



1986-2016: Celebrating 30 years working in the community

UNACCEPTABLE BEHAVIOUR POLICY

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1. INTRODUCTION

This policy refers to Barrhead Housing Association (the parent) and Lavern Property Services (the subsidiary), (hereinafter the “Group”) This Policy sets the Group approach to the relatively few customers whose actions or behaviour we consider unacceptable. This policy is referred to in our Customer Complaints Policy for both Barrhead Housing Association and Lavern Property Services.

The term customer includes tenants, owners or anyone acting on behalf of a customer or who contacts us in connection with a complaint.

2. POLICY AIMS

- 2.1 To make it clear to all customers, both at initial contact and throughout their dealings with us, what the Group can or cannot do in relation to their complaint. In doing so, we aim to be open and honest and not raise hopes or expectations that we cannot meet.
- 2.2 To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions we consider unacceptable. We believe that all customers have the right to be heard, understood and respected. We also consider that Group staff have the same rights.
- 2.3 To provide a service that is accessible to all customers. However, we retain the right, where we consider customer actions to be unacceptable, to restrict or change access to our service.
- 2.4 To ensure that other customers and Group staff do not suffer any disadvantage from customers who act in an unacceptable manner.

3. DEFINING UNACCEPTABLE BEHAVIOUR OR ACTIONS BY CUSTOMERS

- 3.1 We understand that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to us. We do not view behaviour as unacceptable just because a claimant is forceful or determined. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands on us or unacceptable behaviour towards Group staff. It is these actions that we consider unacceptable and aim to manage under this policy. We have grouped these actions under three broad headings:

3.2 Aggressive or Abusive Behaviour

- Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

- Examples of behaviours grouped under this heading include:
 - threats,
 - physical violence,
 - personal verbal abuse,
 - derogatory remarks and rudeness.
 - inflammatory statements and unsubstantiated allegations may also be abusive behaviour.

- We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. Our staff understand the difference between aggression and anger. The anger felt by many customers involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression directed towards our staff.

- Group staff will receive training where required to deal with such situations

3.3 Unreasonable Demands

It is difficult to list all examples of what might be deemed to be unreasonable demands on staff time and resources. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer. In general however the following guidelines should be followed:

- Customers may make what we consider unreasonable demands on us through:
 - the amount of information they seek,
 - the nature and scale of service they expect,
 - the number of approaches they make.

- Examples of actions grouped under this heading include:
 - demanding responses within an unreasonable time-scale,
 - insisting on seeing or speaking to a particular member of staff,
 - continual phone calls or letters,
 - repeatedly changing the substance of the complaint or raising unrelated concerns.

- We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the office, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions.

3.4 Unreasonable Persistence

We recognise that some customers will not, or cannot, accept that we are unable to assist them further or provide a level of service other than that provided already. Customers may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.

- Examples of actions grouped under this heading include:
 - persistent refusal to accept a decision made in relation to a complaint
 - persistent refusal to accept explanations relating to what we can or cannot do
 - continuing to pursue a complaint without presenting any new information.

The way in which these customers approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

We consider the actions of persistent customers to be unacceptable when they take up what the Group regards as being a disproportionate amount of time and resources.

4. MANAGING UNACCEPTABLE ACTIONS BY CUSTOMERS

- 4.1 There are relatively few customers whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict customer contact with us in order to manage the situation.
- 4.2 We aim to do this, however, in a way, wherever possible, that allows a complaint to progress to completion through the Groups' respective Complaints Process. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we tell the customer in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with us to either written communication or through a third party.
- 4.2 The threat or use of physical violence, verbal abuse or harassment towards our staff will result in the ending of all direct contact with the customer. Incidents will be reported to the police. **This will always be the case if physical violence is used or threatened.**
- 4.3 We do not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens we will tell the customer that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may then require future contact to be through a third party.

- 4.4 Group 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 then end the call if the behaviour does not stop. This action must be recorded on the tenant's records.
- 4.5 Where a customer repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, we may decide to:
- only take telephone calls from the customer at set times on set days, or put an arrangement in place for only one member of staff to deal with calls or correspondence from the customer in the future.
 - require the customer to make an appointment to see a named member of staff before visiting the office or that the customer contacts the office in writing only.
 - return the documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.
 - take other action that we consider appropriate. We will, however, always tell the customer what action we are taking and why.
- 4.6 Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, then the customer will be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- 4.7 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute our decision relating to their complaint. The customer is told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the customer, or their representative, on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the complaint.

5. DECIDING TO RESTRICT CUSTOMER CONTACT

- 5.1 Group staff who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this procedure.
- 5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with us are only taken after careful consideration of the situation by the Director of the appropriate Department. Wherever possible, we give a customer the opportunity to modify their behaviour or action before a decision is taken. Customers are 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.

6. APPEALING A DECISION TO RESTRICT CONTACT

A customer can appeal a decision to restrict contact to the Chief Executive. They will advise the customer in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

7. RECORDING AND REVIEWING A DECISION TO RESTRICT CONTACT

- 7.1 We record all incidents of unacceptable actions by customers. Where it is decided to restrict customer contact, an entry noting this is made in the relevant file and on appropriate computer records.
- 7.2 A decision to restrict customer contact will be reconsidered if the customer demonstrates a more acceptable approach. The Senior Management Team reviews the status of all complainants with restricted contact arrangements on a regular basis.