



Unacceptable Actions Policy

Approval date: September 2017
Review date: September 2020

This policy applies to

- Link Group
- Link Housing
- Link Living
- Link Property
- Horizon
- Larkfield
- West Highland
- Lintel Trust

Policy Summary

This policy sets out Link’s approach to customers whose actions or behaviour towards staff is deemed to be unacceptable.

Equalities

An Equalities Impact Assessment has been completed and we identified that people who have mental health issues, people who have communication difficulties as a result of health/physical attributes or people whose first language is not English exhibit behaviours that could be construed as being unacceptable. In such situations reasonable adjustments will be made. .

Privacy

This policy fully complies with Link’s Data Protection Policy, the Data Protection 1998 Act and good practice.

Policy Owner
Director of Human
Resources and Business
Support

Review Manager

Approved By
Senior Management
Group

Revision History

Date	Version Number	Comments

1. INTRODUCTION

Link is proud of being open and accessible to everyone. We treat all of our customers with courtesy and we expect the same treatment from them in return. Occasionally, the behaviour or actions of individuals using our services make it very difficult for us to deliver those services effectively. In a small number of cases, the actions of individuals become unacceptable because they involve abuse of our staff or our processes. This policy explains how we will approach these situations.

2. PRINCIPLES

The following principles govern the operation of this policy:

- We work hard to understand how people feel as individuals and treat them with dignity. We are particularly mindful of customers who have mental health issues, communication issues or whose first language is not English and who may appear frustrated
- We recognise that people act out of character in times of trouble or distress. We do not view behaviour as unacceptable just because a customer is forceful or determined
- We believe all customers have the right to be heard, understood and respected and we consider that our staff have the same rights
- Link has a duty of care to its staff and will take appropriate action to protect them from unacceptable behaviour

3. OBJECTIVES

The objectives of this policy are to ensure:

- We deal with all customers fairly, honestly, consistently and appropriately, including those whose actions/behaviours we consider to be unacceptable
- We define and explain unacceptable actions and the processes we will follow when they occur
- We always let the customer know what actions we consider unacceptable and why and what actions we are taking
- Staff and other customers do not suffer any disadvantage from customers who act in an unacceptable manner and that Link's effectiveness is not compromised by those who make excessive and unacceptable demands on our resources

4. APPROACH AND METHOD

The Senior Management Group [SMG], in its formal approval of the policy, acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy lies with the appropriate directors and managers of the Link group of companies. All relevant employees have a responsibility to ensure that this policy is applied as instructed.

This section defines three categories of unacceptable actions and sets out how Link will respond to them.

1. Aggressive or abusive behaviour

This covers aggression that may result in physical harm and behaviour or language (oral or written) that may cause staff to feel upset, afraid, threatened or abused.

Link understands that customers can be angry when they feel that matters about which they feel strongly are not being dealt with as they wish. If that anger escalates to aggression towards Link staff, however, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

Language which is designed to insult or demean, is racist, sexist or homophobic or which makes serious unsubstantiated allegations about staff conduct is unacceptable.

How Link will respond

The threat or use of physical violence, verbal abuse or harassment towards staff is likely to result in the termination of all direct contact with the customer. All incidents where physical violence is used or threatened will be reported to the Police. Verbal abuse or harassment may also be reported to the Police.

When we receive correspondence (in any format) that is abusive to staff or contains inflammatory or malicious allegations that are unfounded, we will tell the customer in writing what we consider is unacceptable and why. We will ask them to stop communicating in this way and advise that we will not respond to any future correspondence of this nature. In extreme situations, we will tell the customer in writing that their name has been placed on a “no personal contact” list. This means that we will only have contact with them through a third party.

Link will end telephone calls if the caller is considered aggressive, abusive or offensive. All staff have the right to make this decision but must first warn the caller that their behaviour or language is unacceptable and that they will end the call if the behaviour does not stop.

Link will ask the customer to amend their behaviour and explain what actions we will take if they do not. We will do so in a way which is likely to defuse the situation and aim to bring the tone of communication back to a more reasonable level.

