



# Managing Contact Policy

(previously Unacceptable Actions Policy)

**2022 - 2025**

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## **1.0 INTRODUCTION**

- 1.1 Queens Cross Group has customer service standards which reflect our commitment to offering a high-quality service and ensuring we treat everyone with dignity and respect.
- 1.2 Our Customer First Strategy overarches the Association's approach to delivering excellent services across our organisation. There are 8 ways that we will ensure customers are at the heart of everything we do and feel valued. We will:
1. *Ensure our staff understand and demonstrate the right behaviours to deliver excellent customer services and adopt a positive approach in dealing with people.*
  2. *Understand who our customers are and what particular requirements individuals may have – so that we can tailor our services to their needs.*
  3. *Make sure our services are accessible*
  4. *Actively seek the views of customers so that we focus on 'doing best what matters most'*
  5. *Involve customers directly in shaping and scrutinising our services.*
  6. *Establish clear standards for our services so people know what they can expect*
  7. *Publish what our customers tell us and how we are responding*
  8. *Learning from others.*
- 1.3 We understand that people who come to us may have experience of trauma, or have specific needs and requirements. We will ensure our staff have appropriate training to identify where additional support may be needed and are supported to treat our customers with kindness and compassion. We will seek to defuse and de-escalate situations. We regularly signpost to organisations who can provide independent advice and support.
- 1.4 Engagement includes all forms of contact including verbal (over the phone, in person, etc.), written (letters, emails, online forms, etc.) as well as contact at Queens Cross events, training sessions etc. It also extends to anything published on social media.
- 1.5 This policy covers anyone who engages with Queens Cross Group whether they are a customer, employee, contractor or elected member or another stakeholder.

## **2.0 POLICY AIMS**

- 2.1 We aim to support everyone engaging with us to do so positively to help us provide them with the best possible level of service. In some circumstances, we may need to take action to protect our staff or service from types of engagement which impacts our ability to provide a service or the wellbeing of our staff. This policy sets out how we identify and respond to those types of engagement.

The policy aims are:

- To provide guidance for staff and customers, to ensure that we have measures in place to respond appropriately in the very small number of cases which involve customers or service users whose behaviour when interacting with the Association may be unacceptable
- Provision of a framework for dealing with behaviours which may impact upon staff doing their job, or which commits a disproportionate amount of resources in dealing with such behaviours
- To deal fairly, honestly, consistently and appropriately with all of our customers, including those whose behaviour we consider unacceptable. We believe that all of our customers have the right to be heard, understood and respected.
- To ensure that the difference is recognised between challenging behaviour which we may be expected to encounter in our roles and behaviour which goes beyond what may reasonably be expected to deal with
- To ensure that our zero tolerance approach to violence or threats towards our staff is communicated to customers, and that staff feel empowered to identify and deal with behaviours which may be unacceptable.

2.2 In line with the SPSO policy, we have undertaken a review of our Unacceptable Actions Policy. We have renamed this policy 'Managing Contact' to reflect our objective of supporting positive engagement and encouraging appropriate contact from our customers. We have referenced the SPSO Engagement Policy in the review of this policy to ensure it meets best practice.

### **3.0 PROTECTING OUR STAFF & OTHERS**

- 3.1 We want to ensure that QCHA staff, our customers and service users are treated with respect and do not suffer any disadvantage from any individual who acts in an unacceptable manner.
- 3.2 We want our customer processes to allow us the flexibility to differentiate between challenging behaviours which result from short term anger or frustration, and behaviour which is unreasonable and inappropriate.
- 3.3 We want to ensure that our processes will protect and preserve a customer right to access services whilst also ensuring that their actions do not impact upon the resources of our staff to the detriment of other customers.
- 3.4 We want to support staff in delivering clear and consistent messages with regard to unacceptable behaviour.

The Association has adopted the following statement to staff safety:

*The safety and well-being of our people is our priority. They have the right to work without the threat of or actual abuse whether physical, verbal or written (including public postings on social media).*

*We understand that sometimes we have to deal with people who are upset, angry or frustrated but we have zero tolerance of any act of violence or aggression towards our staff which makes an individual feel threatened.*

*If you are aggressive, abusive, speak, write or behave unreasonably towards a member of our staff we will take action. This may include action for breach of your tenancy*

*agreement, restricting your contact with us and reporting the matter to Police Scotland as appropriate.*

*Our staff will do their best to help you.*

- 3.5 We recognise that dealing with the public can cause anxiety and stress for our staff particularly where there is a risk of aggression, verbal abuse and/or violence. Such incidences could potentially cause long term health effects. Staff are required to report incidents to their line manager which are reviewed by the Health and Safety committee. There is also a confidential 24-hour help line for staff details can be found on Source.

