

Melville Housing Association



Procedure: Acceptable Behaviour

Subject: Acceptable Behaviour

Section: Corporate Services

Objective: To set out a policy that clearly defines behaviour that Melville Housing Association considers unacceptable and that outlines how we will deal with it.

**Scottish Social
Housing Charter**

**Relevant
Legislation:** Procedure developed to comply with
Relevant Legislation.

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Review Date: February 2024

Policy Ref No: COR 008

1 Procedure

- 1.1 We are committed to delivering a quality service in a professional manner to all our customers. To help us achieve this we expect our customers to show respect and consideration to our staff. In return, customers can expect our staff to be professional, polite and helpful at all times, in line with our customer care policy.
- 1.2 This policy sets out the behaviour we consider unacceptable and the steps we will use to manage it.

2. What is unacceptable behaviour?

- 2.1 When dealing directly with our staff we consider it unacceptable if our customer is:
 - rude, offensive, aggressive or abusive
 - violent or threatening violence
 - carrying a weapon
 - under the influence of alcohol or drugs
- 2.2 We appreciate that in times of trouble or distress customers can act out of character. We also recognise that being persistent can be a positive advantage when pursuing a course of action and would not normally view this as unacceptable, however, in addition to the above list, the actions of those who are angry, demanding or overly-persistent may result in unreasonable demands or unacceptable behaviour towards staff. These fall under three broad headings:

Aggressive or abusive behaviour:

- 2.3 This includes intimidating behaviour or language (spoken or written) intended to cause staff fear. It also includes threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. Inflammatory statements and unsubstantiated allegations can also be abusive behaviour.
- 2.4 There is a difference between aggression and anger. Anger over the subject matter of a complaint is understandable however, it becomes unacceptable if it escalates into aggression directed at our staff.

Unreasonable demands

- 2.5 Those seeking help/information should consider what is reasonable in terms of both the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. Although dependant on individual circumstances, an unreasonable request might include:
 - demanding responses within an unreasonable timescale
 - insisting on speaking to a particular member of staff
 - continual phone calls or letters

- repeatedly changing the substance of a complaint or raising unrelated concerns

2.6 We will consider a demand as unacceptable and unreasonable if it starts to have a significant negative impact on the work of staff and subsequently on the service delivered to all customers.

Unreasonable persistence

2.7 We recognise that some customers may not or cannot accept that we are unable to assist them further or provide a level of service beyond that provided already. We would only consider this unreasonable if a customer:

- persistently refuses to accept a decision made in relation to a complaint
- persistently refuses to accept explanations relating to what Melville can or cannot do
- continues to pursue a complaint without presenting any new information

2.8 The way in which these customers approach staff may be entirely reasonable, but it is the persistent behaviour in continuing to do so, to the detriment of the service in general, that is not. Customers who wish to take an issue further should see our comments and complaints policy for details of how to do this appropriately and constructively.

Zero Tolerance

2.9 Certain behaviours are never appropriate in a work, or in some cases, any setting. It is important to be able to identify this, and be aware that it may happen unexpectedly when contact with someone has been going well. Behaviours which are regarded as intolerable by us are:

- Any form of physical violence.
- Direct threats i.e threats of violence.
- Indirect threats such as statements made which are very close to direct threats for example, 'I know where you live'.
- Threatening posture or body language.
- Threats to others. When threats of this nature are made, you must consider informing the person threatened and/or the police.
- Abusive and degrading language which is personally insulting, for example allegations of criminal behaviour, or sexist, racist, homophobic, language which is directed to you or to others.

2.10 All behaviour which is deemed to be intolerable will be dealt with as detailed in section 3 below.

3. How do we deal with unacceptable behaviour?

3.1 We will refuse to see customers who are violent, threatening violence, carrying a weapon or under the influence of alcohol or drugs and will report these incidents to the police if necessary.

3.2 When faced with rude, offensive, aggressive or abusive customers we reserve the right to terminate phone calls, home visits or meetings should the behaviour continue.

We may make the tenant a two person staff visit because of their unreasonable behaviour and to ensure staff safety. This flag should be recorded on Active H and the Two Person Visit Register, held in the common drive. A letter will be sent to the customer explaining the reason for this action.

3.3 When refusing to see a customer, or if a meeting, phone call or home visit is terminated because of unacceptable behaviour, we will write to the customer, stating the reasons for the termination and explaining that we do not expect to see any repeat or further action will be taken.

