
POLICY

Unacceptable Actions

New Policy for approval October 23

Wellhouse - The Place to Be

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Date of Next Review: October 2024

Reviewed by: Housing and Customer Service Manager

We can produce this document in different formats, for instance, in larger print, Braille or audio-format. we can also translate this document into specific languages, as appropriate.

1.0 INTRODUCTION AND OBJECTIVES

- 1.1. This policy outlines Wellhouse Housing Associations stance toward customers whose actions or conduct towards our staff we deem unacceptable. This policy is aligned with best practices and draws inspiration from the Unacceptable Actions Policy of the Scottish Public Services Ombudsman.

1.2 POLICY OBJECTIVES

- To maintain transparency and openness in interactions with customers, even those whose actions are deemed unacceptable.
- To clarify what constitutes unacceptable behaviour, and to outline the procedure staff should follow when handling customers displaying such behaviour, thereby ensuring clarity for all parties involved.
- To uphold fairness, honesty, consistency, and appropriateness in addressing all customer interactions. Every customer has the right to be heard, understood, and treated with respect.
- To deliver accessible services whilst reserving the right to limit or modify access to our services in cases of deemed unacceptable customer behaviour.
- To prevent other customers and staff from being disadvantaged due to the actions of customers exhibiting unacceptable conduct.

2.0 DEFINITION OF UNACCEPTABLE BEHAVIOR

- 2.1 We expect our staff to treat customers with courtesy and respect, and we expect customers to treat our staff in the same manner. While we acknowledge that there might be situations in which customers express anger or distress that is uncharacteristic, these instances should be taken into consideration when assessing the acceptability of their actions. Actions classified as unacceptable can be categorised as follows:

- Unreasonable conduct
- Aggressive or abusive conduct
- Unreasonable demands
- Excessive persistence
- Vexatious behaviour

Demands and frequencies of contact are deemed unreasonable when they adversely affect office operations and our ability to provide services. This includes disproportionate consumption of staff time and resources, to the detriment of other customers or functions.

2.2 Unreasonable Conduct

2.2.1 This category pertains to instances where:

Customers unreasonably pursue requests or complaints for information.

2.2.2 Examples of such behaviour includes:

- Customer makes repeat complaints about the same issues despite having a response.
- Refusing to specify complaint details, despite being offered assistance.
- Contradicting or altering previous statements.
- Unjustifiably complaining about staff dealing with issues and requesting their replacement.
- Insisting on unfeasibly swift responses.
- Demanding to interact with a specific staff member when this is not possible.

2.3 Aggressive or Abusive Conduct

2.3.1 This category includes:

- Aggression potentially leading to physical harm. and
- Conduct or language (oral or written) that might cause staff members to feel offended, threatened, or abused.
- Language intended to insult, degrade, display racism, sexism, or homophobia, or make baseless allegations of criminal, corrupt, or perverse behaviour, lacking evidence, is unacceptable. We might consider comments targeting third parties as unacceptable due to their impact on our staff.

2.3.2 Examples of such conduct include:

- Threats.
- Physical violence.
- Personal verbal abuse.
- Shouting.
- Cursing.
- Derogatory remarks.
- Impoliteness.
- Inflammatory statements.
- Unsubstantiated claims.

2.4 Unreasonable Demands

2.4.1 Determining unreasonable demands depends on the situation and the gravity of the issues raised by the customer. This category covers:

- The quantity of information sought.
- Expectations regarding service nature and extent. and
- The frequency of interactions with various staff on the same issue.

2.4.2 Examples of such behaviour includes are:

- Demanding extensive information without clear purpose.
- Requesting information within an impractical timeframe.
- Insisting on contacting a particular staff member.

- Excessive phone calls, emails, or detailed letters.
- Receiving copious correspondence with unclear relevance.
- Continuously changing complaint content or raising unrelated concerns.

2.5 Excessive Persistence

2.5.1 Staff should encourage customers to use established procedures, such as the complaints process, where applicable. Customers will be guided on advancing complaints per our complaints handling procedure post-response and review if relevant. This category might apply post a final decision or when a customer doesn't proceed via the procedure yet persists. This category covers:

- Unwillingness to acknowledge that we can't further assist or provide a different service level.
- Persistent disagreement with actions or decisions.
- Recurrent contact about the same issue.

2.5.2 Examples of such behaviour include:

- Continually refusing to accept a decision.
- Consistently rejecting explanations for decisions or actions.
- Persistently disregarding relevant procedures.
- Contact frequency impairs issue resolution and other services.
- Continued pursuit of a resolved or closed issue without new significant information.

