



## Unacceptable Actions Policy

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<b>Board of Management/Committee:</b>	<b>Operational Services Committee</b>
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<b>Version</b>	<b>V2</b>



<b>Policy Version</b>	<b>Date of Approval</b>	<b>Changes made to Policy</b>
Version 1	26 October 2012	
Version 2	21 January 2019	Altered to fit new template format requirements Changes following consultation with Registered Tenant Panel

## **1. Introduction**

The Association believes that all customers have the right to be heard, understood and respected and feedback is welcomed by the Association. It is accepted that many customers who wish to complain will be determined or forceful in order to make their feelings or opinions made clear and staff are trained to deal with this.

There are however times when a customer behaves in a way which makes it difficult for the Association to deliver its service. This behaviour involves the abuse of staff or procedures.

There is a range of actions the Association considers to be unacceptable. These are:

- aggressive or abusive behaviour
- unrealistic expectations
- unreasonable levels of contact
- over use of Association processes (for example, repeating previous complaints that have been closed after fully completing all three stages of the procedure, including referral to the Scottish Public Services Ombudsman )

Unacceptable actions may be considered to be a breach of tenancy conditions under sections 3.1 and 3.6 of the Scottish Secure Tenancy Agreement.

3.1 You, those living with you, and your visitors, must not harass or act in an anti-social manner to, or pursue a course of anti-social conduct against, any person in the neighbourhood. Such people include residents, visitors, our employees, agents and contractors and those in your property.

3.6 You will be in breach of this Agreement if you, those living with you, or your visitors do anything which is prohibited in this part of the Agreement.

It should be therefore considered that the actions outlined in this policy are about managing and discouraging actions to prevent tenancy failure.

## **2. Policy Statement**

This policy covers how to deal with unacceptable actions in order to protect the Association and to ensure that service provision is not adversely affected by the behaviour of an individual or group of customers.

## **3. Objectives**

This policy aims to:

- make it clear to the Association's customers, both on initial contact and throughout engagement, what the Association can and cannot do to meet their concerns and expectations

- deal fairly, honestly, consistently, and appropriately with all correspondents and complainants, even those whose behaviour or actions the Association considers unacceptable
- provide a service that is accessible to all
- ensure that other people who use the services of the Association and staff do not suffer disadvantage as a result of the unacceptable behaviour of others
- provide a clear consistent approach to dealing with unacceptable behaviour

#### **4. Links to Other Policies**

The handling of unacceptable actions will comply with all relevant policies including:

- Allocations Policy
- Customer Care Policy
- Complaints Policy
- Social Media Policy
- Harassment Policy
- Equality and Diversity Strategy
- Equality and Diversity Policy
- Data Protection Policy
- Scottish Secure Tenancy Agreement
- Safeguarding Policy

#### **5. Aggressive or Abusive Behaviour**

It is understood and accepted that a customer may be angry, alarmed or distressed when they contact the Association. If these feelings escalate into aggression, this will not be tolerated. For the purpose of this policy, aggression can be behaviour or language (verbal and/or written in any format or location) that:

- causes staff to feel abused or threatened, this includes non contact methods, such as undue proximity, or aggressive posturing
- may include threats, derogatory remarks or personal abuse
- is rude and haranguing
- includes inflammatory statements
- make unsubstantiated allegations

#### **6. Unrealistic Expectations**

The Association has a set of service standards in the Customer Charter, and has clear obligations and timescales set down in policies and procedures. If a customer has unrealistic expectations about what the Association can deliver, this can sometimes lead to a situation where that customer makes unreasonable demands. Demands from customers that the Association views as unacceptable include:

- expecting a response in unreasonable timescales. The Association has response times built in to many of its policies and procedures and dealing with unrealistic demands from a customer will impact on the service provided to other customers

- insisting on seeing a specific member of staff when this is either not possible, or it is inappropriate under the circumstances
- repeatedly changing the nature of a complaint or raising other unrelated concerns, therefore causing an unreasonable demand on staff to complete an investigation
- demanding that issues already addressed are looked at again (this is an example of over use of a process)
- contacting repeatedly in respect of decisions the Association has taken, with which they disagree

## **7. Excessive Levels of Contact**

This includes both the volume and the duration of contact with the Association, for example:

- excessive numbers of contacts over a short period
- excessive, or inappropriate posting on social media platforms run by the Association
- excessively long and repetitive telephone calls
- the submission of excessive amounts of information, or multiple copies of the same or irrelevant information

All of the above impacts on the Association's ability to process an enquiry, or to deliver services required by other customers.

## **8. Unacceptable Use of Association Processes**

Individuals have the right to pursue their concerns through a range of means. They also have the right to complain more than once about an organisation with which they have a continuing relationship, if subsequent incidents occur.

This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision. The Association considers access to a complaints system to be important and it will only be in exceptional circumstances that it would be considered that such repeated use is unacceptable, however the Association reserves the right to do so in such cases.

## **9. Managing Unacceptable Actions**

There are a range of options available to staff when they encounter unacceptable actions from a customer. These include:

- a) allocating a Liaison Officer to the individual (this can be either a staff member or a third party. The Liaison Officer becomes the sole point of contact for an individual with the Association)
- b) restricting the contact to writing only where this is possible and practical
- c) limiting telephone contact to only certain times on certain days
- d) seeing the customer by appointment only

- e) returning any repeat or excessive correspondence and advising that future repeat correspondence will be securely disposed of
- f) in cases where a customer is contacting staff regarding an excessive range of issues, consideration will be given to a limited number of issues over a given period
- g) in serious cases, the issue of warning letters for aggressive or abusive behaviour possibly leading to legal action or banning the customer from the Association offices
- h) in all cases where one or more of the above options is exercised, where appropriate the customer will be advised in writing of the action being taken and the reasons the decision was made

Any action taken will be proportional and reasonable, and take into account the circumstances of the individual. Where appropriate, actions will be time limited and will be communicated to tenants and recorded on the housing management system unless the matter is of a confidential nature. Where this applies, the Support Services Manager will be responsible for holding this information securely.

Staff who have been subject to abuse or harassment are required to report it to ensure other members of staff are protected. This is regardless of whether they wish to take forward formal action. Privacy will be maintained.

## **10. Staff Training and Resources**

The Association is committed to providing staff with the support and training they require to deal with unacceptable actions from customers. This may include:

- dealing with challenging behaviour
- complaint handling
- assertiveness

All staff will be aware of the procedures they are required to follow when they encounter unacceptable behaviour and the role team leaders and other senior staff have in terms of providing support and ensuring appropriate action is taken to deal with a situation.

## **11. Monitoring and Review**

A report of how often the Unacceptable Actions Policy is used is available via the Housing Management software system. This report is provided to the Senior Management Team on an annual basis, or upon request if required more frequently. The Senior Management Team will then assess whether the annual information is of value for reporting on to the Board of Management.

## **Right to Complain**

In the event you are not satisfied with the service you have received, please contact the Association for a copy of the Complaints Policy, which can also be viewed on Langstane Housing Association's website – [www.langstane-ha.co.uk](http://www.langstane-ha.co.uk)

## **Equality and Diversity**

The Langstane Group is committed to promoting equality and diversity across all areas of work. Discrimination or harassment of any kind is not tolerated.

If you would like this document sent to you in large print, please contact Support Services on 01224 423000.