



Unacceptable Actions Policy

August 2024





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1 Introduction

- 1.1. At Bield, we make it possible for more people to live their best lives, at home, surrounded by a supportive community.
- 1.2. We believe that our tenants and service users should be free to express their views with us. There are several ways in which our tenants and service users can do this. However, on occasion, the behaviour or actions of individuals using our services makes it difficult for us to assist them. In a small number of cases, the actions of individuals become unacceptable because they involve abuse of our staff or our procedures.
- 1.3. When this occurs, we must protect our staff and consider the impact on our ability to serve others effectively.
- 1.4. This policy outlines our approach to dealing with tenants, service users, their families, friends, or representatives, whose actions or behaviour are unacceptable. We will use the term 'individual' to refer to anyone who may be in touch or contact with Bield staff about a tenancy or service they receive.

Our values

- 1.5. Our policy is built upon a strong foundation of core values, which define who we are and how we operate. These values are at the heart of everything we do:

Honesty	We believe in being transparent and truthful in all interactions and decision-making processes
Equality and Diversity	We value and celebrate diversity and treating everyone with equal respect and consideration
Ambition	We are driven by a determination to make a positive impact and continually improve the lives of those we serve
Dignity	Every individual's dignity is of utmost importance to us and we strive to uphold it in every aspect of our services
Integrity	Operating with integrity is non-negotiable for us and we are committed to maintaining the highest ethical standards
Caring	Our genuine concern and care for the wellbeing of our tenants and community are the cornerstone of our approach
Kindness	We believe in fostering an environment of compassion and kindness, creating a supportive atmosphere for all.

Trauma-informed

- 1.6. We are committed to being a trauma-informed organisation.
- 1.7. We recognize that past trauma can influence how individuals interact with others, including behaviours that may be perceived as unacceptable.
- 1.8. Our approach is guided by empathy, understanding, and respect, ensuring that we consider the underlying factors contributing to these behaviours while maintaining a safe and supportive environment for all.



2. Purpose, aims and objectives

- 2.1. The purpose of this policy is to clarify our approach to supporting tenants, service users, or their representatives whose actions or behaviour is unacceptable.
- 2.2. We will be fair, open, and transparent in the application of this policy, which applies to all our tenants, service users, and associated stakeholders, including relatives, friends, carers and advocates.
- 2.3. As a result of this policy, we aim to:
 - Deal fairly, honestly, consistently and appropriately with all individuals, even those whose behaviours or actions Bield finds unacceptable
 - Provide a service that is accessible to all
 - Ensure people who use Bield's services and staff do not suffer disadvantage due to the unacceptable behaviour of others
 - Provide a clear and consistent approach to dealing with unacceptable behaviour.
- 2.4. Colleagues are encouraged to be mindful of the sensitivities and vulnerabilities of people who may be trauma survivors, meaning they should be respectful, acknowledging, and understanding.

Working with tenants and service users displaying unacceptable actions can be very stressful and may cause vicarious trauma. We support colleagues subject to unacceptable actions, especially regarding their mental health and wellbeing. Assistance is available through the Employee Assistance Programme (Employee Counselling Service).

This service can be accessed through telephone, Skype, Zoom or email. An appointment can be made by contacting Coaching & Counselling Solutions on 0141 228 6250 or by email: info@counsellingandcoachingsolutions.co.uk

3. Equality, Diversity, and Inclusion

- 3.1. When carrying out this policy, we will adhere to our Equality and Diversity Policy which aims to promote diversity, fairness, social justice, and equality of opportunity. An Equality Impact Assessment was carried out in relation to this policy and this is included at [Appendix 1](#).
- 3.2. We recognise that some individuals may display behaviour directly related to mental health illness or disease, such as dementia, which may result in aggressive behaviour.
- 3.3. While such behaviour is ordinarily deemed unacceptable, this policy will not be applicable in these circumstances. Further policies and procedures detailed at [Appendix 2](#) outline a more appropriate method for dealing with unacceptable actions in such circumstances.
- 3.4. To enhance equality and inclusion, we will:
 - Provide a large print version of the policy to accommodate individuals with visual impairments
 - Include translation and interpretation messages on the back of the policy to cater to diverse linguistic needs
 - Develop an easy-to-read version for people with cognitive impairment, ensuring accessibility for all.



