

ALBYN GROUP UNACCEPTABLE ACTIONS POLICY

Policy Owner	Maureen Knight
Policy Sponsor	Kirsty Morrison

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CORPORATE FIT

Internal Management Plan	
Risk Register	
Business Plan	
Regulatory Standards	
Equalities Strategy	
Legislation	

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1 INTRODUCTION

- 1.1 Albyn Group aims to incorporate our Purpose, Mission, Values and Vision into our policies and decision making. With that in mind, we aim to follow our guiding principles that apply to all policies.
- 1.2 Throughout this policy “Albyn Group” means Albyn Housing Society and its subsidiary companies.
- 1.3 This policy sets out how Albyn Group defines unacceptable actions and the principles it will apply in dealing with them. While the particular focus is on service provision and interactions between staff and customers, it is acknowledged that governing ~~body~~ members may potentially find themselves in difficult situations that arise because of their known connection to the Albyn Group. To this end, the general approach taken in responding to and managing unacceptable actions experienced by staff members, will also be applied in situations encountered by governing body members.
- 1.4 Our area of operation and the services we provide are highly public in nature. On a regular basis we may encounter customers from all walks of life, with varying personal circumstances. It is inevitable that some of our customers are categorised as vulnerable, while others may exhibit behaviour or actions that we may consider as being challenging. Albyn Group staff can at times be confronted by a range of difficult situations and are trained and experienced in dealing with these. There can be occasions however, where customers display behaviour or actions that make dealing with ~~them~~ and providing or continuing to provide a service particularly problematic.
- 1.5 Whilst we recognise that such behaviour or actions can arise due to various reasons and that they are attributable to various factors. In some cases, there may be underlying social, support or health related problems. In other instances, an individual may have a complaint about us that involves particularly emotive and sensitive issues or causes them undue stress or frustration that can escalate. There are also others who may have difficulty expressing themselves because of disability or language issues.
- 1.6 However, it is essential that we can identify where behaviour or actions are unacceptable or unreasonable and that we have appropriate arrangements in place for managing when such occasions arise.
- 1.7 We also recognise that services are often provided by contractors acting on our behalf and whilst it is not appropriate for Albyn Group to set out the way in which contractors handle unacceptable behaviour, we do expect that our policy is recognised by all our contractors to safeguard the interests of their staff.

2 SCOPE

- 2.1 This policy covers all areas of work undertaken by Albyn Group. It applies to the people our staff come into contact with during the course of our business, including current and potential consumers, their representatives and our participating companies. Contact covers various forms, including email, social media, telephone, face to face, and written correspondence.

3 RELATED POLICIES

- 3.1 Related Policies include but are not limited to:

- Complaints Handling Policy
- ASB Policy
- Equality and Diversity Policy

4 ROLES AND RESPONSIBILITIES

- 4.1 The Chief Executive has overall responsibility for approving and monitoring the application of this policy. They are also responsible for advising the relevant governing body of any serious incidences of unacceptable actions, where the provisions of this policy have been implemented. In practice they may delegate this specific action to the relevant member of the Leadership Team.

5 POLICY STATEMENT

- 5.1 This Policy applies to all employees and governing members who are responsible for representing Albyn Group to its members.
- 5.2 This policy aims to complement the Albyn Group Complaints Handling Policy. In accordance with these we will always do our best to resolve any dissatisfaction that a member of the public may express about our action or lack of action, or about standards of service they receive from us. We do not view complaints in themselves as unacceptable and indeed recognise their value in helping us improve our services. We will offer all complainants an equal right to be heard, understood and respected. It is the way in which an individual communicates with us in relation to a complaint however, that may be considered as an unacceptable action.
- 5.3 To this end we are acutely aware of the rights of staff members and the duty of care that Albyn Group has as employers. This policy aims to balance the need to respect the rights and expectations of individual service users and provide effective, consistent and responsive services, with the over-riding need to protect staff from all forms of abuse and harassment in the course of their duties.
- 5.4 In implementing this policy, we are also mindful of the commitments made in the Albyn Group Equality and Diversity Policy statement and the responsibilities and legal definitions of data protection legislation.
- 5.5 This policy aims to ensure the steps we take to address instances of unacceptable actions are proportionate to the nature and seriousness of the circumstances arising. We retain the right to restrict or change access to our services or determine

how an individual can access these.

6 DEFINING UNACCEPTABLE ACTIONS

6.1 People may act out of character in times of trouble or distress. For example, they may have faced upsetting or distressing circumstances leading up to a housing allocation or tenancy transfer. We do not view behaviour as unacceptable just because an individual is forceful or determined in their approach to us. However, the actions of customers who are angry, demanding or recurrently persistent may result in unreasonable demands being placed on our time and resources or in the form of unacceptable behaviour being directed towards staff. It is these actions that we consider unacceptable and aim to manage under this policy. We categorise these actions under four key headings.

