



PORT OF LEITH
HOUSING ASSOCIATION

DIFFICULT CUSTOMER MANAGEMENT GROUP POLICY 2019

Policy Owner	Director of Property & New Business
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Communication & Training Methods	Roll out and discussion at team meetings for all staff. E-mail to all staff to advise when this is available on Connect.
Date Last Approved	November 2019
Approved By	OMT
Review Cycle	3 years
Next Review Date	December 2022
The Policy has a direct link to the following PoLHA policies and procedures	<ul style="list-style-type: none"> • Risk Alerts Logging Procedure • Personal Safety and Lone Working Guidelines • Health and Safety Policy
This policy complies with the requirements of these legal and/or regulatory documents	n/a
Equality & Diversity Impact (EI) Assessment Status	<p>This document was EDI Assessed by Joyce Cuthbert using the organisation's set procedure in September 2016 and is considered to be free of anything which may lead to any unfair discrimination in its application.</p> <p>EI Assessment records are held by the Chief Executive's Office and can be accessed on request to the Head of Corporate Services.</p>

REVISION TRACKING

Revision Date	Part of doc revised	Reason for revision	Approved by

1. BACKGROUND/INTRODUCTION

- 1.1 We expect our staff to be treated courteously by our customers and this policy sets out how the Group protect staff and handle the relatively few customers whose actions or behaviour we consider to be unacceptable because of aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

2. POLICY STATEMENT

- 2.1 The aims of our policy are:

- To deal fairly, honestly and consistently with our customers, including those whose actions we consider to be unacceptable
- To help ensure that we provide a service that is accessible to all while reserving the right to restrict or change access where we consider a customer's actions to be unacceptable
- To ensure as far as possible that staff and other customers do not suffer any disadvantage from customers acting in an unacceptable manner
- To ensure that staff have clear guidance and support for handling situations when they do arise.

3. RESPONSIBILITIES UNDER THE POLICY

- 3.1 OMT has responsibility for approving the policy, with the relevant operational manager having responsibility for making decisions about restricting access and advising customers of these decisions. All staff have responsibility for responding to and reporting incidents in accordance with this policy.

4. POLICY FRAMEWORK

4.1 Definition of Unacceptable Behaviour or Actions

- 4.1.2 It is recognised that our customers may, at times, experience distressing or upsetting circumstances and may act out of character. Being determined or forceful is not necessarily unacceptable behaviour, but a customer who becomes angry, demanding or persistent is likely to place unreasonable demands on the service or display unacceptable behaviour towards staff.

- 4.1.3 Our tenancy agreement makes it clear that tenants are expected to behave appropriately towards staff and contractors as per the following extracts:

You, those living with you, and your visitors, must not harass or act in an antisocial manner to, or pursue a course of antisocial conduct against, any person in the neighbourhood. Such people include residents, visitors, our employees, agents and contractors and those in your house. Abuse against staff may result in restricted access to our office or restricted communication methods.

'Antisocial' means causing or likely to cause alarm, distress, nuisance or annoyance to any person (including staff members and contractors) or causing damage to anyone's property. Harassment of a person includes causing the person alarm or distress. Conduct includes speech. A course of conduct must involve conduct on at

least two occasions.

Abuse against staff could therefore be considered a breach of tenancy and will be actioned by the housing officer, where appropriate.

4.1.4 The following are definitions of unacceptable behaviour which staff may face:

Aggressive or abusive behaviour: as well as acts of physical aggression, this includes threats, rudeness or language (spoken or written) that make staff feel afraid, upset, threatened or abused.

Unreasonable demands: this can arise from the amount of information a customer is seeking; the nature and scale of the service they expect or the number of approaches they make. Examples can include demanding responses within an unreasonable timescale; continual phone calls, letters, emails or visits to the office; insisting on only speaking to certain staff or repeatedly changing the nature of the complaint or issue.

Unreasonable persistence: some of our customers may find it hard to accept that we cannot help them any further or provide a level of service beyond that already provided. They may therefore persist with their complaint and continue to contact the office about the same issue, without presenting any new information.

4.2 Responses to Unacceptable Behaviour

4.2.1 There are relatively few customers whose actions we consider unacceptable, but it is important that staff have clear guidance and support for handling situations when they do arise. We take a zero tolerance approach to unacceptable behaviour and staff members should not feel that they have to tolerate this.

4.2.2 Where a member of staff receives a telephone call that is abusive or offensive, then the member of staff has the right to advise the customer that they find their language abusive and give a warning that they will end the call. They should then report the incident to their manager who will assess an appropriate response, depending on the nature of the call and whether it is part of a pattern. It may be appropriate for the manager to issue a warning letter in the first instance, advising that we may restrict contact if the behaviour persists. Otherwise, restrictions on contact and/or a risk alert on QL and/or action for breach of tenancy should be considered.

4.2.3 If abusive correspondence is received, the relevant manager should advise the customer that their language is unacceptable and consider other appropriate action as above.

4.2.4 Where there has been the threat of physical violence; actual violence; racial abuse; harassment (including sexual), then home visits, access to the office and other contact with staff will be restricted, as well as a risk alert being placed on QL and any such incident being reported to the police. Staff should refer to the separate procedures for these actions. Any decision to restrict contact with staff or access to the office must be made by the relevant operational manager and customers will be advised in writing by the manager of any such decision.

- 4.2.5 However, we cannot remove access to staff or services completely and will consider appropriate mechanisms to ensure that we can still provide the necessary level of service to the customer. Restrictions may include, for example, only accepting written communication; restricting access to nominated staff member/s; by appointment only or contact being made only through a third party/advocate. This latter option requires a signed mandate from the customer nominating a named third party and authorising them to act on their behalf. Any such restriction will be reviewed by the appropriate OMT manager/s on an annual basis.
- 4.2.6 Where a customer behaves in an aggressive or unacceptable manner when visiting the office, staff should ask them to leave and that, if they do not leave when requested, staff will call the police for assistance. Staff should also refer to the guidelines for personal safety on Connect. The manager should consider appropriate follow up action as in paragraph 4.2.2 above.
- 4.2.7 Where a customer repeatedly phones, visits the office or sends letters or emails about the same subject matter, then following a discussion with the relevant operational manager, they may be deemed to be a persistent and/or vexatious correspondent and will be advised by the manager that we will not respond to any further correspondence on specified subjects/s unless they have new information or new points they wish to raise.
- 4.2.8 We consider whether we can make any reasonable adjustments, particularly with reference to the Equality Act 2010, which states that we must consider this for people with disabilities in accessing our services including complaints handling and restricting contact. For example, someone with Tourette's who is swearing is likely to be unable to control this.
- 4.2.9 Our customers have the right to make use of our complaints procedure to appeal against decisions to restrict contact or access to the office. Where they have exhausted our internal complaints process, customers will be advised of their right to take their complaint to the Scottish Public Services Ombudsman.

5. ASSOCIATED PROCEDURE(S)

- 5.1 There are separate associated procedures for placing/reviewing a risk alert on QL and for placing/reviewing restrictions on contact between customers and the Association.

6. POLICY & PROCEDURE EFFECTIVENESS ASSESSMENT CRITERIA

- 6.1 None specific.