



NISCC Complaints Policy and Procedures (incorporating the NISCC Unacceptable Actions Policy)

Version 6.0

March 2010

NISCC Complaints Policy

1. Introduction

- 1.1 The Northern Ireland Social Care Council (NISCC) is a statutory body established under the Health and Personal Social Services (Northern Ireland) Act 2001. Its main purpose is to regulate the social care workforce and its education and training. The aim of the NISCC is to protect the public through improving safeguards for vulnerable people, raising the standards of social care practice and strengthening the professionalism of the workforce.
- 1.2 The NISCC is committed to executing its responsibilities to the highest standards possible and wishes to hear about and address any concerns or complaints regarding the way in which it has carried out, or failed to carry out, any of its functions. To ensure a clear and effective response to concerns or complaints, the NISCC will investigate and address them using the following guidelines as contained within this Policy and its associated Procedures.
- 1.3 This Policy describes the internal processes for dealing with complaints and defines the specific NISCC responsibilities for administering and investigating complaints.
- 1.4 This Policy aims to ensure that the NISCC:
 - maintains a customer focused approach to dealing with complaints;
 - puts things right when they go wrong and does not allow problems to escalate; and
 - learns from its experience and mistakes.
- 1.5 The Chief Executive has the overall responsibility for ensuring that this Policy and its Procedures are operated effectively. The roles and responsibilities in relation to specific aspects of the Policy are outlined in the Procedures. All staff have a responsibility to cooperate with the Policy and Procedures.

2. Policy Statement

- 2.1 The NISCC will provide for the processing and resolution of any complaints received about the way in which it has delivered, or failed to deliver, its functions or services.

3. Policy Objectives

The key objectives of the policy are:

- 3.1 To provide an accessible complaints mechanism for external stakeholders, including those with specialist needs.

3.2 To ensure an effective response to, and resolution of, any complaints received by the NISCC.

3.3 To assist the NISCC in improving its services by identifying the risk of service failure and enabling the promotion of learning from complaints throughout the organisation.

4.0 Standards for Complaints Handling

4.1 The NISCC is committed to the HSC Standards for Complaints Handling and these principles inform and underpin the NISCC Complaints Policy. The Standards are as follows:

4.2 **Accountability** - the NISCC will ensure that there are clear lines of accountability for the handling and consideration of complaints. Complaints are integrated into governance and risk management arrangements and are reported to Council on a regular basis.

4.3 **Accessibility** - all service users, including those with particular needs, will have open and easy access to the NISCC Complaints Policy and Procedures and the information required to enable them to complain about any aspect of our service. Those who wish to complain will be treated impartially, in confidence, with sensitivity, dignity and respect and will not be adversely affected because they have found cause to complain.

4.4 **Receiving Complaints** - all complaints will be dealt with appropriately and the process and options for pursuing a complaint will be explained to the complainant. All complaints will be recorded, taken seriously and dealt with in a timely manner.

4.5 **Supporting Complainants and Staff** - the NISCC will support complainants and staff throughout the complaints process.

4.6 **Investigation of Complaints** - all investigations will be conducted promptly, thoroughly, openly, honestly and objectively.

4.7 **Responding to Complaints** - all complaints will be responded to as promptly as possible and all issues raised will be addressed. The NISCC will keep complainants advised at all stages of the process. Responses will be clear, accurate, balanced, simple, fair and easy to understand.

4.8 **Monitoring** - the NISCC will monitor the effectiveness of complaints handling and responsiveness, and will take account of the issues raised to introduce organisational change when appropriate.

4.9 **Learning** - the NISCC will promote a culture of learning from complaints so that, where necessary, services can be improved when complaints are raised.

