

# Unacceptable Actions Policy



## Document Control

Responsible Person	Operations Director			
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Reviewed by	Board			
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Equalities Impact Assessment	Yes		No	✓
Added to Company Website	Yes	✓	No	
Associated Documents Considered	Yes	✓	No	

## **1. Scope of the Policy**

- 1.1. We believe that customers and service users have a right to be heard, understood and respected.
- 1.2. Occasionally, the behaviour or actions of individuals using our service makes it very difficult for us to deal with their enquiry. In a small number of cases the actions become unacceptable because they involve abuse of our staff or our processes.
- 1.3. When this happens we have to take action to protect our staff. We consider the impact of the behaviour on our ability to do our work and provide a service to others.

## **2. Objective of the Policy**

- 2.1. The objective of the Policy is to clearly set out how staff should deal with customers or service users who undertake unacceptable actions and how any decisions made by the Company in this connection should be reviewed.

## **3. Implementation of Policy**

- 3.1. People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to them coming to our office or contacting our staff.
- 3.2. We do not view behaviour as unacceptable just because it is forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing an enquiry or complaint.
- 3.3. However, we do consider actions that result in unreasonable demands on our staff or unreasonable behaviour towards Waverley Housing staff to be unacceptable. It is these actions that we aim to manage under this Policy.
- 3.4. We understand that sometimes people are angry about the issues they have raised with us. If that anger escalates into aggression towards Waverley Housing staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.
- 3.5. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused, and may include threats, personal verbal abuse, derogatory remarks and rudeness.
- 3.6. We also consider inflammatory statements and unsubstantiated allegations to be abusive behaviour.
- 3.7. A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the office.

Examples of actions grouped under this heading include:

- a) repeatedly demanding responses within an unreasonable timescale

- b) insisting on seeing or speaking to a particular member of staff when that is not possible or appropriate
  - c) repeatedly changing the substance of a complaint or raising unrelated concerns
- 3.8. An example of such impact would be that the demand takes up an excessive amount of staff time and in so doing disadvantages other customers or services users.
- 3.9. Sometimes the volume and duration of contact made to our office by an individual causes problems.
- 3.10. This can occur over a short period, for example, a number of calls in one day or one hour. It may occur over the life-span of a contact when someone repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to their enquiry or complaint.
- 3.11. We consider that the level of contact has become unacceptable when the amount of time spent talking to someone on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that issue, or with other people's enquiries.
- 3.12. Individuals with complaints about Waverley Housing have the right to pursue their concerns through a range of means.
- 3.15. They also have the right to complain more than once if subsequent incidents occur.
- 3.16. However, this contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or implementing a legitimate decision. We consider access to a complaints system to be important and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable – but we reserve the right to do so in those exceptional cases.

#### **4A. Conditions- Examples of Unacceptable Actions**

- 4A.1. The threat or use of physical violence, verbal abuse or harassment towards our staff is likely to result in a termination of all direct contact with the person. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.
- 4A.2. We will not accept any correspondence (letter, fax or email) that is abusive to staff or contains allegations that lack substantive evidence. We will tell the complainant that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues.
- 4A.3. We record all telephone calls. Our staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and end the call if the behaviour persists.

- 4A.4. In extreme situations, we tell the person in writing that their name is on a 'no personal contact' list. This means that we will limit contact with them to either written communication or through a third party. Staff may be instructed to attend visits only when accompanied by another member of staff.
- 4A.5. We have to take action when unreasonable behaviour impairs the functioning of our office.
- 4A.6. We aim to do this in a way that allows an enquiry, or complaint, to progress through our process. We will try to ensure that any action we take is the minimum required to solve the problem, taking into account relevant personal circumstances including the seriousness of the issue and the needs of the individual.

#### **4B Conditions - Actions we may take**

- 4B.1. Where a person repeatedly phones, visits the office, raises repeated issues, or sends large numbers of documents where their relevance isn't clear, we may decide to:
- a) limit contact to telephone calls from the person at set times on set days
  - b) restrict contact to a nominated member of our staff who will deal with future calls or correspondence from the individual
  - c) see the person by appointment only
  - d) restrict contact from the person to writing only
  - e) return any documents to the individual or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed
  - f) take any other action that we consider appropriate
- 4B.2. Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the person that only a certain number of issues will be considered in a given period and we ask them to limit or focus their requests accordingly.
- 4B.3. In exceptional cases, we reserve the right to refuse to consider an approach or future approaches from an individual. We will take into account the impact on the individual and also whether there would be a broader interest to our tenants in considering the issue further.
- 4B.4. We will always tell the person what action we are taking and why.

#### **4C Conditions - The process we follow to make decisions about unreasonable behaviour**

- 4C.1. Any member of staff who directly experiences aggressive or abusive behaviour from anyone has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.

4C.2. With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with Waverley Housing are only taken after careful consideration of the situation by a member of the executive team. Wherever possible, we will give a person the opportunity to change their behaviour or action before a decision is taken.

#### **4D. Conditions-How we let people know we have made this decision**

4D.1. When a Waverley Housing employee makes an immediate decision in response to aggressive or abusive behaviour, the person is advised at the time of the incident. When a decision has been made by the executive team, the person will always be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the person has a record of the decision.

#### **4E. Conditions The process for appealing a decision to restrict contact**

4E.1. It is important that a decision can be reconsidered. Anyone can appeal a decision to restrict contact. If they do this, we will only consider arguments that relate to the restriction and not to either the issue raised with us or to our decision to close a complaint.

4E.2. An appeal could include, for example, someone saying that: their actions were wrongly identified as unacceptable; the restrictions were disproportionate; or that they will adversely impact on the individual because of personal circumstances.

4E.3. The member of the executive team who was not involved in the original decision will consider the appeal. They have discretion to quash or vary the restriction as they think best. They will make their decision based on the evidence available to them. They must advise the person in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

#### **4F. Conditions - How we record and review a decision to restrict contact**

4F.1. We record all incidents of unacceptable actions. Where it is decided to restrict individual contact, an entry noting this is made in the relevant file and on appropriate computer records. A decision to restrict contact as described above may be reconsidered if the person demonstrates a more acceptable approach. A member of the executive team reviews the status of all persons with restricted contact arrangements on a regular basis.

### **5. Responsibilities**

5.1. All staff have a responsibility to report unacceptable actions they experience to their line manager which provides an opportunity to review the matter and decide upon the most appropriate course of action to take which might include invoking the terms of this Policy. The Executive Team have responsibility for monitoring the operation and effectiveness of this Policy.

## **6. Reporting**

- 6.1. Given the limited number of cases dealt with under the terms of this Policy there is no regular reporting to the Management Team or Board of such cases. However the Executive Team will keep under review such cases and if required these will be subject to formal reporting to the Management Team or Board.

## **7. Review**

- 7.1. This Policy will be reviewed every five years or more frequently if there are reasons to do so.

## **8. Equalities**

- 8.1. Waverley Housing shall apply this policy in accordance with its Equality & Diversity Policy. This means that in the application of this policy, we will not discriminate on the grounds of a person's race, religion or belief, gender re-assignment, marriage or civil partnership, pregnancy and maternity, sex, sexual orientation, age or disability.
- 8.2. Copies of this policy are available on request free of charge from Waverley Housing's office at 51 North Bridge Street, Hawick, TD9 9PX. Copies of this policy will also be made available within a reasonable time, upon request, in a language other than English, or in a format to suit visually impaired persons. The policy is also available on our website [www.waverley-housing.co.uk](http://www.waverley-housing.co.uk).