

# Unacceptable Actions Policy

We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979。

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬੋਲ (ਨੋਤੁਹੀਣਾਂ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

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## **1. Introduction**

All our customers have the right to be heard, understood and respected. Our staff also have the right to be heard, understood, respected and protected against unacceptable actions or behaviour from customers.

As a responsible Employer and Landlord, we will:

- provide an accessible service while retaining the right to restrict or change access to our service if we consider the customer's actions to be unacceptable and;
- make sure our staff and other customers do not suffer any disadvantage from customers who act in an unacceptable manner.
- Ensure that the staff member reporting the unacceptable behaviours or who has witnessed an incident are fully supported and has access to support from their line manager and our range of employee wellbeing services.
- Provide the staff members concerned with regular updates on the actions taken against the perpetrator.

## **2. Definition of unacceptable actions**

Our staff should treat customers with courtesy and respect and in return we expect the same courtesy and respect from our customers.

We appreciate that there may be times where a customer feels our levels of service have not met their expectations and for this we will be sympathetic as is necessary however, unacceptable actions or behaviour towards our staff members will not be tolerated under any circumstances.

The following actions are considered unacceptable:

- Aggressive or abusive behaviour (verbal or physical)
- Unreasonable demands
- Unreasonable persistence
- Vexatious behaviour
- Use of Social Media

## **Aggressive or abusive behaviour**

Aggressive or abusive behaviour we consider to be inappropriate or unacceptable can be conducted face to face, by written or oral communication and in the public domain for example by using social media.

Examples of this type of behaviour include:

- Language (oral, written or electronic communication) that may cause staff to feel upset, afraid, threatened or abused
- Aggression that may result in physical harm
- Threats
- Physical violence
- Personal verbal abuse
- Shouting
- Swearing
- Derogatory remarks
- Rudeness
- Inflammatory statements
- Unsubstantiated allegations
- Using audio or video recordings within the public domain for the purpose of harassment, victimisation, slander and stalking.
- Vandalism or damage to personal or work property

We recognise that the list above is not exhaustive and many forms of engagement that make a staff member feel threatened or abused will be taken into consideration.

We recognise that a customer may wish to record an interaction (audio and or video) in connection with and in support of a concern or issue they have with Wheatley Group and may be able to legitimately do so. We consider this behaviour to be unacceptable if the recordings are used in the public domain for the purpose of harassment, victimisation, slander and stalking.

Where a staff member is concerned with the nature of any recording, feels threatened, uncomfortable or does not want to participate in recorded communications, they shall be entitled to end the engagement and consider other forms of communication e.g. written or escalation to their Line Manager.

## **Unreasonable Demands**

What amounts to unreasonable demands depends on the issues presented by the customer and the manner and behaviours they exhibit in doing so. This might include:

- The amount of information sought by a customer;
- The nature and scale of service they expect; and
- The number of approaches they make

Examples of this type of behaviour include:

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Excessive contact, including phone calls, letters, digital messages or emails
- Repeatedly changing the substance of a complaint or raising unrelated concerns

## **Unreasonable Persistence**

Wheatley Group staff will always try and encourage customers to use existing arrangements, such as the Group Complaints Policy, where appropriate. Customers will be advised on how they can progress a complaint following response and review if applicable, including the appeal process.

## **Vexatious Behaviour**

This category may apply following a final decision on a matter at the end of the process or when a customer does not pursue the matter through the relevant procedure and continues to raise it.

This category covers:

- Failure to accept that we are unable to assist the customer further or provide a level of service other than that provided already;
- Persistence in disagreeing with action or decision taken;
- Contacting the staff persistently about the same issue

Examples of this type of behaviour include:

- Persistent refusal to accept a decision made;
- Persistent refusal to accept explanations in relation to our decisions or actions;
- Persistent refusal to follow relevant procedures;
- Continuing to pursue an issue that Wheatley Group and subsidiaries consider resolved or closed without presenting any new information

Demands and persistence is considered unreasonable if they have a substantial impact on the work of the office and our ability to provide a service, such as taking up a disproportionate amount of staff time and/or resources to the disadvantage of other customers or functions.

### **3. Managing unacceptable actions**

To manage a customer's actions under this policy, we must make sure we have gathered sufficient information and evidence to support any application of this. We will work to ensure that no individual experiences unfair treatment in the provision of our services and in line with our Equality, Diversity and Human Rights Policy, where a customer has a Disability which has a bearing on managing the customer's actions this will be taken into account where known, and any reasonable adjustments considered in assessing the proportionality of action to be taken.