5. What is a Complaint?

- 5.1 A complaint is an expression of dissatisfaction which requires a response.
- 5.2 Any person affected by our service, the conduct of our staff or our actions may make a complaint. A complaint must be made within six months of the complainant becoming aware of the cause for complaint, or within 12 months of the date of the event, whichever is the earliest.
- 5.3 In any case where it has been decided not to investigate a complaint on the grounds that it was not made within the time limit as at 5.2, the complainant can request the Ombudsman to consider it.
- 5.4 The following are examples of issues which will be treated as complaints:
- Claims of unfair treatment;
 - Dissatisfaction about how we have dealt with a situation;
 - Claims that we have provided a poor standard of service (e.g. losing key documents resulting in time delays and extra effort for the complainant); and
 - Claims that Council Members or staff have been rude/unhelpful.
- 5.5 The following are examples of issues which are not treated as complaints:
- A request for a service;
 - A request for information (e.g. someone who puts in writing a request for information under the Freedom of Information Act, or access to their personal data under the Data Protection Act); and
 - A request for an explanation in relation to a decision or decisions having been made.
- 5.6 Who can complain to the NISCC? Anyone affected by our service or by the actions we take or do not take can make a complaint. This includes, but is not restricted to, applicants for registration, students, registrants, members of the public and suppliers of service.
- 5.7 The Procedures which accompany this Policy provide step-by-step guidance on how to complain to the NISCC.
- 5.8 This Policy does not apply in respect of complaints made against registered Social Care Workers. Complaints regarding registered Social Care Workers will be managed in accordance with the NISCC Policy entitled "How to Make a Complaint about a Registered Social Care Worker to the Northern Ireland Social Care Council".

6. Disciplinary Matters

- 6.1. The Complaints Policy and Procedures will not be used to deal with complaints against staff which fall within the NISCC's Disciplinary Procedures.

- 6.2 Where a complaint has been made to the NISCC and the Complaints Officer considers that the matter should, in the first instance, be dealt with under the Disciplinary Procedures, the Complaints Officer will advise the complainant accordingly.
- 6.3 If at any stage in the investigation of a complaint, it becomes apparent that the Disciplinary Procedures should be invoked, the Complaints Officer will advise the complainant of those matters which should be dealt with under those procedures. At the conclusion of the disciplinary process, the NISCC may take such action as is considered appropriate. The investigation of any other matters that do not infringe on the Disciplinary Procedures shall, if practicable, continue.

7. Complainants

- 7.1. Complainants should be received courteously and their concerns addressed in a competent, efficient and open manner. Complaints should be resolved at the earliest opportunity and, as far as possible, to the satisfaction of the complainant.
- 7.2. Complainants will:
- be provided with a copy of the NISCC Complaints Policy and Procedures (incorporating the NISCC Unacceptable Actions Policy);
 - be afforded the opportunity to discuss their concerns with the most appropriate staff member of the NISCC;
 - have the opportunity for their complaint to be investigated informally, and for the matter to progress through the various stages of the Complaints Procedures if the matter cannot be resolved satisfactorily;
 - be kept informed of the progress of the investigation of the complaint;
 - have explained to them, and confirmed in writing, the outcome of each stage of the process;
 - have the right to withdraw their complaint at any time.

8. Unreasonable, Vexatious or Abusive Complaints

- 8.1. While the NISCC aims to provide a service which is accessible to all complainants, and to treat those complainants fairly, honestly, consistently and appropriately, it has arrangements in place to deal with complaints which it considers to be unreasonable or vexatious, or in the instance of a complainant becoming abusive or aggressive.
- 8.2 The NISCC Unacceptable Actions Policy will be applied in any of these instances and can be found attached to the end of this Policy.

9. Monitoring of Complaints

- 9.1. The Director of Corporate Services will monitor the flow, the outcomes and the handling of complaints and will prepare an annual report of this activity

which will be submitted to the Senior Management Team (SMT) and the Council.

10. Support for Staff

- 10.1. NISCC staff who are the subject of complaints may experience anxiety and stress. The NISCC will ensure that such staff are supported and that they have access to support (union and/or legal representation) and, if necessary, to appropriate counselling.

11. Section 75 – Screening of Policies

- 11.1. This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that the greatest resources can be devoted to these.
- 11.2. Using the Equality Commission steering criteria, equality implications have been identified, although it is intended that the policy will promote equality of opportunity. Therefore, although the policy will not be subject to equality impact assessment at this stage, the NISCC makes a commitment to keep the situation under review.