2. Unreasonable demands

A demand becomes unreasonable when it impacts substantially on staff's ability to deliver services effectively to other customers. Examples of this behaviour include:

- Repeatedly demanding responses within an unreasonable timescale
- Demanding responses from several members of staff on the same subject
- Insisting on seeing or speaking to a particular member of staff when that is not possible
- Repeatedly posing a question when a response has already been given

How Link will respond

This will depend on the circumstances surrounding the behaviour and the seriousness of the actions/behaviours of the customer. We will call or meet with the customer to discuss the unacceptable actions and agree a way forward.

If the behaviour continues, we may restrict that customer's contact with our offices or staff [other than where an emergency needs to be addressed]. For example: -

- Only take calls on set days and times
- Require the customer to make an appointment to see a named relevant member of staff before visiting the office
- Restrict email contact to a named contact(s)
- Require the customer to communicate in writing or email through a third party and add them to a "no personal contact" list

3. Unreasonable persistence or levels of contact

We recognise that some customers will not or cannot accept that Link is unable to assist them further or provide a level of service other than that provided already.

Examples include: -

- Persistent refusal to accept a decision already made
- Persistent refusal to accept explanations related to Link's decisions or actions
- Continuing to pursue an issue Link considers resolved or closed without presenting any new information

Sometimes the volume and duration of contacts by an individual causes problems. This can occur over a short period, for example, a number of calls or emails in one day or in one hour. It can also occur over a longer period with regular long telephone calls or inundating the office with copies of information already submitted or irrelevant to the issue.

How Link will respond

As with unreasonable demands, Link may restrict that customer's contact with our offices. For example: -

- Only take calls on set days and times
- Require the customer to make an appointment to see a named member of staff before visiting the office
- Restrict email contact to a named contact
- Require the customer to communicate in writing/email through a third party and add them to a "no personal contact" list

Restricting customer contact

Decisions to restrict customer contact will only be taken after careful consideration of the situation by the appropriate service manager. Wherever possible, we will give a customer the opportunity to modify their behaviour or actions before a decision is taken.

Link aims to restrict contact in a way that allows the customer to continue receiving a service from us and continue to progress through any process they are currently involved in. We will aim to maintain at least one form of contact except in extreme situations where we will add the customer to a "no personal contact" list and require all contact to be through a third party.

We will tell customers in writing why a decision has been made to restrict future contact; the restricted contact arrangements; the length of time the restriction will be in place; and their right to appeal.

When genuine emergency situations occur these will be addressed in line with our accepted delivery standards.

Right to appeal

A customer has the right to appeal against a decision to restrict contact. This must be made within 10 working days of the date of the "notification to restrict contact" letter. The written appeal should clearly set out why the customer feels the decision to restrict contact is unreasonable. The appeal will be considered by the appropriate Director who will advise the customer in writing of the outcome of the appeal within 10 working days of receipt of the appeal – either that the restricted contact arrangements still apply or a different course of action has been agreed.

This decision is final.

Recording and reviewing decisions to restrict contact

We record all incidents of unacceptable actions and any subsequent decision to restrict customer contact. This information is kept in the Unacceptable Actions Log and relevant correspondence is stored in the customer's electronic file. The Director/Senior Manager responsible for service delivery will review the status of all

customers with restricted contact arrangements every 6 months. A decision may be reconsidered if a customer demonstrates a more acceptable approach.

5. MONITORING OF THE POLICY

Any matter which demonstrates a serious failure of internal controls should be reported immediately to the Chief Executive.

6. COMPLAINTS AND APPEALS

Link welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO).

The CHP allows for most complaints to be resolved by front line staff within a five working day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 working day limit (second stage). At the end of the second stage our response will be issued by a director. If the customer remains dissatisfied he/ she may then refer the matter to the SPSO.

The SPSO does not normally review complaints about our factoring service. If a factoring customer is dissatisfied after using the CHP, the complaint may be referred to the First-tier Tribunal (Housing and Property Chamber).

Anyone receiving care or support service from us has the right to complain either direct to the Care Inspectorate or to us.

At each stage Link will advise the customer how the complaint should be taken forward, and advise which agency would be most appropriate to consider the case.

7. POLICY AVAILABILITY

A summary of this policy can be made available in a number of other languages and other formats on request.

8. POLICY REVIEW

Link undertakes to review this policy regularly, at least every three years, with regard to:

- Applicable legislation, rules, regulations and guidance
- Changes in the organisation
- Continued best practice