#### **Informing the customer**

In all cases, we will contact the customer to explain what actions we consider unacceptable and why. We will ask the customer to moderate their behaviour and explain what actions we may take if they do not.

Wherever possible, we will give a customer the opportunity to modify their behaviour or actions before a decision is taken to apply the unacceptable actions policy. In the first instance unless involving physical or sexually motivated conduct or violence we will always write to a customer and ask them to amend their behaviour.

We may offer to meet the customer to discuss the unacceptable actions and agree a way forward. It may be appropriate in some cases to engage a third party for example independent mediators, to assist us in resolving a situation.

Decisions to restrict contact will only be taken after careful consideration of the situation by a relevant Manager, Director or Senior Wheatley Group Service leader.

In exceptional circumstances, an incident may require immediate action. This could include incidents where staff directly experience aggressive or abusive behaviour involving physical or sexually motivated conduct or violence from a customer.

In these cases, the relevant Manager, Director or Senior Wheatley Group Service leader will have the authority to deal with that behaviour immediately in a manner they consider appropriate. Which can include an immediate safety alert being placed on customer and or customer address in addition to contacting Police Scotland to report the incident.

Where we have to take action, we will tell the customer in writing what action we are taking and why, the details of the restricted contact arrangements and the length of time that the restriction will be in place. The length of time the restrictions remain in place will last a minimum of 6 months and be reviewed at 3 monthly intervals thereafter.

All incidents of unacceptable actions and any decision taken to restrict customer contact are recorded and we will ensure relevant employees are informed of any restrictions put in place; this may also include contractors and other statutory agencies.

A review will be undertaken in advance of the restriction elapsing. This will determine if the restriction will be lifted or continued based on the customer's recent actions and behaviour.

### **Restricting contact**

We will 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, for example a current complaint, a housing application or an on-going repair.

Possible actions will include:

- We will end telephone calls if the caller is considered aggressive, abusive or offensive. Employees have the right to make this decision, tell the caller that the behaviour or language is unacceptable and end the call if the behaviour does not stop.
- We may advise the tenant or customer that we consider the issue(s) fully responded to and that continuing correspondence on the issue(s) would serve no useful purpose. In these circumstances future correspondence relating to the issue will be noted and filed but will not be acknowledged or responded to unless it contains new significant information which we consider to require action or response.



- We may advise the tenant or customer that we can only consider a certain number of issues within a given time period and ask them to limit or focus their request accordingly.
- We may restrict tenant or customer contact with our offices or staff.
- We may restrict contact to a named individual for all matters with the exception of reporting repairs (particularly emergency repairs) which will be through the Customer First Centre.

In exceptional circumstances where we consider the situation with an individual or individuals to be challenging to resolve conflict then we may require all contact to be through a third party. This decision will be made in conjunction with Wheatley Group Litigation and Wheatley Group Service Lead or Group Chief Executive.

When we receive correspondence that is abusive to staff or contains unsubstantiated allegations, we will tell the customer in writing what we consider unacceptable and why. We will ask the tenant or customer to stop communicating in this way and advise that we will not respond to future correspondence if it continues. If this behaviour continues we may require future contact to be through a third party and will advise the customer accordingly of the decision.

The threat or use of physical violence, verbal abuse or harassment towards staff will result in restricting or ending all direct contact with the customer and the matter being reported to Police Scotland. This includes abuse or harassment on the basis of race, colour, ethnic origin, sexual orientation, physical ability, mental health or other grounds.

We will not waiver to pursue legal action, such as an Antisocial Behaviour Order or the recovery of tenancies, where circumstances merit this.

### **Supporting our Staff**

Where we have taken action or consider action necessary against unacceptable behaviour, the relevant manager will tell the staff member(s) involved of the actions they have taken against the perpetrator to reduce the likelihood of this happening again and to provide the necessary support mechanisms and assurance to staff.

Staff shall be informed of any ongoing dialogue or actions being progressed as they continue to ensure that staff member(s) are fully informed of the action be taken against persons who have displayed unacceptable actions.

Line managers shall communicate with staff member(s) regularly and ensure that any employee support is maintained particularly where, Employee Advisory Resource has been advised to provide additional support and counselling.

In the event that Police Scotland involvement, staff members should be offered advice and guidance on proceedings should unacceptable behaviour result in criminal proceedings. Group Legal Team and Group Protection should be contacted in the first instance.

#### **4. Policy review**

The Group Unacceptable Actions Policy will be formally reviewed every three years.

#### **5. Other related policies**

- Wheatley Group Complaints Policy
- Wheatley Group Health and Safety Policy
- Wheatley Group Antisocial Behaviour Policy
- Wheatley Group Social Media Policy