12. Endorsement and Review

- 12.1 This policy will be reviewed on a bi-annual basis. The next review should take place by March 2012.
- 12.2 This policy was endorsed by the Senior Management Team on 04 March 2010.

NISCC Complaints Procedures

1. Key Objectives of the Complaints Procedures

- 1.1 To ensure clarity on the process of handling complaints which have been made about the activities or services of the NISCC.
- 1.2 To deal with complaints economically, efficiently and effectively.
- 1.3 To deal with complaints fairly, openly and in a consistent manner.
- 1.4 To maintain confidentiality in relation to complaints raised and their outcomes.
- 1.5 To make it possible for less serious complaints to be dealt with without the use of formal procedures.
- 1.6 To enable staff to understand their responsibilities in relation to the Complaints Policy and Procedures and how they should deal with complaints.
- 1.7 To provide staff with guidance about dealing with the range of feedback received about the NISCC's services and possible options for dealing with expressions of dissatisfaction.

2 Complaints Procedures – Process

- 2.1 The flowchart in Appendix 1 illustrates the NISCC's Complaints Procedures and the process involved in seeking a resolution to any complaint. This is explained further in the various stages of dealing with complaints which follow with these Procedures.

3. Specialist support

- 3.1 Specialist support will be made available to any complainant with particular needs. Examples of this could include providing a signer or interpreter, or meeting with the complainant to provide help with completing the complaints form. The complainant will be required to sign any written complaint completed by a NISCC staff member on his/her behalf. This support will be available at all stages of the complaints process.

4 Informal Complaints

- 4.1 The NISCC aims to resolve complaints quickly and at the earliest stage possible.
- 4.2 A complaint should initially be raised with the member of NISCC staff with whom the complainant has been dealing. If appropriate, the member of staff will endeavour to resolve the matter on an informal basis at local level.

- 4.3 Unless a complaint has been received in writing by letter or email, it will be regarded as an informal complaint and the staff member will try to resolve the issue locally. For informal complaints which are about the behaviour of a member of staff, it is reasonable to assume that the complainant may not wish to speak to that member of staff to resolve the problem. In such cases, it will be appropriate for the line manager to deal with the complaint.
- 4.4 On occasions, it will not be possible or appropriate for the member of staff who has been dealing with the issue to receive the complaint. Examples of such cases could include those where the complainant states that he/she does not wish to talk to the staff member, or where the staff member is on leave. In such cases, the line manager should deal with the complaint.

5 How to Make a Formal Complaint – Stage 1

- 5.1 If a complainant wishes that their complaint be investigated on a formal basis, the staff member will inform their line manager and the Complaints Officer (Committee Clerk / Business Support Officer) of the complaint within five working days. The Complaints Officer will forward a copy of this Policy and Procedures to the complainant, requesting that the Complaints Form (Appendix 2) be completed, signed and returned. The complainant must put their complaint in writing before it can be investigated. If required, a member of staff will meet with the complainant to help with the completion of the form. This member of staff will not be the Complaints Officer.
- 5.2 Once the Complaints Form has been received, the Complaints Officer will acknowledge the complaint within two working days and attempt to find a solution and respond within 20 working days.
- 5.3 If the complainant is not satisfied with the response received, he/she may progress to Stage 2 of the Complaints Procedures.

6 How to Make a Formal Complaint – Stage 2

- 6.1 If the complainant is not satisfied with the response received via Stage 1 of the process, he/she may refer the complaint to a member of the NISCC's Senior Management Team (SMT). These members are:
- Director of Training;
 - Director of Registration;
 - Director of Corporate Services
- 6.2 The complainant must write to the Complaints Manager (Director of Corporate Services) advising that they wish the complaint to be considered under Stage 2 of the Complaints Procedures. The Complaints Manager will either deal with the complaint personally or pass it to either of the other two Directors for action. The complaint will be acknowledged within two working days of receipt, with a full response to be issued within no later than 20 working days.

