



UNACCEPTABLE ACTIONS POLICY

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1. Introduction

We believe our customers have the right to be heard, understood and respected. Occasionally, the behaviour and actions of some individuals using our services makes it very difficult for us to work effectively with them. In a small number of cases the actions become unacceptable because our staff, committee or processes are abused. When this happens, we will act to protect other customers and our staff / committee. In doing so, we consider the impact of the behaviour on our ability to do our work and provide a service to others. This policy explains how we will approach these situations and aims to support our staff to manage this kind of behaviour.

We have a zero tolerance policy toward physical and verbal abuse of our staff and committee, including abusive correspondence / emails, abusive graffiti or stalking. We have put in place a range of measures and support to protect staff / committee and to ensure that appropriate action is taken to prevent and respond to any unacceptable action against our staff / committee that may have a negative effect on their physical health or mental wellbeing.

2. Policy Aims

To make it clear to all customers, both at initial contact and subsequently what Calvay can and cannot do in relation to their complaint or service request. In doing so, we aim to be open and not raise hopes or expectations that we cannot meet.

To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions we consider unacceptable. We believe that all customers have the right to be heard, understood and respected. We also consider that Calvay staff and committee have the the right to be treated in a respectful manner.

To provide a service that is accessible to all customers. However, we retain the right, where we consider customer actions to be unacceptable, to restrict or change access to our service.

To ensure that other customers and Calvay staff / committee do not suffer any disadvantage from customers who act in an unacceptable manner.

3. Defining Unacceptable Actions

Our staff will treat customers with courtesy and respect and in return we expect the same courtesy and respect from our customers.

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to our office. We do not view behaviour as unacceptable just because a customer is forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands on, or unacceptable behaviour towards Calvay staff / committee. It is these actions unacceptable actions that we aim to manage under this Policy.

The following actions are considered unacceptable:-

Aggressive or Abusive Behaviour

We expect our staff and committee to be treated courteously and with respect. Violence or abuse towards staff or committee is unacceptable. Calvay staff understand the difference between aggression and anger. The anger felt by some customers involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression or abuse directed towards Calvay staff.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff or committee to feel afraid, threatened or abused.

Examples of behaviours grouped under this heading include:-

- Physical violence against a person
- Physical violence against objects such as kicking, defacing or destroying property
- Threats
- Personal verbal abuse
- Derogatory or insulting remarks
- Persistent shouting
- Persistent swearing
- Unwelcome or rude gestures
- Statements intended to or likely to cause offence
- Unsubstantiated allegations
- Discriminatory comments/abuse

We recognise that the list above is not exhaustive and that there will be other forms of behaviour that make a staff or committee member feel threatened or abused, We recognise that a customer may wish to record an interaction (audio and or video) in connection with and in support of a concern or issue they have with Calvay Housing Association and may be able to legitimately do so, however we consider this behaviour to be unacceptable if the recordings are used in the public domain for the purposes of (for example) harassment, victimisation, or stalking.

Where a staff or committee member is concerned with the nature of any recording including the purpose to which they believe it may be put, feels threatened, uncomfortable or does not want to participate in recorded communications, they are entitled to end the engagement and consider other forms of communication e.g. written or escalation to their Line Manager.

Unreasonable Demands

Customers may make what we consider unreasonable demands on our office 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 always depend on the 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 meeting with or speaking only to a particular member of staff or refusing to speak to a particular member of staff
- Making persistent phone calls or persistently contacting us by other means
- Repeatedly changing the substance of a complaint or raising unrelated issues

We may consider demands as unacceptable and unreasonable if they start to impact substantially on the work of the office, for example by taking up an excessive amount of staff time to the disadvantage of other customers or functions.

Unreasonable Persistence

We recognise that some customers will not or cannot accept that Calvay Housing Association 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 a decision or a complaint or they may contact the office 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
- Refusal to accept explanations relating to what can and what cannot be done
- Continuing to pursue a complaint without presenting any new information.
- Unwillingness to accept the terms of a tenancy agreement where these terms are clear and unambiguous
- Refusing to accept a decision; and repeatedly arguing points with no new evidence
- Persistently seeking an outcome which we have already explained is unrealistic for policy, legal or other valid reasons

We consider the actions of persistent customers to be unacceptable when they take up what Calvay regards as being a disproportionate amount of time and resources.