4. Unacceptable actions

- 4.1. People may act out of character in times of trouble or distress, and there may have been upsetting or distressing circumstances leading up to their contact with us.
- 4.2. We do not view behaviour as unacceptable just because an individual is forceful or determined.
- 4.3. However, actions that result in unreasonable demands on our colleagues or unreasonable behaviour towards Bield staff are considered unacceptable. These actions are managed through this policy.
- 4.4. Unacceptable actions may be a breach of tenancy conditions. Sections 3.1 and 3.6 of the Scottish Secure Tenancy Agreement state:
- 3.1 You, those living with you, and your visitors must not harass or act in an anti-social manner to, or pursue a course of anti-social conduct against, any person in the neighbourhood. Such people include residents, visitors, our employees, agents, contractors and those in your property.
- 3.6 You will be in breach of this Agreement if you, those living with you, or your visitors do anything which is prohibited in this part of the Agreement.
- 4.5. Actions outlined in this policy aim to manage and discourage actions and behaviour that may result in tenancy failure.

Aggressive or abusive behaviour

- 4.6. We understand that some individuals may be angry about issues they have raised with us. However, if anger escalates into aggression towards Bield staff, it is unacceptable. Any violence or abuse towards staff will not be tolerated.
- 4.7. Violence includes not only physical harm but also behaviour or language (verbal or written) that causes staff to feel offended, afraid, threatened or abused. Each situation will be judged individually, recognising that individuals may be upset. Language designed to insult or degrade, including racist, sexist or homophobic remarks, or serious allegations without evidence, is unacceptable.
- 4.8. Examples of this type of behaviour include:
- Language (oral, written or electronic) that may cause staff to feel upset, afraid, threatened or abused
 - Aggression that may result in physical harm
 - Threats
 - Physical violence
 - Using personal mobility vehicles to threaten or injure
 - Personal verbal abuse
 - Shouting
 - Swearing
 - Derogatory remarks, including that which are homophobic, racist, ableist, sexist and misogynistic
 - Rudeness
 - Inflammatory statements
 - Unsubstantiated allegations
 - Using audio or video recordings within the public domain for the purpose of harassment, victimisation, slander and stalking
 - Vandalism or damage to personal or work property
- 4.9. This list is not exhaustive and any forms of engagement that make a staff member feel threatened or abused will be taken into consideration.



Unreasonable demands and demands

- 4.10. A demand becomes unacceptable when it substantially impacts our workforce.
- 4.11. Examples include (but are not limited to):
- Repeatedly demanding responses within an unreasonable timescale
 - Insisting on seeing or speaking to a particular member of staff when that is not possible
 - Repeatedly changing the substance of an issue or raising unrelated concerns
 - Demanding issues already addressed are re-examined
 - Repeatedly contacting us about decisions they disagree with.
- 4.12. Such demands can take up an excessive amount of staff time, disadvantaging other individuals.

Unreasonable levels of contact

- 4.13. Excessive contact, whether through numerous calls or extensive correspondence, can impact our ability to address issues effectively.
- 4.14. We consider contact levels unacceptable when they impact our ability to address the issues of the individual or others.

Unreasonable refusal to co-operate

- 4.15. When investigating an issue, we need the individual to cooperate by clearly defining the issue, providing further information, or summarising their concerns.
- 4.16. Repeated refusal to cooperate makes it difficult for us to proceed. We will assist anyone with genuine difficulties complying with requests, but it is unreasonable to bring an issue and then not respond to reasonable requests.

Unreasonable use of processes

- 4.17. Individuals have the right to pursue their concerns through a range of means. However, contact becomes unreasonable when repeated complaints or issues harass or prevent us from pursuing legitimate aims or implementing legitimate decisions.
- 4.18. We consider access to our complaint system important and will only deem repeated use unacceptable in exceptional circumstances.

