



Loreburn Group

Unacceptable Actions Policy

Policy	Unacceptable Actions Policy					
Version reference	1					
Approved by	MC		LET	X	MT	
Date of approval	June 2023					
Review period	3 Yearly or as legislative or substantive changes occur					
Review due	June 2026					
Policy champion	Chief Executive					

Table of contents

1	Purpose of Policy.....	1
2	Aims and Outcomes of This Policy	1
3	Definition of Unacceptable Actions	1
4	Violent, Aggressive or Abusive Behaviour.....	2
5	Unreasonable Demands.....	2
6	Unreasonable Persistence.....	3
7	Vexatious Behaviour.....	3
8	Steps we will take to Manage Unacceptable Actions.....	4
9	Privacy and Data Protection.....	6
10	Equality, Diversity and Inclusion	6
11	Policy Review	7
12	Legislative Background.....	7
13	Associated Policies.....	7
14	Responsibilities Table.....	7

1. Purpose of this Policy

We expect our staff to always treat our tenants and customers fairly with respect and dignity and we believe our staff should expect the same in return.

Loreburn's Unacceptable Actions Policy reflects our commitment to ensuring our employees work in a culture that is safe and enables them to be treated with dignity and respect allowing them to thrive and provide the best possible services to our tenants.

We recognise that people may act out of character in times of trouble or distress. We also recognise that issues of health and disability may affect someone's behaviour. However, we do consider actions that result in unreasonable demands on our staff or unreasonable behaviour towards staff to be unacceptable. This policy explains how we will approach these types of situation.

2. Aims & Outcomes of this Policy

The Aims and out comes are:

- Ensure staff have support to work in an environment where they feel safe, respected and supported.
- Provide clear guidance on the types of actions and behaviours that will not be accepted and the steps that may be taken to ensure we can still provide access to our services.
- Ensure staff can signpost customers to relevant support as required.
- To ensure that other customers do not suffer any disadvantage from customers who act in unacceptable manner.

3. Definition of Unacceptable Actions

The following actions are considered unacceptable:

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

4. Violent, Aggressive or Abusive behaviour

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 staff to feel offended, afraid, threatened or abused.

Language which is designed to insult or degrade, which is racist, sexist or homophobic or which makes serious and unsubstantiated allegations of criminal, corrupt or perverse conduct is unacceptable.

It could include also include:

- Threats
- personal verbal abuse
- shouting and / or swearing
- derogatory remarks
- 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

5. Unreasonable Demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on our work. Examples of actions grouped under this heading include where an individual:

- Repeatedly demands responses within an unreasonable timescale.
- Insists on seeing or speaking to a particular employee when that is not possible or appropriate.
- Repeatedly changes the substance of their complaint or raises unrelated concerns.
- Makes the same complaint without any new evidence being presented.
- Causes us to spend an excessive amount of time on their demand and, in doing so, disadvantage others who access our services.
- Excessive levels of contact can be either in person, via letter, phone, email or digital contacts.

6. Unreasonable Persistence

We recognise that we will not always get things right and that there will be times where our service does not meet expectations. We follow a complaints handling process in line with the Scottish Public Sector Ombudsman's guidance. This includes information on appeals processes that should be followed by those unsatisfied with our service. We encourage our tenants and customers to follow these processes.

We recognise that some of our customers will not or cannot accept that we are unable to assist them further or provide a level of service other than that provided already. Customers may persist in disagreeing with the action or decision taken in relation to their complaint or contact the us persistently about the same issue.

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 we can or cannot do
- Continuing to pursue a complaint without presenting any new information.

The way in which these customers may approach us may be entirely reasonable, but it is their persistence in continuing to do so that is not.

We consider the actions of customers who persistently complain to be unacceptable when they take up what we regard as being a disproportionate amount of time and resources.

7. Vexatious Behaviour

Vexatious behaviour is defined as repeated hostile or unwanted conduct, verbal comments, actions or gestures that affect an individual's dignity or psychological and/or physical integrity. This type of behaviour often includes:

- Persistent refusal to accept a decision made
- Persistent refusal to accept explanations in relation to decisions and/or actions;
- Persistent refusal to follow procedures

Demands and persistence are considered unreasonable when they have a substantial impact on the work of a member of staff and their ability to provide a service, such as taking up a disproportionate amount of time and/or resources to the disadvantage of other tenants and customers.

8. Steps we will take to Manage Unacceptable Actions

Whilst, we have a duty of care for the safety and wellbeing of our staff and will take the steps we consider necessary to ensure that this is safeguarded, we also have a duty to ensure that our tenants and customers are treated fairly, that our actions are proportionate and that we respect people's different needs in line with our equality and diversity policy. The use of this policy must be carefully considered and used only in circumstances where sufficient information is available to support its application.

8.1 Informing the tenant & Restricting Contact

Where violence or sexually motivated conduct is the cause for concern we expect our staff to prioritise their own safety above all else and remove themselves from the situation as quickly as possible and the necessary actions would then be dealt with by their line manager, this may include contacting the police and/or other public agencies and a Risk Flag being added to the account in line with the Risk Flag Policy.

