

Group Unacceptable Actions Policy

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Możemy, na życzenie, bezpłatnie przygotować informacje dużą czcionką, w alfabecie Braille'a, na taśmie lub w innym niepisanym formacie. Możemy je również przetłumaczyć na inne języki. Jeśli potrzebujesz informacji w którymkolwiek z tych formatów, zadzwoń do nas pod numer 0800 479 7979 lub wyślij e-mail na adres info@wheatley-group.com

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يمكننا إنتاج معلومات عند الطلب مجاناً مطبوعة بأحرف كبيرة أو بطريقة برايل أو على شريط أو بتنسيق آخر غير مكتوب. يمكننا أيضاً ترجمة هذا إلى لغات أخرى. إذا كنت بحاجة إلى معلومات بأي من هذه التنسيقات، فيرجى الاتصال بنا على info@wheatley-group.com 0800 479 7979 أو إرسال بريد إلكتروني إلى

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ہم درخواست پر معلومات کو بڑے حروف، بریل، ٹیپ پر یا کسی اور غیر تحریری صورت میں بغیر کسی لاگت کے مہیا کر سکتے ہیں۔ ہم اس کا دوسری زبانوں میں ترجمہ بھی کروا سکتے ہیں۔ اگر آپ کو ان میں سے کسی صورت info@wheatley-group.com میں یہ معلومات درکار ہوں تو برائے کرم ہمیں 0800 479 7979 پر کال کریں یا پر ای میل کریں۔

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1. Introduction

All our customers have the right to be heard, understood and respected. Our staff have the same right to be heard, understood and respected, and also protected against any form of unacceptable behaviour. For the purpose of this policy, we consider “customers” to be tenants of our Registered Social Landlord (RSL) subsidiary organisations, people we work for within Wheatley Care, Lowther tenants and owners, as well as non-factored owners and members of the public.

We take a zero-tolerance approach towards unacceptable actions against our staff. Aggressive, abusive, or unacceptable behaviour of any kind will not be tolerated from customers and serious consequences will apply should this behaviour be displayed and/or persist. Our ambition is to create a safe environment for our staff to conduct the full range of their duties and are committed to tackling any behaviours that compromise this in a robust and timely manner.

Our ambition is for the prevention and/or recurrence of unacceptable behaviour against our staff.

To achieve this, as a responsible employer we will:

- Provide an accessible service for our customers with an understanding of their unique personal circumstances, including any vulnerabilities, whilst retaining the right to restrict or change access to our service if we consider their actions to be unacceptable;
- Make sure our staff, do not suffer any disadvantage from customers who act in an unacceptable manner;
- Ensure that any staff member reporting unacceptable behaviour or who has witnessed an incident of unacceptable behaviour, are fully supported and have access to support from their line manager and our range of employee wellbeing services; and
- Provide the staff member(s) concerned, with regular updates on any outcome and actions taken against the perpetrator.

2. Definitions: Unacceptable Actions

There may be times where a customer feels as though our levels of service have not met their expectations. Whilst we expect our staff members to be empathetic and strive towards achieving an agreeable resolution for our customers, this does not justify unacceptable actions or behaviour being exhibited.

Unacceptable actions and behaviour can be perceived, and tolerated, differently by our staff members. We consider the following types of behaviour to be unacceptable:

- Aggressive or abusive behaviour (verbal or physical);
- Unreasonable demands;
- Unreasonable persistence;
- Vexatious behaviour; and
- Inappropriate use of social media.

Please note that this list is not exhaustive and that we will always treat certain behaviours as unacceptable when they have made staff feel unsafe, threatened, afraid or abused. In such cases we may also have cause to contact Police Scotland to further address and report the behaviour and provide support to our staff.

Aggressive or abusive behaviour (verbal or physical)

Aggressive or abusive behaviour can be conducted face to face, by written or spoken communication and in the public domain, by for example, use of social media. Examples of this type of behaviour can include, but not limited to the following:

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

We recognise that the list above is not exhaustive and any form of engagement that makes 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 or stalking. We will remove any content of this nature on our social media sites if it is within our power to do so. If the recordings are on a private site, we will seek to contact the provider to explore the potential to remove the content if it is felt appropriate and proportionate to do so.

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 moving forward with the customer e.g., written communication or escalation to their Line Manager to explore alternative options.

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;
- The nature and scale of service expected; and
- The number of approaches made.

Examples of this type of behaviour include, but are not limited to the following:

- 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; and
- Repeatedly changing the substance of a complaint or raising unrelated concerns.

Unreasonable Persistence

We will always try and encourage customers to use existing arrangements, such as our 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

Vexatious behaviour usually applies when a final decision has been delivered 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.

Examples of vexatious behaviour include, but are not limited to:

- 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; and
- Contacting staff persistently about the same issue.

Examples of this type of behaviour include, but are not limited to:

- 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; and
- Continuing to pursue an issue that Wheatley Group and subsidiaries consider resolved or closed, without presenting any new information.

Excessive and unreasonable demands and persistence are considered unreasonable if they have a substantial impact on the work of the officer 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.

Inappropriate use of social media

It is unacceptable to use social media to abuse, insult or harass our staff members on social media sites.

We will remove any posts or comments containing unacceptable communications from Wheatley social media sites, where we have the ability and functionality to do so.

