

HOMES FOR LIFE HOUSING PARTNERSHIP

UNACCEPTABLE ACTIONS POLICY and PROCEDURE

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Objective: vexatious	To describe the arrangements for dealing with complaints
Responsible:	Business Manager

1.0 Introduction.

This Policy sets out Homes for Life Housing Partnership's approach to the relatively few complainants whose actions or behaviour we consider unacceptable.

2.0 Policy Aims

- 2.1 This policy aims to make it clear all complainants, both at initial contact and throughout their dealings with the Company, what staff 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.
- 2.2 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 our employees have the same rights.
- 2.3 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.
- 2.4 To ensure that other complainants and employees do not suffer any disadvantage from complainants who act in an unacceptable manner.

3.0 Defining Unacceptable Actions.

- 3.1 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 Homes for Life. We do not view behaviour as unacceptable just

because a claimant is forceful 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 staff. It is these actions that we consider unacceptable and aim to manage under this policy.

- 3.2 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.
- 3.3 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.
- 3.4 We expect our employees to be treated courteously and with respect. Violence or abuse towards staff or contractors employed by Homes for Life is unacceptable. The Company understands 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 staff or Homes for Life employees.

4.0 Unreasonable demands

- 4.1 Complainants may make what we consider unreasonable demands on the Company through the amount of information they seek, the nature and scale of service they expect or 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.
- 4.2 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, emails or letters; repeatedly changing the substance of the complaint; or raising unrelated concerns.
- 4.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of staff, such as taking up an excessive amount of employee time to the disadvantage of other complainants or functions.

5.0 Unreasonable Persistence

- 5.1 We recognise that some complainants will not or cannot accept that the Company 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 staff persistently about the same issue.

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

6.0 Managing Unacceptable Actions

- 6.1 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 or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we tell the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with Homes for Life to either written communication or through a third party.
- 6.2 The threat or use of physical violence, verbal abuse or harassment towards Homes for Life staff or its contracted 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.
- 6.3 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 tell the complainant that we consider that their language offensive, unnecessary and unhelpful. We 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.
- 6.4 Staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The member of staff 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.
- 6.5 Where a complainant repeatedly telephones, emails, visits the office, sends irrelevant documents or raises the same issues, we may decide to:

- 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.

6.6 Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant is 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.

6.7 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the Company's decision relating to their complaint. The complainant is told that no future telephone calls will be accepted or interviews granted concerning this particular complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

7.0 Monitoring and review

7.1 The Business Manager is responsible for ensuring that all staff and Board Directors comply with this policy. The Customer Service Manager is responsible for:

- ensuring that this Policy is publicised as widely as possible;
- ensuring that this policy is reviewed by the Housing Management Committee at least every 5 years.

7.2 On behalf of the Company, the Customer Service Manager is responsible for monitoring the implementation of the procedures supporting this policy.

7.3 If you are dissatisfied with the complaints process and wish to appeal, you are entitled to contact the Scottish Public Services Ombudsman. They can be contacted at:

Scottish Public Services Ombudsman
Freepost EH641

Edinburgh
EH3 0BR

Telephone: 0870 011 5378

Text: 0790 049 4372

Fax: 0870 011 5379

Email: enquiries@scottishombudsman.org.uk