- 6.3 The complainant should attempt to include within the complaint:
- All the relevant details regarding the problem and how it came about;
 - Any action which the complainant or the NISCC has taken to sort the problem;
 - What action the complainant now wishes for the NISCC to take to put things right.
- 6.4 The SMT member's role within Stage 2 of the Procedures is to consider whether the complaint was handled/managed properly (in line with the agreed policy), whether there is any additional information that has come to light relating to the circumstances of the complaint and to investigate whether the remedy provided was appropriate, given the circumstances and evidence of the complaint.
- 6.5 If the complaint is of a complex and complicated nature, it may take longer than 20 days to respond. The appropriate SMT member will let the complainant know if this is the case and keep him/her informed of progress.
- 6.6 If the complainant is not satisfied with the response received via Stage 2 of the process, he / she can refer the issue to the Northern Ireland Ombudsman.

7 Chief Executive

- 7.1 Any complaints which are made directly to the Chief Executive will be dealt with under the Complaints Policy and its Procedures. Complaints will not bypass the staged process by writing straight to the Chief Executive.
- 7.2 In exceptional circumstances, the Chief Executive may feel that a complaint is of sufficient complexity that he would ask a member of SMT to deal with the complaint as a Stage 2 complaint in the first instance.
- 7.3 The Chief Executive is the responsible officer for the purpose of the handling of cases involving the Northern Ireland Ombudsman. Where the Chief Executive is the subject of the relevant complaint, the Director of Corporate Services will take this role.

8 Time Limits

- 8.1 The time limits for dealing with and responding to complaints will vary depending on the nature of the complaint and the investigation. The NISCC will seek to notify the complainant and any member of staff complained about of any anticipated delay, the reason for the delay and the estimated amended time-scale, if possible.

9 Impartiality

- 9.1 No employee of the NISCC should be involved in investigating or determining a complaint in relation to their own acts, omissions or decisions.

10 Recording of Complaints

- 10.1 Informal complaints will be communicated to the Complaints Officer, noting the nature of the complaint and the outcome, and recorded.
- 10.2 A formal complaint must be made in writing. The nature of the complaint and its outcome will be recorded.
- 10.3 The subject of a complaint will be informed of the outcome of the investigation of the complaint and, if applicable, whether any disciplinary action will be taken against them. The complainant will also be informed if any such action will be taken.

