

Policy on:	Unacceptable Behaviour
Compliant with Charter Outcomes and Standards:	Yes
Compliant with Equal Opportunities:	Yes
Compliant with Business Plan:	Yes
Compliant with Risk	Yes
Date for Approval:	January 2022
Date for Review:	January 2025
Responsible Officers:	Ann Black – Customer Service Manager

This policy is available, on request, in different languages and in other formats such as large print, audio format and braille as required.



Table of Contents

Part 1	Introduction
Part 2	Policy Aims and Implementation
Part 3	Definitions
Part 4	Managing Unacceptable Actions
Part 5	Right to Appeal
Part 6	Recording and Review of Decisions
Part 7	Equality and Diversity
Part 8	Performance Monitoring and Review



1. Introduction

Shire Housing Association has a Customer Service policy that explains how our staff will behave towards and deal with residents and other customers. It is equally important that our staff, Board members and representatives should not be subjected to unacceptable behaviour from anyone they deal with in the course of their work.

Our Customer Service policy outlines our commitment to providing the highest level of customer service and sets out not only the key functions staff will undertake in delivering our services, but also their approach and behaviour when interacting with our customers. We have an expectation that customers, in return will behave appropriately towards our staff, Board members and representatives and that they will not be subjected to unacceptable behaviour in the course of their work.

The Unacceptable Behaviour Policy is necessary for the efficient management and administration of Shire Housing Association now and in the future and has been designed to define behaviour which the Association deems to be unacceptable and to put safeguards in place should staff encounter such behaviour.

We recognise that such behaviour or actions can arise for a number of reasons and be attributable to a range of factors. In some cases, there may be underlying social or health related problems. In other instances, an individual may have a complaint about us that involves particularly emotive issues or causes them undue stress or frustration. Others may have difficulty expressing themselves because of disability or language issues.

Notwithstanding this, it is essential that we can identify where behaviour is unacceptable or unreasonable; and that we have appropriate arrangements in place for managing such situations.

This Policy sets out how we define unacceptable behaviour and the principles we will apply in dealing with it.

2. Policy Aims and Implementation

This Policy aims to complement our Complaints Policy and Complaints Handling Procedures. In accordance with these we will always do our best to resolve any dissatisfaction that a member of the public may express about our action or lack of action, or about standards of service they receive from us.

We do not view complaints in themselves as unacceptable and indeed recognise their value in helping us improve our services. We will offer all complainants an equal right to be heard, understood, and respected. It is the way in which an individual communicates with us in relation to a complaint however, that may be considered as unacceptable behaviour.



To this end we are acutely aware of the rights of staff members and the duty of care Shire Housing has as an employer.

This Policy aims to

- balance the need to respect the rights and expectations of individual service users and provide effective, consistent, and responsive services, with the overriding need to protect staff from all forms of abuse and harassment in the course of their duties.
- ensure the steps we take to address instances of unacceptable behaviour are proportionate to the nature and seriousness of the circumstances arising. We retain the right to restrict or change access to our services or determine how an individual can access our services.

3. Defining Unacceptable Actions

People may act out of character in times of trouble or distress. For example, they may have faced upsetting or distressing circumstances leading up to a complaint. We do not view behaviour as unacceptable just because an individual is forceful or determined in their approach to us.

However, the actions of customers who are angry, demanding or exceptionally persistent may result in unreasonable demands being placed on our time and resources or unacceptable behaviour being directed towards staff. It is these actions that we consider unacceptable and aim to manage under this Policy.

We consider the use of social networking sites and the internet to perpetrate or encourage aggression and/or abuse including any of the above types of behaviour towards Shire representatives to be unacceptable behaviour. (The Association will consider any messages posted via social media or other internet based media, including email, in the same light as any written or spoken communication.).

We group these actions under three broad headings.

- **Aggressive or Abusive Behaviour**

We understand that customers may have genuine cause to be angry, if for example they feel we have failed to meet their expectations or caused them unnecessary difficulties. We consider it unacceptable however, if that anger escalates into aggression towards any of our representatives.

Aggression can include:

- physical acts of violence that may result in harm or injury.
- behaviour or language (whether verbal or written) that may cause someone to feel afraid, threatened or abused.
- threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness. inflammatory statements and unsubstantiated allegations..



We will not tolerate any form of violence or abuse towards our representatives and expect all customers to display courtesy and respect in their interactions with us.

- **Unreasonable Demands**

Individuals may make what we consider unreasonable demands on staff, because of the amount of information or assistance they seek, the nature and scale of service they expect or the levels of contact they make or maintain with us. Identifying demands as unreasonable is dependent on the circumstances surrounding the behaviour. It may also, for example, depend on the seriousness of the issues raised through a complaint.

Examples of actions grouped under this heading include repeatedly demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual telephone calls, letters, or emails, or repeatedly raising unsubstantiated complaints.

