



## Unacceptable Action Behaviour Policy

### Revision History

<b>Policy</b>	Unacceptable Behaviour
<b>Reviewer(s)</b>	Sharon Vernal
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## 1. Introduction

At Williamsburgh Housing Association, we are committed to delivering services in a respectful, professional, and supportive manner. We believe that everyone has the right to be treated with dignity and respect, including our staff and service users. This policy sets out the types of behaviours that are considered unacceptable and the steps we may take when such actions occur. While we understand that people may feel upset or frustrated in challenging situations, this policy ensures that interactions remain safe, constructive, and free from harm for all parties involved.

## 2. Equal Opportunities

The Association is committed to the principles of equal opportunities and good practice. In this regard, we acknowledge the Scottish Social Housing Charter Outcomes and Standards (Updated April 2017): Outcome No. 1, Equalities, which states:

“every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.”

We are committed to promoting equality, diversity, and inclusion in all aspects of our work. We believe everyone should be treated with fairness, dignity, and respect, regardless of age, disability, gender identity, race, religion or belief, sex, sexual orientation, or any other protected characteristic. Our Unacceptable Actions Policy applies equally to all service users, staff, and stakeholders, ensuring that no one is treated less favourably or unfairly. We are dedicated to handling concerns and difficult situations with sensitivity and without discrimination, while maintaining a safe and supportive environment for everyone.

## 3. Policy Aims

We believe that everyone we work with has the right to be heard, understood, and treated with respect — and that includes our staff too.

In all our interactions, we aim to:

- Be clear from the start and throughout our conversations about what we can and can't do to address concerns and manage expectations.
- Communicate openly and avoid making promises we can't keep.
- Treat everyone fairly, honestly, and with kindness, even when their behaviour is challenging.
- Ensure our services are accessible to everyone.
- Protect our staff and other service users from any disadvantage caused by unacceptable behaviour.
- Our goal is to create a positive, respectful environment where concerns can be addressed constructively.

## **4. Defining Unacceptable Actions**

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 or concern being raised with us. We do not view behaviour as unacceptable simply because a claimant is forceful or determined

Unacceptable actions are behaviours that negatively impact our staff, other service users, or our ability to deliver services effectively. These actions may include aggressive or abusive language, threats, harassment, excessive or repetitive contact, or unreasonable demands that go beyond what we can fairly provide. While we understand that people may feel upset or frustrated in difficult situations, we expect all interactions to remain respectful. This policy helps us ensure a safe and supportive environment where concerns can be addressed constructively.

We encourage open and respectful communication and will take appropriate steps to address situations where our standards are not met.

### **4.1 Aggressive or Abusive Behaviour**

While we understand that a complainant may be angry about the issues raised, if that anger escalates into aggression towards 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 or management committee members to feel afraid, threatened or abused.

Examples of such behaviour include swearing, threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour, as we expect our staff and management committee members to be treated with respect.

## 4.2 Unreasonable Demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the Association.

Complainants may make what we deem to be ‘unreasonable demands’ through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. Examples of such behaviour include:

- repeatedly demanding responses, within an unreasonable timescale,
- placing unreasonable conditions on staff,
- insisting on seeing or speaking or receiving a response from a particular member of staff, when that is not possible,
- refusing to accept that we cannot action a particular issue,
- continuous phone calls, e-mails, **texts** or letters,
- repeatedly changing the exact nature of the complaint or issue they are raising, and
- raising unrelated concerns.

We consider these demands as unacceptable and unreasonable when:

- they place a significant burden on the organisation,
- dealing with such behaviour requires a disproportionate amount of time and diverts an unreasonable proportion of our financial and human resources away from the work of the Association, and
- demands take up an excessive amount of staff time to the disadvantage of our other service users. This can be difficult and stressful for staff, especially when it is impossible to find common ground or a realistic approach to the issues being raised.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour.

## 4.3 Unreasonable Persistence

Sometimes an individual will contact us repeatedly about the same issue or closely related issues. Their manner in these contacts may be quite reasonable, but the persistence of their approach is not – they take up a disproportionate amount of time or resources in exchanges that are unproductive to us and ultimately to themselves.

Sometimes the persistence will take the form of serial complaining – lodging complaints about the handling of complaints, often across different parts of the Association. The defining characteristic is the persistence of approaches over time.

We have the right to assess whether that persistence has reached the point of disrupting our ability to undertake our work, or is amounting to harassment or unreasonable treatment of our staff and committee members

## **5. Managing Unacceptable Behaviour**

We will take action when unreasonable behaviour impairs the functioning of our office and adversely affects our ability to do our work and provide a service to others.

We will aim to ensure that a person is warned if their actions are tending towards unacceptable and what will follow if they persist. We will do so in a way calculated to defuse the situation, with the aim of bringing the tone of communication back to a more reasonable level.