Where behaviour is not modified, and after careful consideration, the relevant Head of Service, will advise 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. (Discretion can be applied to the 6 month initial period and this can be reduced in some situations where the Manager deems appropriate.

Incidents of unacceptable actions and any decision taken to restrict customer contact will be recorded on the tenant account and the relevant Head of Service will ensure relevant employees are informed of any restrictions put in place. The information will remain on the customer file after the restriction is lifted as it may be relevant in considering any risks in the future.

In all instances where such steps are taken, we will provide signposting to relevant agencies where we identify a need for further support for our tenants.

8.2 Restricting Contact

Whilst we may restrict contact our priority is to ensure that our tenants still have full access to our service offer and can continue to engage effectively with us. When we do restrict contact, we will make sure tenants know how to engage with us and will only employ mediators or third party communications when all other options have been explored.

In managing unacceptable actions these will be dealt with by staff on an individual basis. If the unacceptable action adversely affects the ability to do our job and provide a service to others, we may need to restrict the customer's contact with our office. We may restrict contact in person, by telephone, letter or electronically or by any combination of these.

We will try to maintain at least one form of contact. We aim to do this in a way that, wherever possible, allows the customer to have their concerns addressed and to progress a complaint to resolution through our complaints handling process.

The threat or use of physical violence, or harassment of staff is likely to result in us ending all direct contact with the customer. In such serious cases, incidents may be reported to the Police, this will always be the case if physical violence is used or threatened. In extreme situations such as the threat or use of physical violence, we will also advise the customer in writing that their name is on a 'no personal contact' list. This means they must restrict contact with our office to written communication to a particular member of staff or only through a third party.

We will not deal with correspondence (letters, electronic mail or via social media) that is abusive or contains allegations that lack substantive evidence. When this happens we will advise the customer that we consider their language offensive, unnecessary and unhelpful.

We will request the customer to stop using such language and state we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party. We may also pursue legal action, where the circumstances merit this.

We will end telephone calls if the caller is considered aggressive, abusive or offensive. The customer will be advised all our calls are recorded for training and monitoring purposes and that should their aggressive, abusive or offensive language not stop the call will be terminated.

Where a customer repeatedly phones, sends irrelevant documents or raises the same issues, we may decide to:

- Only take telephone calls from the customer at set times on set days or put an arrangement in place for only one member of staff will deal with calls or correspondence from the customer in the future
- Require the customer to make an appointment to speak to a named member of staff or that the customer contacts us in writing only

- Return the documents to the customer, or in extreme cases, advise the customer that further irrelevant documents will be destroyed
- Block the customer from making contact via social media platforms
- Take other action that we consider appropriate. We will however, always tell the customer what action we are taking and why.

Where a customer continues to correspond on a wide range of issues and this action is considered excessive, the customer will be told that only a certain number of issues will be considered in any given period and asked to limit or focus their requests accordingly. We recognise that some customers may have a significant number of complaints. We reserve the right to prioritise these, within our set timescales, which they will be advised of.

Where the customer's actions are considered unreasonably persistent when all internal review mechanisms have been exhausted and the customer continues to dispute the decision relating to their complaint, the customer will be advised we will not accept future phone calls or interviews granted concerning their complaint. The customer will also be advised any future contact by them should be conducted in writing. Future correspondence will be read and filed but only acknowledged or responded to if the customer provides significant new information relation to the complaint.

9. Privacy & Data Protection

We treat all personal data in line with our obligations under the current data protection regulations and our own privacy policy. We publish how data will be used and process on our website.

10. Equality, Diversity & Inclusion

We aim to ensure that equality, fairness, dignity and respect are central to the way we work and how we treat our customers. We support diversity and uphold equal opportunities in all areas of our work as an employer and service provider.

We will not discriminate against tenants, staff, visitors, suppliers or others based on their age, sex, sexual orientation, race, disability, religion or belief, marital status, pregnancy and maternity or gender reassignment (collectively referred to as 'protected characteristics' in the Equality Act 2010).

11. Policy Review

The Policy Champion is the Chief Executive.

This Policy will be reviewed every three years or sooner as required due to legislative or substantive change.

12. Legislative Background

Scottish Public Services Ombudsman Unacceptable Actions Policy Housing (Scotland) Act 2001

Housing (Scotland) Act 2014

Data Protection Act 2018 (GDPR)

Equality Act 2010

13. Associated Policies

Complaint Policy

Lone Working Policy

Anti-Social Behaviour Policy

Adverse Events

Risk Flag Policy

Marketing and Communication

Diversity and Equality

14. Responsibilities Chart

The chart below illustrates the responsibilities of all staff pertaining to this policy:

Responsibilities	CEO/ MC	LET	MT	Team Managers	All Staff
Ensuring the Policy is implemented and monitored and communicated to relevant staff	√	√	√	√	
Sufficient resources are made available to enable compliance with this policy	√	√			
Ensure adequate information, instruction, training and supervision is provided			√	√	

Responsibilities	CEO/ MC	LET	MT	Team Managers	All Staff
Implement and use the policy as intended and in the correct manner					√