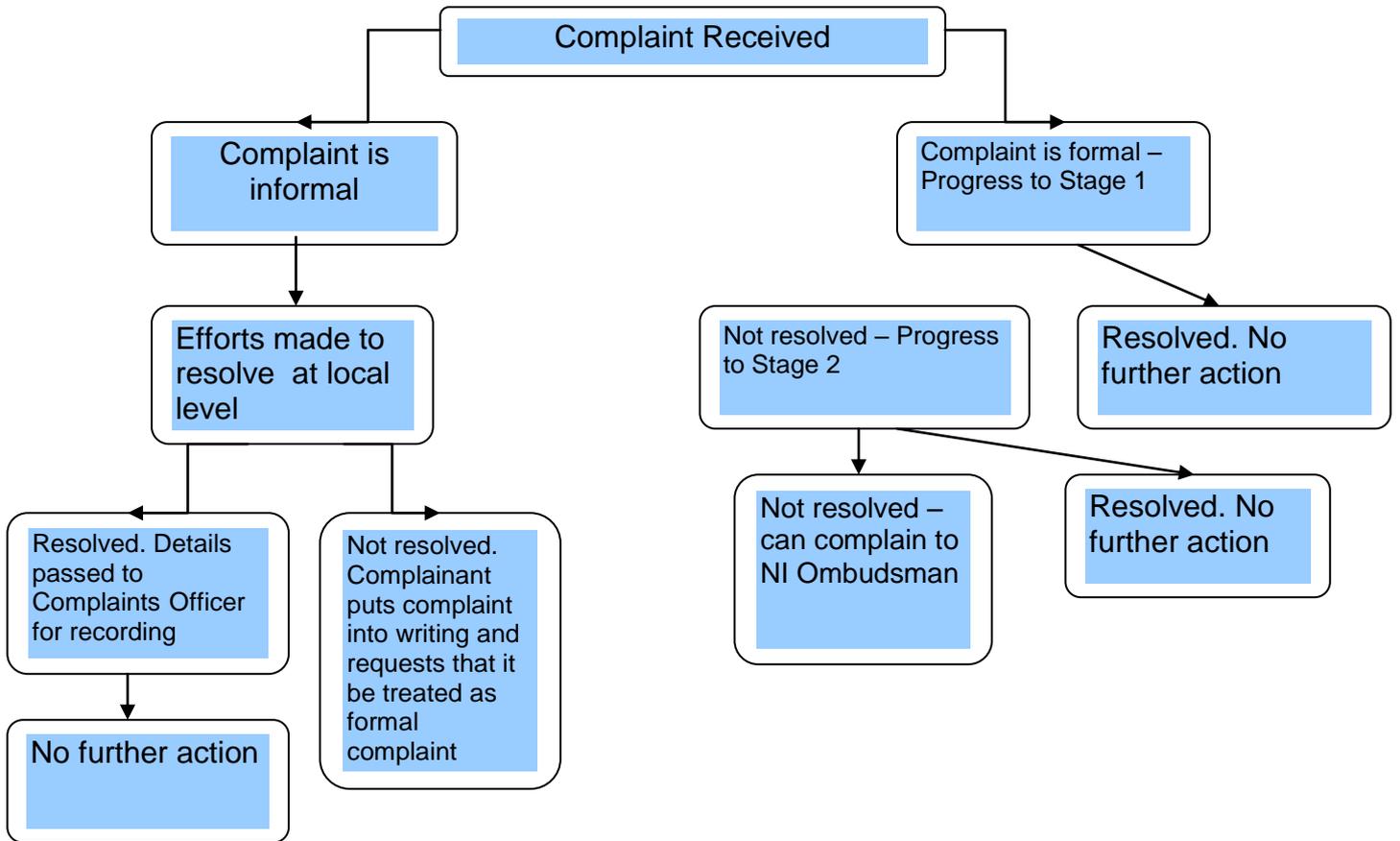
11 Northern Ireland Ombudsman

- 11.1 The Ombudsman deals with complaints from those who feel that they have suffered injustice as a result of maladministration by government departments and public bodies in Northern Ireland. As the NISCC is a public body, a complainant may refer their complaint to the Ombudsman if he/she feels that the complaint has not been resolved to their satisfaction.

- 11.2 The Ombudsman's contact details are as follows:

- Telephone: 0800 34 34 24 or 028 9023 3821
- Fax: 028 9023 4912
- Email: ombudsman@ni-ombudsman.org.uk
- The Ombudsman's Office, Progressive House, 33 Wellington Place, Belfast

COMPLAINTS PROCESS





COMPLAINT FORM

Please complete this form if you wish to make a formal complaint.

Completing this form will give us the information we need to deal with your complaint. Please contact us on 028 9536 2600 if you need any help to complete the form.

1.	Your Details			
	Title: (e.g. Mr, Mrs, Ms etc.)			
	First Name:			
	Last Name:			
	Address:			
	Phone No (Home)			
	Phone No (Mobile)			
	Email Address			
	We may need to contact you to check details of your complaint. Please tick the way you would like us to do that.			
	<input type="checkbox"/> Home Phone	<input type="checkbox"/> Email	<input type="checkbox"/> Mobile Phone	<input type="checkbox"/> Other (please detail below)
	Do you need any special arrangements when we contact you?			
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
2.	Details of the Complaint			
	Please give full details of the complaint <i>(please use another sheet if necessary)</i> :			

3. Declaration¹

To the best of my knowledge, the information I have provided above is accurate. I understand that in order to investigate this complaint, the NISCC will need to share details with all parties concerned.

Signed:

Date:

When you have filled in the form, please return it to:

Complaints Officer
Northern Ireland Social Care Council
7th Floor Millennium House
19-25 Great Victoria Street
Belfast
BT2 7AQ

¹ This is a confidential report of the Northern Ireland Social Care Council. Its contents are governed by the Data Protection Act 1998 and as such must be retained in a secure location with access restricted to named individuals.



