

## Withdrawal of Service Policy

Name of Local Mind	Hammersmith, Fulham, Ealing & Hounslow Mind
Policy	Withdrawal of service policy
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This policy is for	All Staff, contractors, trustees and volunteers

### Summary

This policy aims to provide guidance on when to withdraw a service from service users. HFEH Mind is committed to providing a service to all service users fitting our referral criteria for services. However, there may be occasions when, with careful consideration, services are refused, withdrawn or limited for individual service users. This policy outlines the circumstances in which this may be appropriate and details the procedures to be followed.

### Purpose and Scope

The policy aims to guide managers on when it would be appropriate to limit, withdraw or refuse a service to individuals.

## Policy Elements

- Withdrawal of service
- Duty of care
- Circumstances for limiting, refusing or withdrawing a service.
- Procedures prior to withdrawal
- Withdrawing the service
- Other policies

## Withdrawal of service

- The purpose of this policy is to indicate staff rights of withdrawing from a service user in the case of, for example, abuse, aggression, intimidation, hazards, legal action, bad health and safety conditions.
- As a general principle, HFEM Mind staff will be expected to work with any service user allocated to them. However, in certain circumstances they do have a right to refuse; following the appropriate procedures may resolve the situation, but there will be some situations where an alternative solution must be sought.
- Withdrawal of service from a service user should be the last available sanction considering circumstances of the matter.
- It is HFEH Mind's policy to always assist the staff member and service user to resolve the circumstances that have been brought to the fore to promote a harmonious working relationship.
- While there are many rules in place to safeguard the service user from harm, abuse and protect their health, HFEH Mind deems our staff members to be equally important and we have the responsibility to ensure their health and safety as far as reasonably possible.
- All staff and volunteers are made aware of this policy and read it during their induction week.
- It is important that once read, that staff members tick this off on BreatheHR

- Regular case supervision and team meetings ensure that awareness of this policy is maintained and allow early detection of situations that might need to be dealt with under the policy.
- All service users should be made aware of this policy.
- The policy is available on the HFEH Mind website.

### **Duty of care**

- As a mental health charity, the individual services need to be aware of and give due consideration to mitigating factors or mental health issues that might be contributing to a service user's behaviour.
- In such instances staff must be aware of our duty of care obligations in relation to self-harm/suicidal ideations and safeguarding.
- Where a potential limitation, withdrawal or refusal of service is identified, the service user must be made aware of this policy and be offered a copy.
- In addition, we should always be using a service user agreement form to highlight the behaviour that we expect.

### **Circumstances for limiting, refusing or withdrawing a service.**

- There are key circumstances where a service may be limited, refused or withdrawn.
- Depending on the severity of the issue/incident, a decision to withdraw or refuse the service may be taken as opposed to limiting.
- Below is a list intended to be a guide for staff and service users. However, if an instance occurs that is outside these guidelines, which indicates that it is in neither party's interest for service use to continue, the Director and CEO reserve the right to refuse service after careful consideration of the situation.

Threats or use of violence
Sexually inappropriate behaviour
Abuse or harassment of any kind (including verbal or discriminatory abuse)
Breach of HFEH Mind's EDI policy
Request for collusion with fraud or illegal activity
Inappropriate or excessive use of resources within a service
Threats of or actual legal action taken against the organisation

### Threats of use of violence

- HFEH Mind aims to provide an environment that is safe for all service users,
- visitors and staff.
- If a service user is being violent, this will result in a withdrawal and refusal of
- service.
- If the violence is towards another service user, a safeguarding concern will
- need to be raised.
- All victims of this should be offered the opportunity to call the police.

### Sexually inappropriate behaviour

- Any sexualised comments or behaviours
- Stalking
- Visiting a staff member of service user's social media
- Sending inappropriate pictures
- Asking for inappropriate pictures

### Abuse or harassment of any kind to staff or other service users

- Abuse may include, but is not limited to psychological, physical, sexual, financial or material or discriminatory abuse.
- Abuse will not be tolerated, and we do not expect for staff, visitors or other service users to be subjected to abuse.
- Staff will be supported to withdraw from a case and discontinue working with clients who are abusive to them or make offensive comments.
- If the abuse is directed to another service user a safeguarding concern will need to be raised.
- If abuse has been directed at staff, staff must complete an incident form on Views so managers can advise on protective measures for the staff member and support.