#### **4.0 DEFINING UNACCEPTABLE BEHAVIOUR**

We recognise that people may act out of character at times of trouble and stress. There may have been upsetting or distressing circumstances leading up to contact with the Association. We do not view behaviour as unacceptable just because a customer is forceful or determined.

There may be incidences of behaviour which an individual may find challenging but it would be reasonable to expect a well-trained, confident member of staff to be able to deal with in most circumstances.

Unacceptable behaviour that affects the ability of staff to do their job, or when the impact of behaviour on resources means that an unfair or disproportionate amount of resources are being used. We aim to manage this kind of behaviour under this policy and have grouped these actions under 4 broad headings.

##### **4.1 Aggressive or Abusive Behaviour**

We expect our staff to be treated courteously and respectfully. Violence or abuse towards staff is unacceptable. We accept that customers may sometimes be angry or upset. However, it is not acceptable when anger about an issue escalates into aggression directed towards our staff.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether spoken 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, slanderous or libellous remarks, either verbal or written. We also consider that inflammatory statements, threats to discredit individuals and unsubstantiated allegations including those posted on our social media platforms constitute abusive behaviour.

##### **4.2 Unreasonable Demands**

Customers may make what we consider to be unreasonable demands on our staff 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 depend on the context or 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 timescale, insisting on seeing or speaking only to a particular member of staff, continual telephone calls, letters or emails, repeatedly changing the substance of the complaint or raising unrelated concerns.

These demands become unacceptable and unreasonable if they start to impact substantially on the work of our staff by taking up an excessive amount of staff time and

resources to the disadvantage of other customers or Association functions.

#### **4.3 Unreasonable Persistence**

We recognise that some customers will find it difficult to accept that QCHA 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 concerns or contact our offices persistently about the same issue.

Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a complaint, or persistent refusal to accept explanations relating to what this office can or cannot do and continuing to pursue a complaint without presenting any new information. The way in which these customers approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

We consider the actions of persistent customers to be unacceptable when they take up what QCHA regards as being a disproportionate amount of time and resources to the disadvantage of other customers or Association functions.

#### **4.4 Unreasonable Use of the Complaints Procedure**

We welcome all expressions of dissatisfaction from customers about any aspect of our services and treat them as complaints which we will use to improve the services we provide. We do however recognise that in exceptional circumstances the way a customer uses our complaints procedure may act to harass staff members or obstruct decisions previously made by the Association.

Examples of actions grouped under this heading include continual attempts to make frivolous or vexatious complaints relating to a complaint which has already been considered. Continual attempts to re-open a complaint which has been considered by attempting to reframe it, or continually attempting to obstruct the Association from carrying out a legitimate business aim.

We recognise an individual's right to access our complaints procedure and will only take action to restrict their access to it in very exceptional cases where it is impacting significantly on the resources of the Association.

### **5.0 MANAGING UNACCEPTABLE BEHAVIOUR**

There are an extremely small number of customers whose actions we consider to be unacceptable. How we aim to manage this behaviour depends on the nature and extent of their actions. If it adversely affects our ability to do our work and provide a service to other customers, we may need to restrict a customer's contact with us in order to manage the unacceptable behaviour. We aim to do this in a way that, wherever possible, allows a customer to have their concerns addressed and to progress any complaint if necessary to completion through our complaints process.

#### **5.1 Reporting Incidents**

We take threats, violence, abuse and harassment of staff very seriously. The threat or use of physical violence, verbal abuse, racial or other discriminatory remarks or harassment towards staff is likely to result in QCHA restricting direct contact with the customer. This includes abuse or harassment on the basis of age, sex, physical or mental disability, gender identity or sexual orientation, race, ethnicity, national identity, religion or belief.

Every incident must be reported to the Health & Safety Committee who will monitor the frequency and types of abuse being experienced by staff. Serious threats of violence should also be reported by the staff member to the police. The staff member's line manager will provide support and assistance with these reports if required.

The Housing Association has a No Lone Visit procedure that identifies tenants and customers who should not be visited and/or interviewed alone. There are a number of reasons why a tenant would be classified as a 'No Lone Visit' – one of which is threatening behaviour. The No Lone Visit procedure should be referred to if there are concerns about visiting a tenant due to their behaviour.

The Housing Association may also consider threats of violence and abusive behaviour against staff to be a breach of tenancy (Section 3: Respect for Others) and would pursue this through our anti-social behaviour policy.

## 5.2 Telephone calls

In line with our Customer First approach QCHA staff understand and demonstrate the behaviours required to deliver excellent customer services and adopt a positive approach when dealing with customers. Staff are empowered however to end telephone calls if a customer's behaviour is considered unreasonable, 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.

