



Unacceptable Actions Policy
Bield Housing & Care

Approved :
Board of Management



HAPPY TO TRANSLATE

Bield Housing & Care, 79 Hopetoun Street, Edinburgh, EH7 4QF Registered Charity SC006878

Unacceptable Actions Policy

Introduction

We believe that our customers should be free to express their views with us. There are a number of ways in which our customers are able to do this. However on occasion some of our customers will behave in a manner that is unacceptable.

This policy outlines our approach to customers whose actions or behaviour are unacceptable.

We will be fair, open and transparent in the application of this policy and it will apply to all our customers and the relatives, friends and carers of our customers.

Note: we have used the generic term customer to reflect the people who live in our houses, use our services or may do in the future, their relatives, friends and carers.

What we consider to be unacceptable behaviour or actions

We treat all our customers with respect and in return we hope that our customers will be considerate to our staff and other people who use our services.

We appreciate that on occasion our customers may be angry or upset. Whilst there may be good reasons for this it does not excuse aggressive, abusive or unreasonable behaviour towards our staff or other customers.

On the relatively rare occasions 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.

The majority of unacceptable actions or behaviours will fall under one of the following broad headings:

- Aggressive or abusive behaviour
- Unreasonable demands
- Unreasonable persistence

Mental Health Considerations

It is recognised that on occasion some of our customers may display behaviour that is directly related to a Mental Health illness such as Dementia or another recorded medical condition that may result in aggressive behaviour.

Such conditions may lead the customer to behave aggressively, either physically or verbally

and this can be very distressing for all concerned. Whilst ordinarily such behaviour would be deemed unacceptable the use of this policy will not be appropriate in these circumstances. There are a number of policies and procedures (detailed at Appendix 1) that will be more appropriate for dealing with unacceptable actions in such circumstances. A review of the individuals' care / support plan will help identify the most appropriate policy or procedure.

- Aggressive or abusive behaviour

We understand that when our customers are upset they may become angry. This is understandable, however when this anger is displayed through aggressive behaviour towards our staff this is unacceptable.

Aggressive behaviour is not restricted to acts that result in physical harm. It also includes behaviour or language (verbal or written) that may cause staff to feel afraid, threatened or abused.

Examples of such behaviour include threats, personal verbal abuse, derogatory remarks and rudeness and unsubstantiated allegations.

- Unreasonable demands

A demand becomes unreasonable when complying or continuing with begins to impact substantially on our ability to deliver services. Or when dealing with the matter takes up an excessive amount of staff time and in so doing, disadvantages other customers or service users

Examples of unreasonable demands may include:

- Repeatedly demanding responses within an unreasonable timescale
- Demanding responses from several member 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.

- Unreasonable levels of contact

Sometimes the volume and duration of contact made to our staff by a customer 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 customer 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 the level of contact has become unacceptable when the amount of time spent talking to a customer 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 customers.

How we manage aggressive or abusive behaviour

Where there is a threat or use of physical violence, verbal abuse or harassment towards our staff we are likely to cease all direct contact with the customer. Such incidents may be reported to the police. This will always be the case if physical violence is used or threatened. If we receive correspondence (either letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence we will let the customer know we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We may ask them to edit the 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 customer to be aggressive, abusive or offensive. Our staff have the right to make this decision. They will advise the customer their behaviour is unacceptable and will end the call if the behaviour then persists.

On rare occasions we may advise a customer in writing that we will not permit any personal contact from them. This means 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 customer 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 customer 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 where we have already been a given a clear answer, we may refuse to respond to further enquiries from the person.

At all times when dealing with unreasonable behaviour we will advise the customer in writing what action we are taking and why. Where we do not have a correspondence or email address we will communicate verbally and keep a record.

The process we follow to make decisions about unreasonable behaviour

Any member of staff who directly experiences aggressive or abusive behaviour from a customer 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 immediate decisions taken at the time of an incident, decisions to restrict contact 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 customer 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 how they can appeal 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 customer has been informed that contact is to be restricted, we will tell them about the right of appeal.

All appeals will be considered by the Senior Management Team to ensure impartiality. We will confirm receipt of all appeals within 5 working days and hold the appeal within 20 working days.

The appeal will only consider issues relating to the restriction and not to any other complaints or issues. It will be considered on all the evidence available.

An appeal could include information about why the customer feels their actions were wrongly identified as unacceptable; the restrictions are disproportionate or they will adversely impact on the customer due to personal circumstances.

The appeal may be overturned or restrictions varied. We will always let the customer know when the appeal will be heard and when they can expect to hear the outcome.

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 in the relevant file and on appropriate computer records.

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

Departmental Directors will review the status of all restricted contact arrangements on a regular basis.

Review

In general we will review this policy in line with the process we have for undertaking policy reviews. We may however amend or update this policy to incorporate suggested improvements, good practice or changes to legislation.

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Appendix 1

Mental Health Considerations - Alternative Policies and Procedures

- Violence at Work
- Dignity at Work
- Lone Working
- Anti-Social Behaviour Policy, Procedure and Guidelines
- Equality and Diversity Policy
- Adult Support and Protection
- Restraint
- Managing Challenging Behaviour
- Adults with Incapacity Act.
- Assessment support planning and review.