6.2 Aggressive or Abusive Behaviour

6.2.1 We understand that customers may have genuine cause to be angry, if for example they feel we have failed to meet their expectations or caused them unnecessary difficulties. We consider it unacceptable however, if that anger escalates into aggression towards staff. Aggression can include physical acts of violence that may result in harm or injury. It also includes behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused. This can include threats, swearing profusely, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider inflammatory statements and unsubstantiated allegations to be abusive behaviour.

6.2.2 We will not tolerate any form of violence or abuse towards staff and expect all customers to display courtesy and respect. Language that is designed to insult or degrade, is racist, sexist or homophobic and that makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence is unacceptable. We may decide that comments aimed not at us but at third parties are unacceptable because of the effect that listening or reading them may have on our staff.

6.2.3 We will remove, without notice, offensive or abusive posts from our social media channels. This includes posts that contain swearing or libellous statements. Additionally, we reserve the right to take the appropriate legal action we consider necessary in cases where social media platforms or other websites have been used to make derogatory comments about staff or have been used to perpetrate/encourage aggression and/or abuse towards any Albyn Group staff member, contractor or governing body member.

6.3 Unreasonable Demands

6.3.1 Individuals may make what we consider unreasonable demands on staff, as a result of the amount of information or assistance they seek, the nature and scale of service they expect or the levels of contact they make or maintain with us. Identifying demands as unreasonable is dependent on the circumstances surrounding the behaviour. It may also, for example, depend on the seriousness of the issues raised through a complaint, personal data request or freedom of information request.

- 6.3.2 Examples of actions categorised under this heading include repeatedly demanding a response within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, insisting on a face to face meeting when we do not consider it necessary, continual telephone calls, letters, emails, text messages, communicating out with normal office operating hours, targeted social media posts, continuing to chase a case with us once we have closed it, or repeatedly raising and changing unsubstantiated complaints.
- 6.3.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of staff, including taking up an excessive amount of time to the disadvantage of other service users.

6.4 Unreasonable Persistence

- 6.4.1 We recognise that some customers will not or cannot accept that we are unable to meet their demands or deliver a level of service other than that already provided. Others may persist in disagreeing with a decision we have taken. This may result in the same issue being raised with us repeatedly, or persistent requests regarding the same matter.
- 6.4.2 Examples of actions grouped under this heading include persistent refusal to accept a decision made, persistent refusal to accept explanations relating to what we can or cannot do or accept the reasonableness of our published timescales and continuing to pursue a complaint or other matter without presenting any new information. In these circumstances we will remind customers of the provisions of the Complaints Handling Procedures. The way in which these customers approach us may be entirely reasonable, but their persistent behaviour in continuing to do so is not.

6.5 Vexatiousness

- 6.5.1 We consider customers to be vexatious when they are acting to cause unnecessary aggravation or annoyance rather to resolve a dispute.

7 MANAGING UNACCEPTABLE ACTIONS

- 7.1 We will aim to ensure that a person is warned immediately if their actions are tending towards unacceptable and what will follow if they persist. Our aim will be to bring the tone of communication to an acceptable and reasonable level. We will give the customer the opportunity to change their behaviour before we make a decision.
- 7.2 In the event that we have restricted contact from a customer but they come to us with a new complaint, we must consider our original decision to restrict communication and any time limit we applied. If we have totally restricted contact, the decision to accept a new complaint can only be made by the Chief Executive.
- 7.3 In deciding to restrict or terminate contact we will not attempt to restrict the rights of that person to raise requests under information legislation, such as Freedom of Information (Scotland) or the Data Protection Act 1998
- 7.4 When a decision is made to restrict or terminate communication with any customer we will inform them of our decision and set out the terms. Our communication will

make clear any recourse the person has to make representations regarding the decision. If we tell a person that we will no longer communicate with them, they will also be told about their right to appeal. Appeals need to be made in writing and submitted to the Chief Executive with 10 working days of Albyn Group restricting contact. The Chief Executive, will consider the appeal within 10 working days of receipt. Restrictions will stay in place until a decision is made. Any amendments to the restrictions will be made by The Chief Executive when considering the appeal and the evidence provided. Their decision is final.

- 7.5 Incidents of unacceptable actions are recorded on our housing database. Where it is decided to restrict or terminate contact, we will record the decision and the reasons for it. The records relating to this will be shared only where it is judged likely that the individual may contact members of the Society.
- 7.6 We recognise that customers/persons displaying unacceptable behaviour or actions will be a relatively rare occurrence. Nonetheless, we will ensure all service delivery staff are appropriately trained and equipped to deal with situations they may find themselves in. This will include providing periodic reminders and training around this policy and may also involve arranging bespoke customer service courses in accordance with identified needs.

8 POLICY REVIEW

- 8.1 This policy will be reviewed in three years or sooner if required.

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