**Northern Ireland Social Care Council
Unacceptable Actions Policy**

Version 1

March 2010

NISCC Unacceptable Actions Policy

1 Introduction

- 1.1 The Northern Ireland Social Care Council (NISCC) is a statutory body established under the Health and Personal Social Services (Northern Ireland) Act 2001. Its main purpose is to regulate the social care workforce and their education and training. The aim of the NISCC is to strengthen public protection through the registration and regulation of the social care workforce, improve the quality of social care through the development, promotion and regulation of social work education and training, and strengthen and support the professionalism of the social care workforce.
- 1.2 The NISCC is committed to executing its responsibilities to the highest standards possible and wishes to hear about and address any concerns or complaints regarding the way in which it has carried out, or failed to carry out, any of its functions. To ensure a clear and effective response to concerns or complaints, the NISCC will investigate and address them by following our Complaints Policy which is based on best practice and DHSSPS guidance.
- 1.3 The NISCC values complaints and views them as a significant source of learning, enabling the organisation to continually improve the quality of its services.
- 1.4 However, on extremely rare occasions, the NISCC may receive a complaint which it considers to be unreasonable or vexatious, or may deal with a complainant whose actions or behaviour it deems to be unacceptable. This policy sets out the approach which the NISCC will follow on these occasions.
- 1.5 This policy is based on DHSSPS guidance: Complaints in Health and Social Care – Standards and Guidelines for Resolution and Learning (April 2009).
- 1.6 The term complainant includes anyone acting on behalf of a complainant or anyone who contacts the NISCC in connection with a complaint.
- 1.7 This policy should be read in conjunction with the NISCC Complaints Policy and Procedures.

2 Policy Aims

The key aims of this policy are:

- 2.1 To make it clear to all complainants, both at initial contact and throughout their dealings with the organisation, what the NISCC can or cannot do in relation to their complaint. In doing so, the NISCC aims to be open and not raise hopes or expectations that cannot be met.
- 2.2 To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions are considered unacceptable. All complainants have the right to be heard, understood and respected. NISCC staff have the same rights.
- 2.3 To provide a service that is accessible to all complainants. However, the NISCC retains the right, where it considers a complainant's actions to be unacceptable, to restrict or change access to the service.

2.4 To ensure that other complainants and NISCC staff do not suffer any disadvantage from complainants who act in an unacceptable manner.

3 Defining Unacceptable Actions

3.1 People may act out of character in times of distress. There may have been upsetting or distressing circumstances leading up to a complaint which can affect their behaviour.

3.2 The NISCC does not view behaviour as unacceptable just because a complainant is assertive or determined. In fact, the NISCC recognises that being persistent can be a positive advantage when pursuing a complaint.

3.3 However, the actions of a complainant who is angry, demanding or persistent may result in unreasonable demands on the NISCC or unacceptable behaviour towards NISCC staff.

3.4 It is these actions which the NISCC considers unacceptable and aims to manage under this policy.

3.5 The NISCC has categorised these actions under the following headings.

Aggressive or Abusive Behaviour

3.6 The NISCC expects its staff to be treated courteously and with respect. Violence of any kind and physical or verbal abuse is unacceptable and a zero tolerance approach will be adopted.

3.7 Aggressive or abusive behaviour is considered to be behaviour or language (whether verbal or written) that causes a staff member to feel afraid, threatened or abused – examples of this include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness.

3.8 The NISCC also considers that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

3.9 The anger felt by many complainants involves the subject matter of their complaint. It is not acceptable, however, when anger escalates into aggression toward NISCC staff. Staff will undergo specific training to understand the difference between anger and aggression.

Unreasonable Demands

3.10 Complainants may make what the NISCC considers to be unreasonable demands 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 demands will always depend on the individual circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

3.11 Examples of this would include:

- demanding responses within an unreasonable timescale;
- insisting on seeing or speaking to a particular member of staff;
- continual telephone calls, letters or emails;
- repeatedly changing the substance of the complaint;

- raising unrelated concerns

This list is not exhaustive.

- 3.12 The NISCC considers these demands as unacceptable and unreasonable if they start to impact substantially on the work of the organisation, such as taking up an excessive amount of staff time to the disadvantage of other complainants or functions.

Unreasonable Persistence

- 3.13 It is sometimes the case that some complainants will not or cannot accept that the NISCC is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the NISCC persistently about the same issue.