2.6 Vexatious Behaviour

2.6.1 When customers act to provoke unnecessary irritation or disruption rather than resolving a dispute. A vexatious request causes distress or disruption without proper justification.

2.6.2 Examples of such behaviour include:

- Expressing that the request aims to inconvenience, disrupt, or annoy.
- Asking for information already seen or reopening resolved issues.

3.0 MANAGING UNACCEPTABLE ACTIONS

3.1 Unreasonably demanding, persistent, and vexatious behaviour

3.1.1 In all cases, we'll communicate with customers to explain our identification of unacceptable behaviour and its reasons. We'll request them to adjust their conduct and explain potential actions if they don't comply. If necessary, actions are taken, we'll notify the customer in writing and detail the reasoning.

3.1.2 We may propose a meeting to discuss unacceptable behaviour and find a way forward. In some instances, involving external experts, like independent mediators, might help resolve the situation.

3.1.3 We might inform customers that we consider the matter fully addressed and further correspondence serves no purpose. Such correspondence will be documented but not acknowledged unless containing new significant data requiring action or response.

- 3.1.4 We might stipulate that only a certain number of issues can be addressed in a specific timeframe, urging them to narrow their requests.
- 3.1.5 We might restrict customer contact (see 4.0 Restricting Customer Contact). Examples include:
- Setting designated call times.
 - Appointing a specific staff member for interactions.
 - Requiring appointments for office visits.
 - Limiting email contact prone to abuse.
 - Requiring communication through writing or a third party.
 - Putting a time ban in place for customer to visit / call the office.
 - Taking suitable actions.
- 3.2 Aggressive or Abusive Conduct
- 3.2.1 Threats, physical violence, or verbal abuse might result in a customer being added to a 'two-person contact' list. Cases of physical violence will be reported to the police. Verbal abuse or harassment might also be reported.
- 3.2.2 For abusive correspondence, we'll explain its unacceptability in writing, urge them to stop such communication, and state that further correspondence won't be acknowledged. If the conduct persists, future contact might require a third-party intermediary.
- 3.2.3 Staff may terminate calls when the caller's behaviour is aggressive, abusive, or offensive. Staff will inform the caller of the unacceptable behaviour and end the call if it continues.

4. RESTRICTING CUSTOMER CONTACT

- 4.1 Except for emergencies, decisions to limit contact require thoughtful assessment by a Manager. When possible, customers will be given an opportunity to adjust their conduct before implementing restrictions however depending on behaviour then a ban from contacting the office may be enforced.
- 4.2 We aim to impose contact limits allowing continued service n. At least one form of contact will be maintained, unless extreme situations require 'no personal contact' status.
- 4.2 Staff directly facing aggressive or abusive behaviour may address it immediately, in line with this policy.
- 4.3 We'll provide written explanations for restricting contact, outlining arrangements and duration.
- 4.4 Relevant staff will be informed of imposed restrictions.

5.0 RIGHT TO APPEAL

- 5.1 Customers can appeal contact restrictions. A Manager (out with original decision) or Director handles appeals, informing customers whether restrictions persist, or alternate actions are agreed upon.
- 5.2 We'll advise customers of their right to contact the Scottish Public Services Ombudsman (SPSO) if they deem our contact restriction unjust.

6.0 RECORDING AND REVIEWING CONTACT RESTRICTIONS

- 6.1 We'll record all unacceptable behaviour incidents and contact restrictions. Details will be stored in the Unacceptable Actions Log, and pertinent correspondence will be saved in relevant customer and complaint files.
- 6.2 The Housing Manager/s will review contact restrictions every six months. Reconsideration might occur based on improved behaviour.
- 6.3 The customer should be advised of any changes to restrictions or if restrictions are extended.

7.0 EQUAL OPPORTUNITIES STATEMENT

- 7.1 We acknowledge our role in valuing diversity, fairness, justice, and equal opportunity. We'll consistently review this policy for equal opportunity implications and take steps to rectify any resulting inequalities. We're dedicated to fair and equal treatment, free from discrimination.

8.0 PROCESSING DATA – GENERAL DATA PROTECTION REGULATIONS

- 8.1 We'll process data in line with General Data Protection Regulations and provide Fair Processing Notices to customers and service users.
- 8.2 Staff will be trained on General Data Protection Regulations and the Association's compliance process.

9.0 POLICY REVIEW

- 9.1 This policy was introduced in January 2024 and aligns with our policy to review at least every 3 years, or when enhancements, lessons, best practices, or legal/governmental changes necessitate updating.
- 9.2 Formal reviews will occur every three years in consultation to ensure policy objectives are met.
- 9.3 The next policy review is scheduled for January 2027.