threatened should not have to decide to inform the police alone. They will be supported by [insert details, for example, their manager, senior colleague or security] who should:

* make a clear record of the decision to contact the police and why
* capture and record any other relevant evidence from the colleague who received the threat and any colleagues who may have witnessed the event.

### Documenting communications

We will keep a clear and factually accurate record [insert details of local record keeping arrangements or platform] whenever we have had to work to restore a relationship, put a restriction in place, give a warning or notify the police.

This will include keeping copies of letters, emails, recordings and screen shots, etc. If we are making a record of a conversation, we will be factual and quote exactly what was said. Material that is being stored as evidence may be distressing. We will store it in a way that it cannot be accessed accidentally or unintentionally. We will mark files (electronic and paper) to show they contain distressing material.

### Appealing a decision to take action

Where we have taken immediate action because we believe there is a threat to immediate safety and welfare of colleagues and we receive a complaint about that decision or action, the decision or action will be reviewed by [insert details of appeal process and person responsible for considering appeals]. Unless we decide further action is needed, we will advise the person that they may contact the Parliamentary and Health Service Ombudsman via their MP if they are unhappy with our decision or action.