- 3.14 Examples of this would include:

- Persistent refusal to accept a decision made in relation to a complaint;
- Persistent refusal to accept explanations relating to what the NISCC can do or cannot do;
- Continuing to pursue a complaint without presenting any new information.

The ways in which these complainants approach the NISCC may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

- 3.15 The NISCC would consider the actions of persistent complainants to be unacceptable when they take up what the NISCC regards as being a disproportionate amount of time and resources.

4 Managing Unacceptable Actions

- 4.1 There are relatively few complainants whose actions the NISCC consider unacceptable. How we manage these depends on their nature and extent. If it adversely affects the NISCC's ability to do its work and provide a service to others, the NISCC may need to restrict complainant contact in order to manage the unacceptable action.

- 4.2 The NISCC will do this in a way, wherever possible, that allows a complaint to progress to completion through the complaints process.

- 4.3 The NISCC may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. The NISCC will try, however, to maintain at least one form of contact.

- 4.4 In extreme circumstances, the NISCC will inform the complainant in writing that their name is on a 'no contact' list. This means that we may restrict contact to either written communication or through a third party.

- 4.5 The threat or use of physical violence, verbal abuse or harassment towards NISCC staff is likely to result in the ending of all direct contact with the complainant. All incidents of verbal and physical abuse will be reported to the police.

- 4.6 The NISCC does not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens, the NISCC will tell the complainant that it considers their language to be offensive, unnecessary and unhelpful. The NISCC will ask the complainant to stop using such language and state that it will not respond to their correspondence if it continues. The NISCC may require further contact through a third party.
- 4.7 The NISCC has the facility to record telephone calls and may decide to do so if a caller becomes aggressive. The caller will be advised that their call is going to be recorded in advance of it being recorded.
- 4.8 The NISCC will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that their behaviour is unacceptable and end the call if the behaviour continues.
- 4.9 Where a complainant repeatedly phones, visits the NISCC, sends irrelevant documents or raises the same issues, the NISCC may decide to, for example:
- only take telephone calls from the complainant at set times on set days;
 - put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in future;
 - require the complainant to make an appointment to see a named member of staff before visiting the NISCC;
 - require the complainant to contact the NISCC in writing only;
 - return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;
 - take other action that the NISCC considers to be appropriate.

The NISCC will inform the complainant of the action it is taking and why.

- 4.10 Where a complainant continues to correspond on a wide range of issues and the action is considered excessive, the complainant will be informed that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- 4.11 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the NISCC's decision relating to their complaint.
- 4.12 In this instance, the complainant will be told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence will be read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

5 Deciding to Restrict Complainant Contact

- 5.1 NISCC staff who directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation in line with this policy.

- 5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the NISCC will only be taken after careful consideration of the situation by a member of SMT.
- 5.3 Wherever possible, the NISCC will give the complainant the opportunity to modify their behaviour or action before a decision is taken.
- 5.4 Complainants will be told in writing why a decision has been made to restrict future contact, the restricted contacts arrangements and, if relevant, the length of time that these restrictions will be in place.

6 Appealing a Decision to Restrict Contact

- 6.1 A complainant can appeal a decision to restrict contact. A member of SMT who was not involved in the original decision will consider the appeal. The complainant will be advised in writing that either the restricted contact arrangements still apply or a different course of action that has been agreed.

7 Recording and Reviewing a Decision to Restrict Contact

- 7.1 The NISCC will record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records in accordance with the Data Protection Act.
- 7.2 A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach.
- 7.3 A senior member of staff will review the status of all complainants with restricted contact arrangements on a regular basis.
- 7.4 An annual report of this activity will be submitted to SMT and the Council alongside the annual report for complaints.

8 Policy Review

The responsibility for the review of this Policy lies with the Director of Corporate Services. This is a working document and will be reviewed as such in the light of experience or new developments in relation to legislation.

9 Equality Statement

- 9.1 This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998.

10 Human Rights

- 10.1 This policy has been reviewed under the terms of the Human Rights Act. The Act makes it unlawful for public authorities to act in a way that is incompatible with a right contained in the European Convention on Human Rights.