We consider these demands as unacceptable and unreasonable if they start to impact on the work of staff, including taking up an excessive amount of time to the disadvantage of other service users.

- **Unreasonable Persistence**

We recognise that some customers will not or cannot accept that we are unable to meet their demands or provide a level of service other than that provided already. Others may persist in disagreeing with a decision we have taken. This may result in the same issue being raised with us repeatedly, or persistent requests regarding the same matter.

Examples of actions grouped under this heading include persistent refusal to accept a decision made, persistent refusal to accept explanations relating to what we can or cannot do or accept the reasonableness of our published timescales and continuing to pursue a complaint or other matter without presenting any new information. (In such circumstances we will remind customers of the provisions of our Complaints Handling Procedures). The way in which these customers approach us may be entirely reasonable, but their persistent behaviour in continuing to do so is not.

We consider the actions of persistent complainants to be unacceptable if they start to impact on the work of staff, including taking up an excessive amount of time to the disadvantage of other service users.

4. Managing Unacceptable Actions

We anticipate that customers displaying unacceptable behaviour or actions will be a rare occurrence. Our response to such incidents will vary on a case-by-case basis, depending on the nature, extent, and impact of the behaviour. It can also vary according to the relationship an individual has with us.



For example, where the customer is a tenant, we can consider the extent to which tenancy conditions have been breached and follow the prescribed course of action. In all cases however, the following guiding principles will be used to help us decide on an appropriate means of handling the situation.

- The threat or use of physical violence, verbal abuse or harassment towards staff is likely to result in the ending of all direct contact with the customer. Such incidents will normally be reported to the police.

We will however be sympathetic in other instances where an individual is identified as being particularly vulnerable or has personal support requirements and will seek to accommodate these. This may involve directing future contact via a third party.

- We will not deal with correspondence (letter, fax or electronic) that is abusive to staff, Board members or our representatives or contains allegations that lack substantive evidence. When this happens, we will tell the complainant that we consider their language offensive, unnecessary and unhelpful. We will ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party.
- Staff 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 the behaviour is unacceptable and end the call if the behaviour does not stop.

In all cases where aggressive or abusive behaviour is experienced, we will record relevant details on our housing and document management systems. This will include an appropriate level of information about spoken words and physical actions. As far as possible the outcome of the contact should also be recorded.

- Where the behaviour or actions are not aggressive or abusive, but instead adversely affects our ability to maintain normal business and provide a service to others, we will consider restricting contact to manage the situation. We will aim to do this in a way, wherever possible, that allows a customer to retain fair, reasonable, and equal access to our services when required.

We will be sympathetic in instances where an individual is identified as being particularly vulnerable or has personal support requirements. This may involve directing future contact via a third party.

- We may restrict contact to methods including in person, by telephone, fax, letter or electronically or to any combination of these. In addition, we may:
 - only take telephone calls at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence in the future.
 - require the individual to make an appointment to see a named member of



staff before visiting the office or that contact with the office is in writing only.

- return any documents we consider irrelevant or excessive to the individual or, in extreme cases, advise that further irrelevant documents will be destroyed; and
- take other action that we consider appropriate.

Where an individual continues to correspond on a wide range of issues, and this action is considered excessive, then the individual may be told that only a certain number of issues will be considered in each period and asked to limit or focus.

5. Right to Appeal

A customer has the right to appeal against a decision to restrict contact. The customer should be advised in writing about this right and the contact details of the Director to whom their appeal should be addressed. The Director will advise the customer in writing that either the restricted contact arrangements will remain in force or a different course of action has been agreed.

At this stage we will advise the customer of their right to contact the Scottish Public Services Ombudsman (SPSO) or other relevant independent organisation if they believe our decision to restrict contact is unjust.

6. Recording and reviewing decisions to restrict contact

We record all incidents of unacceptable actions and any decision taken to restrict customer contact. This information will be kept on the Unacceptable Actions Log and relevant correspondence is saved in the relevant customer and/or complaint file on our computer system.

The Customer Services Manager will review the status of all customers with restricted contact arrangements regularly. A decision may be reconsidered, and restrictions may be lifted or eased if a customer demonstrates a more acceptable approach.

7. Equality and Diversity

The Association will comply with the terms of our Equality and Diversity policy when dealing with incidents of unacceptable behaviour. We will take into account the individual circumstances of the staff member and the customer involved when investigating an incident and determine the most appropriate course of action.

The Association is committed to the promotion of equal opportunities throughout our day to day business and do not discriminate on the grounds of ethnic origin, disability, gender, marital status, sexuality, age, language, political and religious beliefs, social class or any other form of discrimination.



The Association is committed to monitoring data and use our completed Equalities Monitoring Form to inform how we shape our service delivery.

8. Performance Monitoring and Review

The Management Board will review the number and type of decisions made against this policy on an annual basis and the Management Team will monitor quarterly.

This policy will be reviewed every 3 years or earlier if deemed necessary due to legislative or other changes.

