

Operational Procedure 46a

Unacceptable Actions by Customers

Responsible Officer	Service Manager – Housing and Property						
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Shetland Islands Council – Housing Service
Operational Procedure (OP) 46a Unacceptable Actions by Customers

Amendment and Authorisation Record

OP46a – Unacceptable Actions by Customers

Date	Author	Paragraph ref:	Nature of change	Authorised by

UNACCEPTABLE ACTIONS BY CUSTOMERS

Introduction

This policy sets out the approach of the Housing Service to the relatively few customers whose actions or behaviour we consider unacceptable. The term 'customer' includes anyone who is receiving a service from the Housing Service, acting on behalf of a customer or who contacts our office in connection with any part of our service.

Policy Aims

- To make it clear to all customers, both at initial contact and throughout their dealings with our office, what the Housing Service can or cannot do in relation to their housing situation. In doing so, we aim to be open and not raise hopes or expectations that we cannot meet.
- 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 Housing Service staff have the same rights. The Housing Service owes its staff a duty of care through employment and health and safety legislation to ensure they have a safe working environment.
- To provide a service that is accessible to all customers. However, we retain the right, where we consider customers actions to be unacceptable, to restrict or change access to our service.
- To ensure that other customers and Housing Service staff do not suffer any disadvantage from service users who act in an unacceptable manner.

Prevention of Violence at Work

Front line Housing Staff will be informed during their induction about the Customer Service Charter, this Policy and the Council's policy on Lone Working.

Front line Housing Staff attend training on Dealing with Violence and Aggression in order to identify the early signs of aggression, learn de-escalation techniques, how to manage challenging behaviour, and strategies to assist in over coming instances of violence and aggression in the workplace.

All records held by the Housing Service in relation to individuals, will be available prior to an appointment with the customer, so that staff can identify customers with a history of violence or anticipate factors which might make violence more likely.

Alarm systems are installed in the interview rooms and all staff have been instructed in how to use the alarms. Information on this policy is also displayed in public areas.

If staff have to meet a customer out of the office or at the customer's home, reference should be made in advance to the Lone and Vulnerable Worker Policy. In particular, staff should ensure they update the in / out board and their calendar with their location, contact number and anticipated return time. If in any doubt, staff should arrange to be accompanied by a colleague. This particularly applies, if the customer is not known to the Housing Service or there are factors which might make violence more likely.

Risk assessments in relation to office and home appointments, and lone working have been carried out, and are available on line. Risk assessments are reviewed annually, or following a serious incident.

Defining Unacceptable Actions by Customers

We recognise that individuals may act out of character in times of trouble or distress. People may have a range of personal circumstances, including issues of health and disability, which may affect their behaviour. For example, the customer may have a range of complex needs and may be experiencing upsetting or distressing circumstances.

We do not view behaviour as unacceptable just because a customer is forceful or determined. However, the actions of customers who are aggressive, unreasonably demanding or persistent can result in unreasonable demands on our office or unacceptable behaviour towards Housing Service staff.

It is these actions that we consider unacceptable and aim to manage under this Policy. We have grouped these actions under three broad headings:

Aggressive or Abusive Behaviour

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.

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.

We expect our staff to be treated courteously and with respect at all times. Violence or abuse towards staff is unacceptable. Housing Service staff understand the difference between aggression and anger. The anger felt by many customers involves the subject matter of their concerns. However, it is

not acceptable when anger escalates into aggression directed towards Housing Service staff.

Unreasonable Demands

A minority of customers make what we consider unreasonable demands on our office 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 customer.

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 matter or raising unrelated concerns.

We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of an individual or the office, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions. We will advise the customer when the threshold has been crossed.

Unreasonable Persistence

We recognise that some customers will not or cannot accept that the Housing Service 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 concern 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 concern, persistent refusal to accept explanations relating to what this office can or cannot do and continuing to pursue a matter without presenting any new information. The way in which these customers approach our office may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

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

Managing Unacceptable Actions by Customers

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 our office or double up staff when in contact with the customer in order to manage the unacceptable action.

