



# UNACCEPTABLE ACTIONS POLICY

<b>Written by:</b>	<b>Chief Executive</b>	<b>Version:</b>	<b>2</b>
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## 1. Introduction

- 1.1 This Policy sets out the Association's approach to the relatively few service users whose actions or behaviour we consider unacceptable.
- 1.2 The term service user includes anyone acting on behalf of a service user or who contacts our office in connection with a service which we provide.

## 2. Policy Aims

- 2.1 The aims of the policy are to ensure **that**:-
  - we deal fairly, honestly, consistently and appropriately with all service users, including those whose action we consider unacceptable.
  - we provide services that are accessible to all service users while retaining the right to restrict or change access to our services where we consider service user actions to be unacceptable
  - ~~that~~ other service users, Association staff and its agents do not suffer any disadvantage from service users who act in an unacceptable manner.

## 3. Defining Unacceptable Actions

- 3.1 We do not view behaviour as unacceptable just because a service user is forceful or determined. However, the actions of service users who are angry, demanding or persistent may result in unreasonable demands on our office or unacceptable behaviour towards Association staff or agents. It is these actions that we consider unacceptable and aim to manage under this Policy. The Association has grouped these actions under three broad headings:

### **Aggressive or Abusive Behaviour**

- 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 staff 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 statements and unsubstantiated allegations can be abusive behaviour.

- 3.4 Violence or abuse towards staff is unacceptable. Association staff understand the difference between aggression and anger. It is not acceptable when anger escalates into aggression directed towards Association staff.

#### **Unreasonable Demands**

- 3.5 Service users may make what we consider unreasonable demands on the Association 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 service user.
- 3.6 Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly changing the substance of the complaint or raising unrelated concerns.
- 3.7 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the Association, such as taking up an excessive amount of staff time to the disadvantage of other service users or functions.

#### **Unreasonable Persistence**

- 3.8 We recognise that some service users will not or cannot accept that the Association is unable to assist them further or provide a level of service other than that already provided. Service users may persist in disagreeing with the action or decision taken or contact the office persistently about the same issue.
- 3.9 Examples of actions grouped under this heading include persistent refusal to accept a decision, persistent refusal to accept explanations relating to what the Association can or cannot do and continuing to pursue a matter without presenting any new information. The way in which these service users approach the Association may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- 3.10 We consider the actions of service users to be unacceptable when they take up what the Association regards as being a disproportionate amount of time and resources.

### **4. Managing Unacceptable Actions**

- 4.1 If the actions of a service user adversely affect our ability to do our work and provide a service to others, we may need to restrict their contact with our office. We may also need to restrict visits made to the service user's home by Association staff or their agents (eg contractors).

We may restrict contact in person, by telephone, fax, letter, electronically or by any combination of these but will aim to maintain at least one form of contact. In extreme situations, we may tell the service user 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 or through a third party.

- 4.2 The threat or use of physical violence, verbal abuse or harassment towards Association staff is likely to result in the ending of all direct contact with the service user. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.
- 4.3 We do not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens we tell the service user that we consider 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.
- 4.4 Association 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.
- 4.5 Where a service user repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, we may decide to:-
- only take telephone calls from the service user 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 service user in the future
  - require the service user to make an appointment to see a named member of staff before visiting the office or that the service user contacts the office in writing only
  - return the documents to the service user or, in extreme cases, advise the service user that further irrelevant documents will be destroyed
  - take other action that we consider appropriate

We will, however, always tell the service user what action we are taking and why.

- 4.6 Service user action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the service user continues to dispute the Association's decision. The service user is told that no future phone calls will be accepted or interviews granted concerning the matter. Any future contact by the service user on the issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the service user provides significant new information.

## **5. Deciding to Restrict Service User Contact**

- 5.1 Association staff who directly experience aggressive or abusive behaviour from a service user 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 the Association will only be taken after careful consideration of the situation by a member of the Management Team. Wherever possible, we give a service user the opportunity to modify their behaviour or action before a decision is taken.
- 5.3 Service users are 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.

- 5.4 Service users who wish to appeal against a decision to restrict a contract will be referred to the Association's Complaints Handling Procedure.

## **6. Recording and Reviewing a Decision to Restrict Contact**

- 6.1 We will record all incidents of unacceptable actions by service users. Where it is decided to restrict service user contact, an entry noting this will be made in the relevant file and on appropriate computer records.
- 6.2 A decision to restrict service user contact may be reconsidered if the service user demonstrates a more acceptable approach. The Management Team will review the status of all service users with restricted contact arrangements on a regular basis.

## **7. Policy Review**

- 7.1 This Policy will be reviewed every 5 years, or sooner as required by best practice or changes in legislation.