

PARAGON HOUSING ASSOCIATION LIMITED

POLICY: Unacceptable Behaviour

POLICY AREA: Governance

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We can produce this document in different formats such as in larger print or audio-format; we can also translate the document into various languages as appropriate.

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1. Introduction

- 1.1. Paragon Housing Association (PHA) is committed to providing high-quality customer services. We value compliments, comments and complaints and use information from them to help us improve our services.
- 1.2. We already have a policy (Compliments, comments and complaints policy) that describes how you can contact us to make a comment, compliment or complaint. The purpose of this policy is to set out our approach to the relatively few customers whose actions or behaviour we consider unacceptable. The term customer includes anyone acting on behalf of a customer or who contacts us in connection with a complaint.

2. Policy Aims

- 2.1 To make it clear to all customers, both at initial contact and throughout their dealings with us, what the Association can or cannot do in relation to their contact. In doing so, we aim to be open and honest and not raise hopes or expectations that we cannot meet.
- 2.2 To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions we consider unacceptable. We believe that all customers have the right to be heard, understood and respected. We also consider that Paragon staff have the same rights.
- 2.4 To provide a service that is accessible to all customers. However, we retain the right, where we consider customer actions to be unacceptable, to restrict or change access to our service.
- 2.5 To ensure that other customers and paragon staff do not suffer any disadvantage from customers who act in an unacceptable manner.

3. Defining Unacceptable Behaviour or Actions by Customers

We understand that 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 us. We do not view behaviour as unacceptable just because a customer is forceful or determined. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands on us or unacceptable behaviour towards Paragon staff. It is these actions that we consider unacceptable and aim to manage under this policy.

These actions are grouped under three broad headings:

3.1.1 *Aggressive or Abusive Behaviour*

While we understand that a customer may be angry about the issues raised, if that anger escalates into aggression towards Paragon staff, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused.

Examples of behaviours grouped under this heading include:

- Threats
- Physical violence
- Personal verbal abuse
- Derogatory remarks and rudeness
- inflammatory statements or unsubstantiated allegations
- inappropriate comments on social media

Staff will receive training where required to deal with such situations. We expect our staff to be treated courteously and with respect.

3.1.2 *Unreasonable Demands*

It is difficult to list all examples of what might be deemed to be unreasonable demands on staff time and Paragon resources. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer. In general, the following guidelines should be followed:

Customers may make what we consider unreasonable demands on us through:

- The nature and scale of service they expect
- The number of approaches they make
- The frequency and volume of their electronic communications
- The language in which their demands are couched

Examples of actions grouped under this heading include:

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Continual phone calls, letters or emails
- Repeatedly changing the substance of a complaint or raising unrelated concerns

We consider these demands to be unacceptable and unreasonable if they start to impact substantially on the work of the office, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions.

3.1.3 *Unreasonable Persistence*

We recognise that some customers will not, or cannot, accept that Paragon is 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 office 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 approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

We consider the actions of persistent customers to be unacceptable when they take up what the Association regards as being a disproportionate amount of time and resources.

4. Managing unacceptable behaviour

There are relatively few customers 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 customer contact with us in order to manage the situation.

- 4.2 The threat or use of physical violence, verbal abuse or harassment towards Association staff is likely to result in the termination of all direct contact with the customer. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened. **If physical violence is used, we will pursue court action for recovery of the tenancy.**
- 4.3 We will not deal with correspondence (letter or email) that is abusive or contains allegations that lack substantive evidence. When this happens, 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.

- 4.4 Paragon 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. This action must be recorded on the customer's records. If a staff member believes there is a risk of physical violence, a manager must be informed, and they will put an immediate "flag" on the customer's file to alert other colleagues. The manager will also advise all staff by email of the potential risk so that precautionary measures can be taken.
- 4.5 In extreme situations we will advise the customer in writing that their name is on a 'no personal contact' list. This means that we will limit contact with them to either written communication or through a third party.
- 4.6 Where a customer repeatedly phones, visits the office, 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 to deal with calls or correspondence from the customer in the future.
 - See the customer by appointment only, i.e. require them to see a named member of staff at an agreed time arranged in advance. Where appropriate, this may require more than one member of staff to be in attendance.
 - Restrict the customer to contacting the office in writing only.
 - Return any documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.
 - Take any other action that we consider appropriate. We will, however, always tell the customer what action we are taking and why.
- 4.7 Where a customer continues to correspond on a wide range of unrelated issues, and this action 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.
- 4.8 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute decisions regarding their enquiry or complaint. The customer will be told that no future telephone calls will be accepted, or interviews granted concerning this complaint. Any future contact by the customer on this issue must be in writing. Such correspondence will be read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the complaint or raises a new unrelated complaint

5. Restricting Contact

- 5.1 Paragon staff who 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.
- 5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with paragon are only taken after careful consideration of the situation by the manager responsible for the appropriate team.
- 5.3 Wherever possible, we will give the customer the opportunity to change their behaviour or action before a decision is taken. Customers are told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and then if relevant, the length of time that these restrictions will be in place.

6. Appealing a decision to restrict contact

- 6.1 A customer can appeal a decision to restrict contact to the Depute Director via the Association's standard Complaints Procedure. The appeal will be treated as a Stage 2 Investigation Complaint as per the Scottish Public Services Ombudsman's (SPSO) Complaints Procedure. The formal complaint response will advise the customer in writing that either the restricted arrangements still apply, or a different course of action has been agreed. If the customer is still unhappy with the outcome of the Stage 2 investigation, they have a right of appeal to the SPSO. This information will be made clear in the formal complaint response.

7. Recording and reviewing a decision to restrict contact

- 7.1 We record all incidents of unacceptable actions by customers. Where it is decided to restrict customer contact, an entry noting this is made on the Cause for Concern List, in the relevant file and on appropriate computer records.
- 7.2 A decision to restrict customer contact will be reconsidered if the customer demonstrates a more acceptable approach. The Housing Manager will review the status of all customers with restricted contact arrangements on a regular basis.

8. Circulation of this Policy

- 8.1 Tenants will be provided with a copy of this policy at the start of any tenancy with the main points being summarised during the sign-up process. In addition, the policy will be published on the Association's website.
- 8.2 Periodically the main points of the policy will be included in newsletters and where appropriate Facebook posts.

9. Notifiable events

- 9.1 Notifiable events covered under this policy will be reported to the Scottish Housing Regulator in line with the Notifiable Events Policy.

10. Policy Review

- 10.1 This policy will be reviewed every three years or sooner in line with good practice, to ensure it responds to any changing circumstances and that the policy aims are being achieved.