#### Breach of HFEH Mind's Equality and Diversity Policy

- HFEH Mind has a clear Equality and Diversity policy which is embraced by all services.
- HFEH Mind aims to provide an environment that is acceptable and accessible to all service users, visitors and staff and that enables all parties to be treated with dignity and respect.
- If a service user's behaviour is contrary to an equal opportunities environment, and informal measures do not rectify their behaviour, the service will consider alternative ways to deliver services to the service user if appropriate, such as arranging a waiting area away from other service users or offering appointments via telephone or email.
- At the point of informal resolutions, the service user should be informed that continuing to breach the HFEH Mind's equal opportunities policy may result in refusal of service.
- If effective alternative service delivery is impossible and informal measures to deal with a situation do not rectify the behaviour of a service user, the service may refuse or withdraw service in order to maintain an environment acceptable to other service users, visitors and staff. If abuse has been directed at staff, staff must complete an incident form on Views so managers can advise on protective measures for the staff member and support.

#### Request for collusion with fraud or illegal activity

- Staff must not knowingly assist service users with fraudulent applications or illegal activities.
- If a staff member identifies a service user who might knowingly or unknowingly be committing, or about to commit, a criminal offence, they must make the service user aware of their obligations under UK law.
- If a bribe or collusion in illegal activity or fraud is proposed to staff, staff must immediately inform the service user that they will not be engaging in this and complete an incident report on Views.
- If abuse has been directed at staff, staff must complete an incident form on Views so managers can advise on protective measures for the staff member and support.

#### Inappropriate or excessive use of resources

- All services have limited resources and aim to provide equal service to all service users.
- Resources in terms of staff time and expertise are not unlimited. The following actions may lead to withdrawal or limitation of services offered:
  - Persistent requests for staff to undertake actions which they deem the service user to be able to take.
  - Requests for services that are not within the remit of the service or exceed the expertise or competency of staff.
  - Long term support requirements that require substantial staff time which then has a detrimental effect on the ability to provide an acceptable level of service to other service users
  - Refusal to pursue referral to other sources of support deemed to be more appropriate alternatives to services offered by the staff member

#### Threats of or actual legal action taken against HFEH Mind

- If a client has taken or is taking legal action against HFEH Mind or is making threats to take legal action against us, it will be looked at on a case-by-case basis but HFEH Mind will have the right not to offer a service or to suspend an existing service to those clients.