Unreasonable use of audio-visual equipment

- 4.19. Recording interactions may be legitimate to support a concern. However, using recordings publicly for harassment, victimisation, slander or stalking is unacceptable.
- 4.20. If a staff member feels threatened or uncomfortable with recordings, they may end the engagement and consider other forms of communication such as written communication or escalation to a Line Manager.

Vexatious behaviour

- 4.21. This category applies following a final decision on a matter or when an individual does not follow the relevant precludes and continues to raise the issue.
- 4.22. This category covers:
- Failure to accept that we cannot assist further
 - Persistent disagreement with action or decisions taken
 - Persistent contact about the same issues
 - Persistent refusal to accept decisions or explanations
 - Persistent refusal to follow relevant procedures



- Continuing to pursue an issue that Bield considers resolved without presenting new information.

4.23. Such persistence is unreasonable if it substantially impacts our work and ability to provide services to others.

5. Managing aggressive behaviour - examples

5.1. Threats or use of physical violence, verbal abuse or harassment towards Bield staff can result in termination of direct contact. **Incidents may be reported to the police**, especially if physical violence is used or threatened.

5.2. Action taken will be minimal and we will consider personal circumstances, the seriousness of the issue and individual needs.

Telephone calls

5.3. Staff are trained to provide excellent customer service and adopt a positive approach in dealing with individuals. Staff will end telephone calls if the caller's behaviour is considered unreasonable, aggressive, abusive or offensive.

5.4. Staff should inform their Line Managers immediately after ending such calls.

Written correspondence

5.5. Written correspondence (letter or email) that is abusive to staff or which contain allegations that lack substantive evidence will be referred to the relevant manager for a response.

5.6. Communication will be issued to the individual stating that the behaviour is unacceptable and describing specifically in what way, for example, we consider their language to be offensive, unnecessary and unhelpful.

5.7. The individual will be asked to stop using offensive language.

5.8. Future contact may be required through a third party if the behaviour continues.

5.9. We will not respond to correspondence (in any format) that contains statements that are abusive to staff or contains allegations that lack substantive evidence. Where we can, we will return the correspondence. We 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. We will state that we will not respond to their correspondence if the action or behaviour continues.

Social media

5.10. Threatening, abusive or inflammatory statements on social media will be removed and/or reported.

5.11. Individuals may be contacted to explain why their behaviour is unacceptable.

5.12. Depending on the nature of the social media correspondence, Police Scotland may also be notified.

Limiting contact

5.13. Repeated issues may result in restricted contact, such as:

- Limiting phone calls to specific days and/or times
- Assigning a single staff member for future contact
- Requiring written correspondence only
- Returning or destroying irrelevant documents
- Seeing the individual by appointment only



5.14. In exceptional cases, we reserve the right to refuse to consider future issues from an individual. We will consider the impact on the individual and also whether there would be a broader public interest in considering the complaint further.

5.15. We will always tell the individual what action we are taking and why.

6. Unreasonable behaviour decision process

6.1. Any Bield staff member has the authority to immediately address aggressive or abusive behaviour, including contacting the police if they feel threatened or experience violence.

6.2. Restricting contact is decided by senior management only after careful consideration.

6.3. Individuals are given the chance to change their behaviour before a decision is taken.

Notification of decision

6.4. Individuals are informed at the time of the incident if an immediate decision is made by Bield staff.

6.5. Senior management decisions are communicated in writing (letter or email) detailing the reasons and restrictions.

Appeal process

6.6. Individuals can appeal restrictions, arguing against the identification of their behaviour, the proportionality of the restrictions or personal impact.

6.7. Appeals are considered by a senior staff member not involved in the original decision, with the final decision communicated in writing.

6.8. Restrictions may be reviewed periodically or upon request, with the process detailed in the initial restriction communication.

7. Supporting our staff

7.1. Relevant managers will inform staff of actions taken against the perpetrators to provide support and assurance.

7.2. Staff will be kept informed of ongoing actions and dialogues to ensure they are aware of steps taken against unacceptable behaviour.