Staff members should immediately inform their line manager when they have had to end call due to a customer's unacceptable behaviour and the incident recorded on QL.

The QC Group telephony system is capable of recording calls. All calls received into or from the system can be recorded including 0808 and all 0141 numbers. Currently only calls to 0808 are being recorded. These call recordings can be used in the following circumstances:

- To inform the decision to restrict a customer's contact with us in order to manage unacceptable behaviour
- For the purposes of, or in connection with, any legal proceedings (including prospective legal proceedings).
- To establish facts in the event of an Accident or Incident investigation

## 5.3 Written correspondence

Written correspondence (letter/email etc) including Contact Us and the QC app that is abusive to staff or contains allegations that lack substantive evidence will be referred to the relevant manager for a response. The customer will be contacted to advise them their behaviour is unacceptable. We will ask the customer to stop the behaviour and state that we will not respond to their correspondence in future if they do not. We may also require future contact to be through a third party. Depending on the nature of the correspondence, Police Scotland may also be notified.

## 5.4 Social Media

Correspondence received via the Housing Association's social media platforms such as *Facebook Twitter and YouTube* which is threatening or abusive to staff, or which contains inflammatory statements or unsubstantiated allegations will be removed and/or reported. This also includes posts customers put on their own social media accounts that are publicly available, posts on Staff members private Facebook or other private social media accounts and customers contacting staff on their own personal phone numbers. The customer will be contacted to advise them their behaviour is unacceptable. We will ask the customer to stop the behaviour and state that we will not respond to their correspondence in future if they do not. Depending on the nature of the correspondence, Police Scotland may also be notified. Ref : QCHA Social Media Policy

## **6.0 RESTRICTING CONTACT**

- 6.1 Only in situations where previous warnings have been issued to a customer exhibiting unacceptable behaviour and who has not modified their approach, we may decide to limit or restrict their contact with the Association. A regular report will be submitted to ET for monitoring.
- 6.2 We may restrict contact from the customer in a number of ways: in person, by telephone, text, letter, email, through social media channels, or by any combination of these.
- 6.3 It is important that we are consistent in our approach to managing contact. Therefore, a decision to restrict contact can only be made by a member of the Leadership Team. Customers will be contacted and advised in writing the reasons why we consider the need to manage their contact. The letter will also advise how long the restriction will be in place for (normally 6 months) and when the decision will be reviewed. All managed contacts will be regularly reviewed but the decision not to lift the restriction may be retained as this is considered to be in the best interests of staff or the customer.
- 6.4 A decision to restrict contact will not be taken lightly, and the Association will balance the rights of the individual against our obligation to protect our staff, provide a comprehensive service to all of our customers and avoidance of disruption to the business of the Association.
- 6.5 If we are considering restricting contact with a customer who is in receipt a registered housing support from the Wellbeing Teams, this will be reported to the Care Inspectorate, the HSCP and other relevant services at an early stage and we will work with them to find alternative support services.
- 6.6 In instances where a decision has been taken to restrict a customer's contact, there will be sufficient provisions in place to allow the customer to report out of office hours emergency repairs or other emergency tenancy issues.
- 6.7 Where a customer repeatedly telephones, visits the office, sends irrelevant documents or raises the same issues, we may decide to:
- Restricting contact by channel (e.g., phone or email) or to a named person
  - communicating through a third party such as an advocate rather than direct
  - Limit contact to telephone calls from the customer at set times on set days.
  - Restrict contact to a nominated member of staff who will deal solely with future calls or correspondence from the complainant.
  - Meet the customer by appointment only.
  - Restrict contact from the customer to 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 we deem appropriate to manage engagement, however we will always tell the customer what action we are taking and why.
- 6.8 Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, then the customer may be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- 6.9 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute a decision which Queens Cross have previously made relating to the complaint. The customer will be



told that the Association's consideration of their complaint is now at an end, and that if they remain dissatisfied, they should be signposted again to the SPSO.

- 6.10 Continued attempts by the customer to revisit an issue which has exhausted the Association's complaints procedure will not be responded to. Correspondence of this type will be read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the complaint.
- 6.11 Any customer who is subject to restricted contact under this policy will be unable to put their name forward for election to the QCHA Board, QC Factoring Board, QC Workspace Board, QC Foundation, Community Involvement Group or the Residents Task Force.