We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We try to maintain at least one form of contact. We may decide that the customer should not be visited at home, and should only be seen in person, by prearranged appointment in the office. We may decide that the customer should only be seen, whether at home or in the office, by two members of staff.

In extreme situations, we tell the customer 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 e.g. a Solicitor, Advocacy Shetland or SICAB.

The threat or use of physical violence, verbal abuse or harassment towards Housing or other Shetland Islands Council staff is likely to result in the ending of all direct contact with the complainer. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

We do not deal with correspondence (letter, fax or electronic) that is abusive to staff. When this happens we tell the customer 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.

Housing Service 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.

Where a customer repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, makes allegations that lack substantive evidence, we may decide to:

- Only take telephone calls for 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.
- Require the customer to make an appointment to see a named member of staff before visiting the office or that the customer contacts the office in writing only.
- Return the documents to the customer, or in extreme cases, advise the customer that further irrelevant documents will be destroyed.
- Take other action that we consider appropriate. We will, however, always tell the customer what action we are taking and why.

Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, then the customer is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute the Housing Service decision relating to their concern. The customer will be told that further appeals on the matter should be referred through the Council's Complaints Procedure, and then to the Scottish Public Services Ombudsman. In addition, that no future phone calls will be accepted or interviews granted concerning this matter. Any future contact by the customer on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the matter.

We recognise that we may need to make reasonable adjustments to the aforementioned process where disability may be affecting the behaviour of the customer and these adjustments need to be balanced against the duty of care the Housing Service owes its staff.

Deciding to Restrict Customer Contact

Housing Service staff that 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.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Housing Service are only taken after careful consideration of the situation by a member of the Housing Management Team.

Wherever possible, we give a customer the opportunity to modify 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, if relevant, the length of time that these restrictions will be in place.

If the customer is, or may be in contact with other Services within the Shetland Islands Council, details of the incident and action taken will be shared with the relevant Head of that Service.

We may decide to restrict customer contact on the basis of information received from another Council Service about an incidence of unacceptable behaviour by a shared customer.

Appealing a Decision to Restrict Contact

A customer can appeal a decision to restrict contact. A member of the Housing Management Team who was not involved in the original decision considers the appeal. They advise the customer in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

Recording and Reviewing a Decision to restrict Contact

We record all incidents of unacceptable actions by customers in a file note. We record actual violence, threats of violence or abuse, whether oral or in writing, or incidents where a member of staff has felt at personal risk from any individual on a Personal Incident Notification (PIN) Form. The form should be completed and passed to a member of the Housing Management Team for signing. The member of Housing Management Team should complete the PIN form part 2, and then send both forms to Safety & Risk Services, 4 Market Street, Lerwick.

Where it is decided to restrict customer contact, an entry noting this is made in the relevant file and on appropriate computer records. A UDC alert is entered against the person's name on the Orchard Housing Management System.

A decision to restrict customer contact may be reconsidered if the customer demonstrates a more acceptable approach. The status of all customers' with restricted contact arrangements should be reviewed by on a six monthly basis.

We will anonymously discuss all incidents of unacceptable actions by customers and the action taken to manage the behaviour at the Housing Service Health & Safety Committee meeting on a quarterly basis.

Support for Victims of Violence or Abusive Behaviour

A member of staff, who has experienced a violent or distressing incident, will be given the opportunity to talk through their experience with their line manager as soon as possible after the event.

The member of staff will be advised that counselling can be arranged through the Council's Staff Welfare Officer, and how to access this if required. Paid time off to attend post incident counselling is available where necessary.

Sympathetic consideration will be given to the member of staff concerned regarding immediate workload issues.

Victims of violence should be advised of the following: -

- The criminal Compensation Board provides financial assistance to the victims of crime.
- The Council is insured for serious injury to employees injured in the course of their work. Safety and Risk will advise on processing of claims.
- Union members should contact their representative for details of any assistance available.

Policy Availability and Review

Copies of this Policy are available on request and free of charge from the Housing Service office. The Housing Service reviews this Policy on a regular basis to make sure that the aims of the Policy are being achieved.