

UNACCEPTABLE ACTIONS POLICY

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(1) AIM OF UNACCEPTABLE ACTIONS POLICY

The aim of this Policy is intended to provide clarification on what Milnbank Housing Association (MHA) deems to be unacceptable behaviour and the options it will consider addressing incidents of such behaviour.

MHA aims to deal fairly, honestly and appropriately with all contacts. Although all complainants have the right to be heard we also believe that whilst dealing with residents' staff have the right to receive protection against unacceptable actions or behaviours.

(2) DEFINING UNACCEPTABLE ACTIONS

We recognise that people may act out of character at 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 behaviours towards staff to be unacceptable.

Actions that are considered unacceptable are detailed below:

- Aggressive, violent or abusive behaviour (verbal or physical)
- Unreasonable demands, unreasonable persistence and vexatiousness
- Unreasonable levels of contact

Aggressive, violent or abusive behaviours includes:

- Aggression that may result in physical harm; and
- Behaviour or language (oral or written) that may cause staff to feel upset, afraid, threatened or abused (including protected characteristics)

Unreasonable demands, Unreasonable Persistence and Vexatiousness

Anyone accessing or complaining about our service has the right to pursue their concerns and the right to complain if subsequent issues occur. Only in exceptional circumstances will we consider repeated complaining and persistent demands as unacceptable (E.g. Repeatedly demanding a response to a query or complaint within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff when that is not possible).

Unreasonable levels of contact

Sometimes the volume and duration of contact made to our office by a resident causes problems. This can occur over a short period, for example, a number of calls in one day or one hour. We consider that the level of contact has become unacceptable when the amount of time spent talking on the telephone or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with the resident or with other residents.

(3) MANAGING UNACCEPTABLE ACTIONS

It is not anticipated that there will be many cases actioned with regards to this Policy as such behaviour detailed above is a very rare occurrence for the Association.

We aim to ensure that any further action we take is the minimum required to solve the problem, taking into account relevant personal circumstances and including the seriousness of the issue and the needs of the individual.

Wherever possible we will give a resident the opportunity to modify their behaviour or actions before any decisions are taken. In the first instance, unless involving physical violence, we will always write to a resident and ask them to amend their behaviour.

The following actions may be implemented:

- The threat of physical violence, verbal abuse or harassment towards staff is likely to result in a termination of direct contact with the resident. We may report incidents to the Police and this will always be the case where physical violence is used or threatened.
- Postings on social media platforms such as Facebook, Twitter, Instagram etc that fall within the definitions of this policy will be removed and/or reported.
- Staff will end telephone calls if they consider the caller to be overly aggressive, abusive or offensive. MHA staff have the right to make this decision, to tell the caller that their behaviour is unacceptable, and if they fail to modify it, the call be ended if the behaviour persists.
- Correspondence that contains statements that are abusive to staff or contains allegations that lack substantive evidence will not be responded to. Where we can, we will return such correspondence and will explain why and say that we consider the language used to be offensive, unnecessary and unhelpful and ask the sender to stop using such language.
- In extreme situations we will advise the resident in writing that their name is on a 'no personal contact list'. This means that we will limit contact with them to via a third party.

Where a resident repeatedly phones, visits the office, raises repeated issues, or sends large numbers of documents where their relevance isn't clear we may decide to:

- Limit contact to telephone calls from the resident at set times on set days
- Restrict contact to a nominated member of MHA staff who will deal with future calls or correspondence from the resident.
- See resident by appointment only
- Restrict contact from the resident to writing only
- Return any documents to the resident, or in extreme cases, advise the resident that further irrelevant documents will be destroyed
- Take any other action that we consider appropriate.

MHA will always tell the resident what action we are taking and why we are taking this action.

(4) ROLES AND RESPONSIBILITIES

Any staff member who believes they have experienced unacceptable behaviour must take responsibility for raising a concern with their Line Manager who will investigate and agree any action required.

Before the Unacceptable Actions Policy is implemented, full details of the case must be presented and approved by the Management Team.

(5) APPEALS PROCESS

It is important that a decision can be reconsidered. A resident can appeal a decision to restrict contact. If they do this, MHA will only consider arguments that relate to the restriction.

Appeals can be submitted within 10 working days of receipt of the decision and will be considered by a senior member of staff and responded to normally within 20 working days.

(6) RECORDING DECISIONS AND MONITORING POLICY

MHA will record all incidents of unacceptable actions by residents. Where it is decided to restrict resident contact an entry is made in our computer system to show that this has been agreed, this will be closely monitored to ensure the policy is being adhered to.

(7) POLICY REVIEW

This policy will be reviewed by the Governance Sub-Committee biennially in conjunction with the Complaints Handling Policy.

(8) DATA PROTECTION

All information provided to us by individuals will be treated in the strictest confidence and will not be discussed with third parties without their permission.

MHA controls the personal information that we collect, this means that we are legally responsible for how we collect, hold and use personal information. It also means that we are required to comply with the General Data Protection Regulations (GDPR) when collecting, holding and using personal information.