7.3. Line Managers will maintain regular communication with staff to ensure continued support.

7.4. Staff will be offered advice and guidance if Police Scotland are involved and criminal proceedings are necessary.

8. Recording and reviewing decisions

8.1. All incidents of unacceptable behaviour are recorded on our tenancy management system (Cx), with restricted contact noted on the individual's profile.

9. Publicising and Accessibility

9.1. This policy will be made available internally via our intranet site, and externally on our website.



10. Scheme of Delegation

- 10.1. The Leadership Team is responsible for:
- Informing colleagues about the policy
 - Assisting colleagues to implement the policy
 - Advising on the action to take concerning unacceptable actions
 - Corresponding with individuals about the decision
- 10.2. It is the responsibility of all colleagues to be aware of the policy and seek to implement the policy as required.

11. Monitoring, Reporting, and Review

- 11.1. This policy will be reviewed every five years or to respond to relevant policy, regulatory or legislative changes.

12. Complying with the Law and Good Practice

- 12.1. The Public Services Reform (Scotland) Act 2010 places a statutory duty on RSLs to comply with the Scottish Public Services Ombudsman's (SPSO) model complaint handling procedure for the social housing sector.
- 12.2. As a Registered Social Landlord (RSL), we are regulated by the Scottish Housing Regulator (SHR). The SHR's statutory objective is to safeguard and promote the interests of current and future tenants, homeless people, and other people who use services provided by social landlords. In developing our policy, we have taken account of good practice, including that developed by the Scottish Housing Regulator.
- 12.3. The SHR uses the outcomes and standards in the Charter to assess the performance of social landlords. The key outcomes that have been considered in the development of this policy are:
- | | |
|-----------|--|
| Outcome 1 | Customers have their individual needs recognised, are treated fairly and with respect, and receive fair access to housing and housing services. |
| Outcome 2 | Customers find it easy to communicate with us and get the information they need about us, including how and why we make decisions about the services we provide. |
- 12.4. As a provider of care, we are regulated by the Care Inspectorate. The Care Inspectorate uses Health and Social Care Standards to assess the performance of care providers. The key standards that have been considered in the development of this policy are:
- | | |
|------------|--|
| Standard 4 | I have confidence in the organisation providing my care and support. |
|------------|--|

13. GDPR

- 13.1. We will treat all personal data in line with our obligations under the current data protection regulations and our Privacy Policy. Information regarding how all data will be used and the basis for processing data is provided in our Customer Fair Processing Notice.



Appendix 1 Equality Impact Assessment

1	Title of Policy to be assessed: Unacceptable Actions Policy
2	Date: 17/06/2024
3	Lead Officer/Manager: Zhan McIntyre Head of Policy and Customer Standards
4	EQIA Team (who will be involved):
5	Director/Manager: Tracey Howatt
6	Is the function or policy existing, new, or review: Review
7	<p>Set out the aims/objectives/purposes/outcomes of the function or policy, and give a summary of the service provided:</p> <p>The purpose of this policy is to set out how we will respond to unacceptable actions from individuals</p> <p>The policy applies to all Bield colleagues</p>
7a	Who should benefit from the policy (target population): Bield staff
7b	Linked policies, functions: Are there any other functions, policies or services, which might be linked with this one for this exercise? Please list.
8	<p>State whether the policy will have a positive or negative impact across the following factors and provide initial comments/observations.</p> <p>Age: Older people, people in the middle years, young people, and children.</p> <p>Disability: includes physical disability, learning disability, sensory impairment, long-term medical conditions, mental health problems.</p> <p>Maternity and civil partnership The policy will have no impact on people expecting or recently giving birth or within a civil partnership</p> <p>Race: Minority ethnic people (includes Gypsy/Travellers, non-English speakers).</p> <p>Religion or belief: includes people with no religion or belief.</p> <p>Sex: Women, men, and transgender people (include issues relating to pregnancy and maternity).</p> <p>Gender reassignment: The process of changing or transitioning from one gender to another.</p> <p>Sexual orientation: Lesbian, gay, bisexual, and heterosexual people.</p> <p>People in remote, rural, and/or island locations</p> <p>People on different work patterns: e.g. part-/full-time, short-term, job share, seasonal</p> <p>People who have low literacy</p> <p>People in different socio-economic groups (includes those living in poverty/people on a low income)</p>



