

## **Unacceptable Actions Policy**

We at Aberdeen City Council, believe that our customers and service users have a right to be heard, understood and respected.

Occasionally, certain actions by people using our services can make it very difficult for us to deal with their enquiry or concern.

In a small number of cases the actions of some individuals become unacceptable because they involve abuse of our staff or our processes. When this happens we have to take appropriate steps. We have to consider whether the action impacts on our ability to do our work and to provide a service to others.

People may act out of character in times of trouble or distress. We do not view an action as unacceptable, just because a person is forceful or determined. However, we do consider actions that result in unreasonable demands on our staff to be unacceptable. It is these actions that we aim to manage under this policy.

There is a range of actions we consider to be unacceptable. These are:

- Aggressive or abusive behaviour;
- Unreasonable demands;
- Unreasonable levels of contact.

### **Aggressive or abusive behaviour**

We understand that people can become angry when they feel that matters about which they feel strongly are not being dealt with as they wish. If that anger escalates into aggression towards our staff, we consider that unacceptable.

Any aggression or abuse directed towards our staff will not be tolerated.

Aggressive or abusive behaviour includes language (whether verbal or written) that may cause staff to feel afraid, threatened or abused and may include threats, personal verbal abuse, derogatory remarks and rudeness.

We also consider inflammatory statements, remarks of a racial or discriminatory nature and unsubstantiated allegations, to be abusive behaviour.

### **Unreasonable demands**

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact excessively on the work of our staff. Or when dealing with the matter takes up an excessive amount of staff time and in so doing, disadvantages other customers or service users.

For example:

- Repeatedly demanding responses within an unreasonable timescale;
- Demanding responses from several members of staff on the same subject;
- Insisting on seeing or speaking to a particular member of staff when that is not possible;
- Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns;
- Repeatedly posing a question time and again, when a response has already been given, because the individual may not like the answer they have received.

### **Unreasonable levels of contact**

Sometimes the volume and duration of contact made to our staff by an individual causes problems.

This can occur over a short period, for example, when a large number of calls or emails are received from the same person in one day. When we are dealing with a complaint or enquiry, this may occur when a person repeatedly makes long telephone calls to us or inundates us with emails or copies of information that have been already sent or that are irrelevant to the substance of the complaint or enquiry.

We consider that the level of contact has become unacceptable when the amount of time spent talking to an individual on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts on our ability to deal with the matter, or on our responsibility for carrying out tasks relating to other members of the public.

### **How we manage aggressive or abusive behaviour**

The threat or use of physical violence, verbal abuse or harassment towards our staff is likely to result in a termination of all direct contact with the customer or service user. Such incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

Where correspondence (either letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence is received, we will inform the sender that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will ask that the sender edit their correspondence to remove any offensive text and resend it, otherwise it will not be responded to.

Staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour then persists.

In extreme situations, we will tell the person in writing that we will not permit any personal contact from them. This means that we will limit contact with them to either written communication or through a third party.

### **How we deal with other categories of unreasonable behaviour**

Where a member of the public repeatedly phones, visits our offices, raises the same issue repeatedly, or sends us large numbers of documents about which the relevance is not clear, we may decide to:

- Limit contact to telephone calls from the person at set times on set days;
- Restrict contact to a nominated member of staff who will deal with future calls or correspondence;
- See the person by appointment only;
- Restrict contact to written correspondence only;
- Refuse to deal with further correspondence and return any documents or, in extreme cases;
- Advise the person that further irrelevant documentation will be destroyed;
- Take any other action that we consider appropriate to the circumstances.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the person that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.

Where someone repeatedly demands a response on an issue on which they have already been given a clear answer by the Council, we may refuse to respond to further enquiries from the person.

**We will always tell the person in writing what action we are taking and why.**

### **The process we follow to make decisions about unreasonable behaviour**

Any member of staff who directly experiences aggressive or abusive behaviour from a member of the public, has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and which is 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 Council are only taken after careful consideration of the circumstances by a senior member of staff. Wherever possible, we will give the individual the opportunity to change their behaviour before such a decision is taken.

## **How we let people know we have made this decision**

When a member of staff makes an immediate decision in response to aggressive or abusive behaviour, the individual concerned will be advised at the time of the incident.

When a decision has been made by senior management, the individual will always be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and the length of time that these restrictions will be in place. They will also be told the process for appealing the decision. This ensures that the individual concerned has a full record of the decision and the reasons behind it.

## **The process for appealing a decision to restrict contact**

Where a member of the public has been informed that contact is to be restricted, they will be advised of the right of appeal. Any appeal must be made in writing and submitted to the Director of the service where the unacceptable action occurred and must be made within 10 working days of the date of the notification to restrict contact letter. A written letter of appeal should clearly set out why the appellant feels the decision to restrict contact is unreasonable. Only in exceptional circumstances will an appeal made outwith this timescale be considered. The appeal will be considered by a director from another service. Any reversal or amendment of the restriction arrangements will be at the discretion of the Director considering the appeal.

The appellant will be notified in writing of the outcome of the appeal within 10 working days of receipt of the letter of appeal. The Director's decision is final.

Thereafter all paperwork in relation to the process for decision to restrict contact will be held by the Council's Complaints & Customer Feedback Officer. (Separate arrangements are in place regarding Social Care and Wellbeing records).

## **How we record and review a decision to restrict contact**

We record all incidents of unacceptable actions which have resulted in contact being restricted.

Where it is decided to restrict contact, an entry noting this is made by the Council's Complaints & Customer Feedback Officer in the relevant file and on appropriate computer records.

A decision to restrict contact as described above, may be reconsidered if the complainant or enquirer demonstrates a more acceptable approach.

The Complaints & Customer Feedback Officer will review the status of all restricted contact arrangements on a regular basis and correspond with the Service(s) concerned with regard to these reviews.