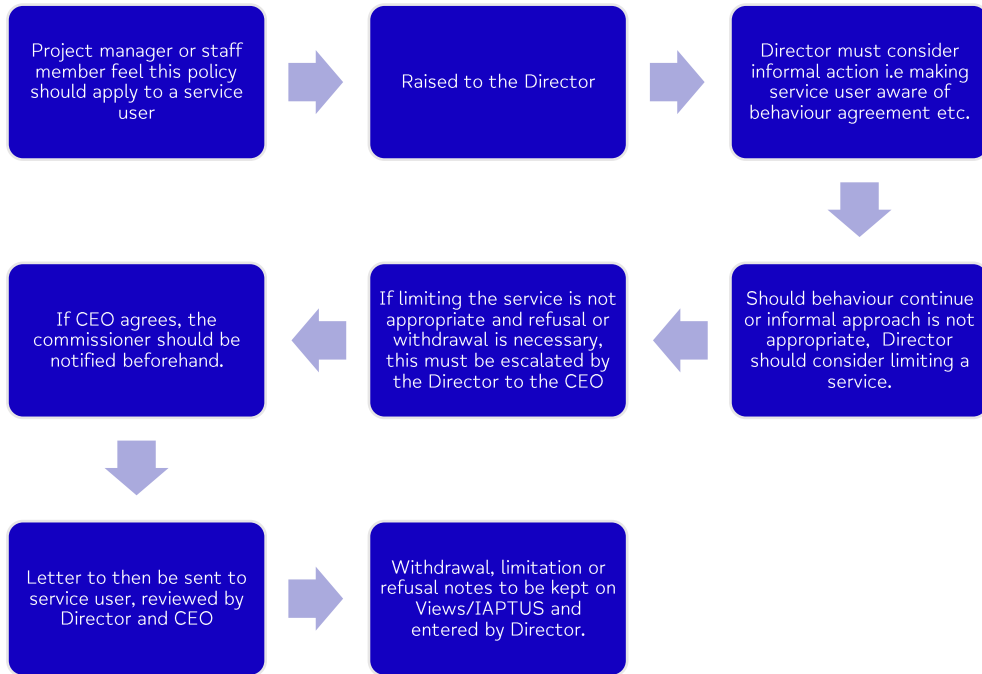
#### **Procedures prior to withdrawal**

- If staff members have concerns about a service user in relation to this policy, they should raise it with their project managers/supervisors and not take action themselves.
- If it is determined that the service may be withdrawn, both the staff member and project manager need to raise this **first** with the Director.
- Every effort will be made to resolve a situation informally by informing the service user of our remit and/or appropriate behaviour. This may involve offering them a meeting with a project manager present, to explain acceptable and unacceptable behaviour. It is good practice to always use a service user agreement form before commencing any work with a service user. See Appendix 1.
- If this is not successful or appropriate, every effort will be made to limit services rather than refuse or withdraw them. Refusal or withdrawal of Services will only be made as a last resort and following consultation with the Director of Service the final decision lies with the CEO.

## Withdrawing the service

1. A recommendation to withdraw the service must be made by the Director and the decision made by the CEO.
2. Prior to this the Director may wish to consider limiting the service. A decision to do this must be communicated verbally and should include a clear explanation of why the service has been made and details of alternative service providers.
3. In extreme or unresolved cases, it may be necessary to provide a written decision in accordance with point 6 of this section.
4. In cases where the Director feels withdrawal is necessary, they must present evidence to the CEO of: why the service should be withdrawn or refused and efforts taken to previously resolve issues informally (if this was appropriate)
5. If the CEO agrees, the service user must be notified in writing by the Project Manager or Supervisor of the staff member providing a service to the service user.
6. Written decisions should include:
  - a clear explanation of why the decision has been made.
  - Advise that a service user has a right to complain about this decision.
  - Under HFEH Mind's complaints procedure
  - Details of alternative service providers
  - If a service provision has been changed by a commissioner and this is why we are withdrawing the service (as the client no longer meets the eligibility criteria), a minimum 3-month deadline for the withdrawal must be given to the service user.
7. If a written decision is being sent to a service user, the Director and CEO must review this letter.
8. Accurate case notes about withdrawal, limitation or refusal must be kept on Views and entered by the Director.
9. There will be no appeals but it will be made clear following withdrawal of the service that if the service user disagrees with the decision HFEH Minds complaints procedure can be followed.

## Process



## **Other policies**

- Safeguarding Adults Policy
- Safeguarding Children and Young People
- Incident, Suicide Prevention and Self Harm Policy
- Feedback, Compliments and Complaints Policy
- Equality and Diversity Policy

## Appendix 1: Client Agreement Form

This is an agreement for support from HFEH Mind. This contract should be signed by the service user and their case worker or manager, as an agreement to adhere to and respect the boundaries and rules of the HFEH Mind service. Failure to follow the contract will result in the service being limited or withdrawn indefinitely.

### Service user behaviour

- Service users should adhere to appointment times and provide advance warning if they are running late or need to cancel.
- Service users should not engage in behaviour which is unacceptable.
- Service users will not be abusive or discriminatory to staff or other service users.
- Service users should not be under the influence of alcohol or other substances during appointments. Service users with substance misuse issues may bring a supporter with them to an appointment.
- Service users are expected to provide factual information and not withhold information which is essential for the caseworker to resolve their inquiry or request advice which may result in fraudulent activity, criminal activity, tax avoidance or misrepresentation of information to statutory services.
- If a service user has a complaint or concern about the service, they are expected to follow the service's complaints procedure.
- HFEH Mind may cease, withdraw or suspend its service to a service user if has been taken, is being taken, or is threatened against either HFEH Mind or its staff.
- Only service users who meet the individual service criteria can receive a service. We will try and signpost as much as we can to assist.

	Yes	No
<b>Signature</b>		
<b>Date</b>		

This agreement is subject to the withdrawal of service policy and other relevant policies including:

- Safeguarding Adults Policy
- Safeguarding Children and Young People
- Incident, Suicide Prevention and Self Harm Policy
- Feedback, Compliments and Complaints Policy
- Equality and Diversity Policy