	Population groups	Positive Impact	Negative Impact	Comments
	Age	No specific impact	No specific impact	
	Disability	No specific impact	People with dementia or other mental health disorders that means individuals may be acting out of character	
	Maternity and civil partnership	No specific impact	No specific impact	
	Race	No specific impact	Policy is published in English as first language	
	Religion or belief	No specific impact	No specific impact	
	Sex and Gender reassignment	Long term, positive	No specific impact	
	Sexual orientation	Long term, positive	No specific impact	
	People in remote, rural, and/or island locations	No specific impact	No specific impact	
	People in different work patterns	Positive	No specific impact	
	People who have low literacy	Positive	No specific impact	
	People in different socio-economic groups	No specific impact	No specific impact	
9	What evidence do you have for the statements you have made above? Focus on: <ul style="list-style-type: none"> Needs and experiences; Uptake of services; N/A Levels of participation. N/A 			
10	From the evidence set out what actions, if any, will you take where the negative impact has been identified:			

Population groups	Proposed action	How will it address the negative impact?
Age	N/A	<p>Older adults might require more tailored communication, which the policy can accommodate through its commitment to inclusivity and accessibility.</p> <p>The policy's clear guidelines and provisions</p>



Population groups	Proposed action	How will it address the negative impact?
		for large print and easy-to read version are included here.
Disability:	Include section in policy to highlight that groups with dementia or other mental health conditions or diseases should be treated with consideration as part of this process.	Policy highlights that people with disabilities, including those with mental health conditions, are treated fairly and that their behaviour is understood within the context of their condition. The emphasis on a trauma-informed approach will help with this.
Maternity and civil partnership	N/A	N/A
Race	Ensure translation message and promote with team and tenants	Ensure translation services to help ensure minority ethnic groups, including non-English speakers are not disadvantaged. T
Religion or belief	N/A	N/A
Sex and Gender reassignment	Ensure there is reference to remarks relating to gender reassignment	N/A
Sexual orientation	Ensure there is reference to homophobic remarks as unacceptable	N/A
People in remote, rural, and/or island locations	N/A	N/A
People in different work patterns	N/A	N/A
People who have low literacy	Ensure easy to read version	N/A
People in different socio-economic groups	N/A	N/A
<p>Briefly explain how the policy contributes to our equality and diversity values by answering the following questions:</p> <ul style="list-style-type: none"> • How will it provide equality of access to services, information, and employment? • Does it or could it celebrate diversity? • Will it or could it promote good relationships within and between communities? • How will it provide good quality, inclusive services? <p>N/A</p>		
Any additional information, questions, or actions required? Please explain.		
	<p>Sign off: As Director I am satisfied with the results of this EIA The findings will be referred to within Service Plans and target set. The Action Plan will be reviewed annually within Business planning reporting.</p>	



Population groups	Proposed action	How will it address the negative impact?
	Signature:	Date:

Appendix 2 Alternative policies and procedures

- Violence at work
- Dignity at work
- Lone working
- Antisocial behaviour policy procedures and guidelines
- Equality and diversity policy
- Adult support and protection
- Managing restraint
- Managing stressed behaviour
- Adults with incapacity Act
- Assessment support planning and review



Speaking your language - we are happy to translate our policies on request.

يمكن ترجمة سياساتنا عند الطلب
إذا كنت بحاجة إلى مساعدة ، فيمكننا توفير مترجم

**Nasze zasady mogą być przetłumaczone na żądanie.
Jeśli potrzebujesz pomocy, możemy zapewnić tłumacza**

**我们的政策可以应要求翻译。
如果您需要帮助，我们可以提供翻译**

ہماری پالیسی کا درخواست پر ترجمہ کیا جاسکتا ہے۔
اگر آپ کو مدد کی ضرورت ہو تو ہم ایک ترجمان فراہم
کرسکتے ہیں