- 5.1 The threat or use of physical violence or verbal abuse or harassment towards the Association's staff or management committee members, is likely to result in the termination of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.
- 5.2 We will not deal with correspondence, or indeed any communication that is abusive towards staff, is gratuitously offensive or makes clearly unreasonable demands. When this happens, we will tell the complainant 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, should they persist.

If someone ignores the warning they have been given, or if they use or threaten physical violence, or if they continue to make unreasonable demands, we will take action aimed as far as possible towards:

- reducing the risk of harm to our staff,
- preventing the individual from inflicting further harm on him/herself or others, and
- ensuring that our business is carried out as efficiently and effectively as possible.

This action is likely to involve terminating or limiting contact with the individual.

- 5.3 Staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The person 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 persists.

## **6. Terminating or Limiting Contact**

Any Williamsburgh Housing Association staff or management committee members who directly experience aggressive or abusive behaviour from a complainant, have the authority to deal immediately with that behaviour, in a manner they consider appropriate to the situation. In doing so, staff and management committee members must ensure their actions are in accordance with this policy.

The process of terminating contact will be carefully managed. There are a number of issues to consider and the decision to terminate will not be taken lightly or without sufficient evidenced grounds.

With the exception of such immediate decisions taken at the time of an incident, the recommendation to terminate contact will be made by the **line manager, or Head of Service**, subject to carefully reviewing the evidence. We will carefully consider the form of such a termination, in order to balance the rights of the individual against our duty to protect our staff and to avoid disruption of our business. We will consider a range of options, such as:

- terminating all contact (subject to necessary limitations e.g. should the individual be a tenant, the Association will comply with all our landlord responsibilities, as outlined in the tenancy agreement),
- terminating communication by specified channels only (e.g. refusing to take telephone calls from an individual),
- refusing to accept communication on a specified subject only, and
- requiring the individual to communicate only through a third party.

### **6.1 Informing the Individual**

When a decision to restrict or terminate communication with an individual is made, we will inform that individual, in writing, of the decision, its terms **and duration**. This communication will also make it clear what, if any, recourse the individual has to make representations regarding that decision (see below).

### **6.2 Where an Individual Represents an Organisation**

An offending individual may be in contact with our staff as a representative of an organisation. In that case, an initial approach should be made, usually by a manager in the affected team, to the organisation itself. We reserve the right to terminate contact in the interests of our own staff, even where an external organisation is not able or willing to act in respect of alleged unacceptable behaviour.

### 6.3 Measures to prevent contact

We will consider using technical measures to block an individual's attempts to contact us if that individual's communications have been judged to be abusive, threatening, or to constitute harassment of our staff. We will consider measures such as seeking to block an individual's telephone number or email address, and we will consider in more extreme cases whether to seek to interdict the individual or take other legal measures in order to protect our staff.

Where we decide to implement technical blocking measures, e.g. of an email address, we will not necessarily make that known to the individual concerned. Whether to inform the individual of the use of technical measures will be a matter of judgement for the manager taking the decision to terminate or restrict contact.

## 7. Right of Appeal

Where we decide to terminate all contact with an individual, we will offer no right of appeal and entertain no representations from them. We will make this clear in our final communication, and we will draw their attention to their right to complain about us to the Scottish Public Services Ombudsman.

Where we decide to place restrictions on how an individual may contact us or on what subject etc, we will consider whether to offer a route for the individual to make representations to a senior member of staff. This will not be a formal right of appeal but an opportunity for us to consider if the restrictions we have decided to apply are unfair in some way to the individual affected.

## 8. Recording and Reviewing a Decision to Restrict Contact

### Recording a decision to restrict contact

We will record incidents involving unacceptable actions and behaviours as they occur, and will retain those records in accordance with our Retention Schedule for General Data Protection Regulations.

Where it is decided to terminate or restrict contact with an individual, we will record that decision and the reasons for it. This record will be shared with any colleagues that either have been contacted by the individual or where it is judged possible or likely that the individual may contact a team.



## **9. Evaluation and Monitoring**

The Association seeks to be a responsible landlord, dealing with complaints sympathetically, while learning from issues raised with us. We are, however, under an obligation to ensure the safety and welfare of our staff and management committee members.

Having set out our expectations in terms of the behaviour of those who contact us, the Association will monitor this policy to ensure that it is being implemented effectively and is achieving its aims.

## **10. Review**

This policy will be reviewed every 3 years, or sooner, should there be any new guidance or legislation that affects it.

## **11. Appendix No.1: Additional Guidance**

This policy takes account of the:

- Scottish Housing Regulator's Unacceptable Actions Policy.
- Scottish Public Services Ombudsman's Unacceptable Actions Policy.
- Scottish Information Commissioner's Briefing on Vexatious Requests.