## **7.0 APPEALING A DECISION**

- 7.1 A customer can appeal a decision to restrict contact. The customer will be advised in writing about this right and the appeals process. A member of the Leadership team who was not involved in the original decision will consider the appeal. They will advise the customer in writing of their decision, which can be either that the restricted contact arrangements still apply or that a different course of action is to be taken.
- 7.2 A customer may appeal a decision within 10 working days of being notified by the Association of the decision to restrict contact. Notification of an appeal should be made in accordance with the restrictions on contact currently in place.
- 7.3 An application to appeal will be acknowledged within 3 working days of receipt, and the appeal considered and a decision communicated to the customer within 10 working days.
- 7.4 If a Housing Association tenant remains dissatisfied after the appeals process, a complaint can be made to the Scottish Public Services Ombudsman (SPSO). The SPSO is the final stage for complaints about public services in Scotland, this includes complaints about housing associations.
- 7.5 Anyone who receives a housing support service directly from QCHA can complain to the Care Inspectorate at any time. They may also contact the Care Inspectorate if they remain dissatisfied following the outcome of an appeals process into the decision to restrict their contact with the Association.
- 7.6 If a Factored Owner remains dissatisfied after the appeals process, then this should be escalated to the First Tier Tribunal for Scotland.

## **8.0 EQUALITY & DIVERSITY**

- 8.1 This policy has been developed with consideration of the Equalities Act 2010 and seeks not to consciously or unconsciously discriminate or to have an adverse effect on any of the nine protected characteristic groups outlined in the Act.
- 8.2 In dealing with unreasonable behaviour we will take into account physical or mental impairments or any other personal characteristic which may be affecting behaviour and will make reasonable adjustments to ensure that an individual is treated fairly and has access to our services.
- 8.3 We also recognise that behaviours can be influenced by anger and anxieties caused by underlying issues. We will use the information we have about our customers to identify and consider individual needs and circumstances of customers in deciding how best to manage an unacceptable behaviour.

- 8.4 An Equality Impact Assessment has been carried out on this policy to ensure that we have considered fairness and equality in the development and review of this policy. A copy of the Equality Impact Assessment is available on request from the Association.

## **9.0 LEGISLATIVE & REGULATORY FRAMEWORK**

- 9.1 The Public Services Reform (Scotland) Act 2010 places a statutory duty on Registered Social Landlords to comply with the Scottish Public Services Ombudsman's (SPSO) Model Complaint Handling Procedure published for the social housing sector. This requires social landlords to have procedures in place for managing unacceptable behaviour.
- 9.2 The Housing (Scotland) Act 2010 established the Scottish Social Housing Charter. The Charter contains three outcomes relating to the Customer/Landlord relationship. These outcomes have been considered in the development and review of this Policy.
- 9.3 The First Tier Tribunal for Scotland Housing & Property Chamber (Procedure) Regulations 2017 was formed to deal with results of rent or repair issues in private sector housing. The Chamber can also help resolve issues that arise between homeowners and property factors.

## **10. CONFIDENTIALITY, DATA PROTECTION & RIGHTS OF ACCESS**

- 10.1 All information given by tenants and service users in relation to this policy will be treated as strictly confidential and will not be discussed with third parties without their permission.

Queens Cross Housing Association will comply with the Data Protection Act 2018 and the General Data Protection Regulation in relation to all personal information held.

The GDPR includes the following rights for individuals:

- What personal data we hold about them;
- The purposes of the processing
- The categories of personal data concerned
- The recipients to whom the personal data has/will be disclosed
- How long we intend to store your personal data for
- If we did not collect the data directly from them, information about the source
- The right to have incomplete or inaccurate data about them corrected or completed and the process for requesting this
- The right to request erasure of personal data (where applicable) or to restrict processing in accordance with data protection laws, as well as to object to any direct marketing from us and to be informed about any automated decision-making that we use
- The right to lodge a complaint or seek judicial remedy and who to contact in such instances

If you would like access to personal information which the association holds about you, subject access requests can be requested in writing to the Association and we will respond within one month of this request. You can make the request at one of our offices or by email at [SAR@qcha.org.uk](mailto:SAR@qcha.org.uk).

## 11. MONITORING & POLICY REVIEW

- 11.1 The number of customers having managed contract restrictions put in place under the terms of this policy will be reported to the Health and Safety Committee on a quarterly basis and monitored by the Business Strategy Team.
- 11.2 This policy will be reviewed every three years or sooner if there are any legislative or regulatory changes, or any guidance published by the Scottish Government, the Scottish Housing Regulator or the SPSO

## 12. LINKS WITH OTHER STRATEGIES & POLICIES

This policy has links with the following strategies and policies.

- Customer First Strategy
- Equalities, Diversity & Inclusion Strategy
- Health & Safety Policy
- No Lone Visit Procedure

## Contact Us



Telephone: **0808 143 2002**

Email: [contactus@qcha.org.uk](mailto:contactus@qcha.org.uk)

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