Where we are unable to remove this content, we will report this to the social media company and/or the owners of other social media pages and request its removal by them.

If there is anything of a criminal nature contained within the post(s) (e.g., threatening behaviour) then we will contact Police Scotland to report this and seek further advice and support on this.

3. Managing unacceptable actions

Any action taken under this policy will always require to be substantiated by sufficient information and evidence.

We are committed to ensuring that any and all actions taken are in line with our Equality, Diversity and Human Rights Policy and our Equal Opportunity Policy.

Where a customer has a disclosed and/or known vulnerability that may impact their actions or behaviour, this will be considered, in assessing the proportionality of action to be taken. We will also consider any reasonable adjustments that are in place and/or required by the customer when determining the most appropriate course of action to be taken.

Our response to unacceptable behaviour will be reasonable and proportionate. In most cases, we will give our customers the opportunity to consider, acknowledge and rectify their behaviour in the first instance.

However, in cases where serious unacceptable behaviour has been displayed or threats of such have been made, such as physical or verbal violence, assault or sexually motivated conduct or violence, then we will take immediate action. As part of this action, we will also contact Police Scotland to report this conduct and seek advice and information to best support our staff member(s) impacted by the behaviour.

The consequences of unacceptable behaviour will be considered on a case-by-case basis. In most cases, customers will receive a warning letter for the behaviour to desist. However, should this behaviour continue, we could restrict contact with a customer.

In cases where behaviour continues after we restrict contact with a customer, this could lead to further consequences, such as issuing of a tenancy warning. In extreme circumstances, for RSL and Lowther tenants, we may pursue action at court, which can include activity up to and including obtaining an antisocial behaviour order (ASBO) and/or seeking to end a customer's tenancy.

Informing the customer

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

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 and circumstances by a relevant Manager, Director or Senior Wheatley Group Service Leader.

In cases of exceptional circumstances which require immediate action, 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.

This can include an immediate safety alert being placed on our customer(s) record and or customer address, in addition to contacting Police Scotland to report the incident(s).

Where we take direct action, we will notify 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.

All incidents of unacceptable actions and any decision taken to restrict customer contact are recorded on our system and we will ensure relevant employees are informed of any restrictions put in place. This may also include contractors and other statutory agencies who will engage with our customer during the course of carrying out their duties.

A review will be undertaken in advance of the restriction elapsing. Consideration will be given to determine if the restriction should be lifted or continued based on the customer's recent actions, conduct and behaviour.

Consequences of Unacceptable Actions; Restricting Contact and Services

We will restrict contact in a way that allows the customer to continue receiving a service from us and continue to progress through any processes they are currently involved in. For example, a current complaint, a housing application or an ongoing repair.

Possible actions include:

- Ending 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;
- Advising the 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 requiring action or response;
- Advising the 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;
- Restricting customer contact with specific staff members;
- Restricting contact to a named individual for all matters; and
- Restricting our service provided to customers by only responding to emergency repairs.

In some exceptional circumstances, where we consider the situation with an individual or individuals to be challenging, we may require all contact to be through a third party, such as an advocacy service, solicitor, mediator or independent representative. This decision will be made in conjunction with a Wheatley Manager, Service Lead or Managing Director.

When we receive correspondence that is abusive to staff or contains unsubstantiated allegations, we will advise 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, sex, colour, ethnic origin, sexual orientation, physical ability, religion, mental health or other grounds.

Supporting our Staff

Where we have taken action or consider action necessary against unacceptable behaviour, the relevant manager will inform the staff member involved of the actions they have taken against the perpetrator to reduce the likelihood of the reoccurrence of unacceptable behaviour 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 the staff member is fully informed of the action be taken against persons who have displayed unacceptable actions.

Line managers shall communicate with the staff member 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 of Police Scotland involvement, staff members should be offered advice and guidance on proceedings should unacceptable behaviour result in criminal proceedings. Group Legal Team should be contacted in the first instance.

Employees can access support from PAM Wellness or, alternatively from Wheatley Group's bank of specialist counsellors. Details of both services can be obtained from the Wellbeing team #Wheatley Employee Wellbeing Employee.Wellbeing@wheatley-group.com. All enquiries will be treated as strictly private and confidential.

4. Review Period

Dependent on the nature of the behaviour displayed, cases will be reviewed by a Senior Manager six months from the application of this Policy, and every six months afterwards.

Should the behaviour continue to persist, then restrictions may continue to apply. Where incidents involve unacceptable behaviour that is physical or sexual, the restrictions will remain in place for a year without review.

5. Right to Appeal

Customers have the right to appeal against a decision to apply restrictions or consequences in alignment with our Unacceptable Actions Policy. They can do so through our Housing Appeals Process, by emailing us at housingappeals@wheatley-group.com, or writing to us at Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL.

6. Policy review

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

7. Other related policies

- Wheatley Group Complaints Policy
- Wheatley Group Health and Safety Policy
- Wheatley Group Antisocial Behaviour Policy
- Wheatley Group Neighbourhood Management Policy
- Wheatley Group Social Media Policy
- Wheatley Group Equity, Diversity, Inclusion and Human Rights Policy
- Wheatley Group Equal Opportunities Policy