



**ANGUS HOUSING**  
ASSOCIATION

## Unacceptable Actions Policy

<b>Policy Name</b>	Unacceptable Actions Policy		
<b>Policy Ref</b>			
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<b>Author</b>	Alison Geoghans/Linlay Anderson		
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<b>Written by</b>	Alison Geoghans/Linlay Anderson
<b>Department</b>	Finance & Corporate
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# **ANGUS HOUSING ASSOCIATION LIMITED**

## **UNACCEPTABLE ACTIONS POLICY**

### **1. Statement of Intent**

- 1.1 Angus Housing Association is committed to the principles of sustainability and will endeavour to attract and retain valued employees through the development of fair and consistent employment policies, procedures and practices.
- 1.2 This Policy sets out Angus Housing Association's approach to the relatively few complainants whose actions or behaviour we consider unacceptable. The term complainant includes anyone acting on behalf of a complainant or who contacts our office in connection with a complaint. The principles set out in this Policy also apply to our dealings with people other than complainants.
- 1.3 The aims of this Policy is to make it clear to all complainants, both at initial contact and throughout their dealings with Angus Housing Association, what Angus Housing Association can or cannot do in relation to their complaint. In doing so, we aim to be clear and open and not raise hopes or expectations that we cannot meet.
- 1.4 To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. We believe that all complainants have the right to be heard, understood and respected. We also consider that Angus Housing Association employees have the same rights.
- 1.5 To provide a service that is accessible to all complainants. However, we retain the right, where we consider complainant actions to be unacceptable, to restrict or change access to our service.
- 1.6 To ensure that Angus Housing Association employees or appointed agents do not suffer any disadvantage from complainants who act in an unacceptable manner.

## **2. General Principles**

- 2.1 Angus Housing Association takes unacceptable actions very seriously and we will display our commitment to no tolerance of unacceptable actions through our web site and public area notices.

### **Defining Unacceptable Actions**

- 2.2 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 Angus Housing Association. We do not view behaviour as unacceptable just because a claimant is assertive or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint. However, the actions of complainants who are angry, demanding or persistent may result in unreasonable demands or unacceptable behaviour towards Angus Housing Association employees. It is these actions that we consider unacceptable and aim to manage under this Policy.
- 2.3 Angus Housing Association has grouped these actions under the following broad headings:

### **Aggressive or Abusive Behaviour**

- 2.4 We expect our employees to be treated courteously and with respect. Violence or abuse towards employees is unacceptable. Angus Housing Association employees understand the difference between aggression and anger. The anger felt by many complainants involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression directed towards Angus Housing Association employees.
- 2.5 Examples of behaviours grouped under this heading include threats; physical violence; personal verbal abuse; derogatory remarks; and rudeness. We also consider that inflammatory allegations can be abusive behaviour.

- 2.6 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 employees to feel afraid, threatened or abused.

### **Unreasonable Demands**

- 2.7 Complainants may make what we consider unreasonable demands on Angus Housing Association through the amount of information they seek, the nature and scale of service they expect and the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.
- 2.8 Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale; insisting on seeing or speaking to a particular employee; continual phone calls or letters; repeatedly changing the substance of the complaint; or raising unrelated concerns.
- 2.9 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of Angus Housing Association, such as taking up an excessive amount of employee time to the disadvantage of other complainants or functions.

### **Unreasonable Persistence**

- 2.10 We recognise that some complainants will not or cannot accept that Angus Housing Association is unable to assist them further, or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact Angus Housing Association persistently about the same issue.

- 2.11 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 Angus Housing Association can or cannot do; and continuing to pursue a complaint without presenting any new information. The way in which these complainants approach Angus Housing Association may be entirely reasonable, but it is their persistent behaviour in continuing to do that which is not.
- 2.12 We consider the actions of persistent complainants to be unacceptable when they take up what Angus Housing Association regards as being a disproportionate amount of time and resources.

### **Managing Unacceptable Actions**

- 2.13 There are relatively few complainants 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 complainant contact in order to manage the unacceptable action. We aim to do this in a way that allows a complaint to progress to completion through our complaints process. We may restrict contact in person, by telephone, fax, letter, electronically or by any combination of these. We will try to maintain at least one form of contact. In extreme situations, we will tell the complainant in writing that there will be no personal contact. This means that they must restrict contact with Angus Housing Association to either written communication or through a third party. However, in the case of emergency or essential repairs, 2 people will be present and the service given may be restricted.
- 2.14 The threat or use of physical violence, verbal abuse or harassment towards Angus Housing Association employees is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the Police. This will always be the case if physical violence is used or threatened.

- 2.15 We do not deal with correspondence (letter, fax or electronic) that is abusive to employees or contains allegations that lack substantive evidence. When this happens we will tell the complainant that we consider that their language is 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.
- 2.16 Angus Housing Association employees will end telephone calls if the caller is considered aggressive, abusive or offensive. The employee 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.
- 2.17 Where a complainant repeatedly telephones, visits Angus Housing Association office(s), sends irrelevant documents or raises the same issues, we may decide to, for example;
- Only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one employee to deal with calls or correspondence from the complainant in the future;
  - require the complainant to make an appointment to see a named employee before visiting the office, or that the complainant contacts the office in writing only;
  - return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;
  - take other action that we consider appropriate. We will, however, always tell the complainant what action we are taking and why.

*This list is not exhaustive.*

- 2.18 Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant will be told that only a certain number of issues will be considered in a given period and asked to limit the focus of their requests accordingly.
- 2.19 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the Angus Housing Association decision relating to their complaint. The complainant will be told that no future telephone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence will be read and filed, and acknowledged or responded to only if the complainant provides significant new information relating to the complaint.

### **3. Deciding to Restrict Complainant Contact**

- 3.1 Angus Housing Association staff who directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.
- 3.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with Angus Housing Association are only taken after careful consideration of the situation by the appropriate Manager, with the knowledge of the Director. Wherever possible, we will normally give a complainant the opportunity to modify their behaviour or action before a decision is taken. Complainants 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.



#### **4. Appealing a Decision to Restrict Contact**

- 4.1 A complainant can appeal a decision to restrict contact to the Director. This will be in accordance with Angus Housing Association's Complaints Policy and Procedure.
- 4.2 If the complainant is not happy with this decision they can contact the Scottish Public Services Ombudsman.

#### **5. Monitoring and Review**

- 5.1 All incidents of unacceptable actions by complainants will be recorded. Where it is decided to restrict complainant contact, an entry noting this will be made in the relevant file and on appropriate computer records in accordance with Angus Housing Association's Data Protection Policy.
- 5.2 A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach. The appropriate Manager will consider the appropriate review period on the status of complainants in their department with restricted contact arrangements.
- 5.3 A summary of all unacceptable actions will be prepared by the Senior Customer Services Officer on an annual basis and presented to the Committee of Management for information. This summary will be prepared in accordance with Angus Housing Association's Data Protection Policy.
- 5.4 This policy will be reviewed 5 years from the date of implementation or latest review, which will be the date the policy is approved by the Committee of Management or earlier if deemed appropriate.

## 6. **Role of Departments**

- 6.1 Managers will be responsible for ensuring appropriate incident forms are completed where necessary.
- 6.2 Managers who take action under this Policy will report to the Senior Customer Services Officer to record as part of the annual report to Committee.