3.4 A tenancy warning will be issued should a customer, anyone living with them or any visitor to their property become rude, offensive, aggressive or abusive towards any of our staff or contractors. Actions such as these are deemed to be unacceptable behavior and a breach of the tenant's Scottish Secure Tenancy agreement. See section 3 Respect for Others Para's 3.1, 3.2 and 3.3 of the tenancy agreement. Details of the relevant paragraphs are below:

- *3.1 You, those living with you, and your visitors, must not harass or act in an anti-social manner to, or pursue a course of anti-social conduct against, any person in the neighbourhood. Such people include residents, visitors, our employees, agents and contractors and those in your house.*
- *3.2 'Anti-social' means causing or likely to cause alarm, distress, nuisance or annoyance to any person or causing damage to anyone's property. Harassment of a person includes causing the person alarm or distress. Conduct includes speech.*
- *3.3 In particular, you, those living with you, and your visitors must not:..... Behave in an abusive or violent manner towards any of our employees, agents or contractors who have contact with you, those living with you and your visitors.*

3.5 When dealing with unacceptable behaviour, we will also make reference to HSG 005 which is our Neighbour Disputes and Antisocial Behaviour policy.

3.6 All incidents of intolerable or unacceptable behaviour should be recorded by the individual's line manager on the recording sheet which is stored in the Common drive titled 'Incidents of Intolerable or Unacceptable Behaviour'. Full details of when, where and what happened should be recorded along with the actions taken by the line manager.

4 Dealing with offensive correspondence

- 4.1 We will not deal with correspondence (letter, fax or email) that is abusive to staff or contains allegations that lack substantive evidence. Should this happen we will tell the customer that we consider their language offensive, unnecessary and unhelpful. We will 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.
- 4.2 Staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member 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.

5 Dealing with unreasonable persistence

- 5.1 Where a customer repeatedly phones, visits our office, sends irrelevant documents or persistently raises the same issues, we may decide that:
- staff can 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 to deal with calls or correspondence from them in the future.
 - the customer must make an appointment to see a named member of staff before visiting the office or that he/she contacts the office in writing only.
 - documents should be returned to the customer or, in extreme cases, advise them that further irrelevant documents will be destroyed.
 - if further action is required, we will advise customers of the action we are taking and why.
- 5.2 Where a customer continues to correspond on a wide range of issues, and it is considered excessive, they will be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- 5.3 Action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute the decision relating to their issue. They will then be told that no future phone calls will be accepted, or interviews granted concerning the matter. Any future contact on this issue must be in writing. Future correspondence will only be acknowledged or responded to if the customer provides significant or new information.

6 Restricting contact

- 6.1 In the interests of delivering the best service possible for the largest number of customers, there may very occasionally be instances where we need to restrict a customer's contact with our office in order to manage unacceptable behaviour. Situations like this are very rare. We may restrict

contact in person, by telephone, fax, letter or email. We will always maintain at least one form of contact. In extreme situations, we shall tell the customer in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with our office to either written communication to a particular person or only through a third party.

- 6.2 Staff that directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.
- 6.3 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Association will only be taken after careful consideration by a senior member of staff. Wherever possible, we will give a customer the opportunity to modify their behaviour or action before a decision is taken. Customers will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

7 Appealing a decision to restrict contact

- 7.1 A customer can appeal a decision to restrict contact if that decision was made at a level below Head of Service. The relevant Head of Service will consider the appeal. They will advise the complainant in writing that either the restricted contact arrangements will remain, or a different course of action has been agreed.

8 Recording and reviewing a decision to restrict contact

- 8.1 Where it is decided to restrict customer contact, an entry noting this will be made in the relevant file(s) and on appropriate computer records.

A decision to restrict customer contact may be reconsidered if the customer subsequently demonstrates a more acceptable approach. The relevant director will review in those circumstances.

9. Review of Register

- 9.1 The Association will periodically review the register to ensure that we maintain accurate records of those that have been placed on the register, consider whether someone should be removed from this or whether we need to take additional measures to provide services to those that are recorded.

10. Further action

- 10.1 Anyone unhappy with the way we have dealt with a particular issue has the option of contacting the Scottish Public Services Ombudsman. For full details see our comments and complaints policy.

11. Equal Opportunities and Human Rights

- 11.1 In carrying out the contents of this policy Melville Housing Association will ensure that no persons will be treated less favourably than other person or group of persons on the grounds of age, disability, ethnic or national origin, an ex-offence, family circumstances, marital status, political or sexual orientation, race religion or gender.
- 11.2 The Association will ensure that any Human Rights are not adversely impacted upon as a consequence of this policy.

12. Data Protection

- 12.1 Melville Housing Association Ltd takes the issues of data security and data protection very seriously and strictly adheres to guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 (GDPR), together with any domestic laws subsequently enacted.
- 12.2 Information on how we manage our duties is detailed in our Privacy Policy. Details on how we use personal information can be found in our GDPR Fair Processing Notice. Further information is available on our website, www.melville.org.uk or on request from the Association's Office.

13. Review of Policy

- 13.1 The Chief Executive will ensure this procedure is reviewed every three years or earlier if there are any changes to legislation. The Senior Management Team have delegated authority to approve minor changes to this policy. Significant changes will be submitted to the Board for approval.