Vexatious Behaviour:

We consider vexatious behaviour to be when customers complain to cause unnecessary aggravation, frustration or inconvenience rather than to resolve a genuine issue.

Examples of this type of behaviour include:

- Where the requester states the request is designed to cause significant inconvenience, disruption or annoyance
- Requests for information the customer has already seen or demonstrates a clear intention to reopen issues that have already been considered
- Refusing to specify the details of a complaint, despite offers of assistance
- Changing the basis of a complaint/request as the matter proceeds
- Denying or changing statements made at an earlier stage
- Making unjustified complaints about staff who are trying to deal with an issue and/or requesting to have them replaced

- Recording meetings, conversations or staff inspections covertly or overtly without explicit consent
- Make knowingly false statements about discussions with staff or contractors

Sexual Harassment

Sexual harassment includes a wide range of behaviours including but not limited to:

- Making sexual remarks about a staff member's body, clothing or appearance
- Suggestive looks, staring, or leering.
- Propositions and sexual advances
- Sexual gestures
- Emailing, texting or messaging sexual content.
- Unwelcome touching, hugging, massaging or kissing
- Sexual comments or offensive jokes
- Making sexual comments or jokes about someone's sexual orientation or gender reassignment
- Displaying or sharing sexually graphic images, or other sexual content including that generated by AI

The above list is not exhaustive and should be considered as a guide to the types of behaviour we would view as unacceptable.

Social Media

We are aware that a number of our customers choose to engage with us via different social media platforms. To some it may appear that contact through social media is in some way different but we expect customers engaging with us in this way not to display any of the behaviours listed above. We would apply this to any communications made with us via social media and also reserve the right to apply this policy where we are made aware of conduct on social media.

The Association will have the right to remove abusive content (posted on our facebook page, for example) and in some instances individuals may be reported to Police Scotland.

Positive Behaviours

Our staff will always try to assist you when you contact us whether by phone, email, through social media, or in person. Displaying the behaviours described in the table below will assist our staff in resolving any enquiry you have.

Patience	To allow staff to assist you they may need to speak to colleagues or a contractor. It will assist staff to help you if you give them time to resolve your enquiry.
Understanding	To allow staff to assist you they may need to ask questions about the nature of your enquiry – please try to answer any questions they may ask you as it will help them resolve your enquiry.
Calm	If you raise your enquiry in a calm manner this will assist staff to resolve your enquiry to your satisfaction
Polite	Our staff should always be demonstrating our values in engagement with tenants. It will help them resolve your enquiry if you raise your enquiry in a polite manner
Respectful	You should always listen to what our staff are telling you and respect what they are telling you.
Tolerant	Our staff come from a wide range of cultures and backgrounds – you should not discriminate unlawfully against any of our staff

4. Managing Unacceptable Actions

We anticipate that there will be relatively few customers that will demonstrate unacceptable behaviour towards our staff / committee or contractors. We also appreciate that at times we can get things wrong, and when we do so, we will take this into account when considering the behaviour displayed by customers and whether we need to take further action.

However we have a duty to protect our staff / committee and contractors, and when customer's behaviour is not acceptable, including when behaviours outlined in section 3 (above) take place we will take action. The kind of action we will take will depend on the nature of behaviour displayed, and the impact this has had on a staff member or contractor concerned.

We will consider taking the following actions:

If a customer displays behaviour that we consider is unacceptable we will in the first instance communicate to the customer that this behaviour is not acceptable by letter and set out that we expect the behaviour to improve. We will log this information on our Housing Management System and set out a period for which the warning will remain in place. This would normally be

for a period of 6 months. If after the end of this period no further unacceptable behaviour is displayed we will remove the warning from our system.

Should similar behaviour be displayed within this time frame, and subject to approval from the relevant manager of the staff member experiencing the unacceptable behaviour, we will again write to the customer and advise them of the following:

- That they have displayed unacceptable behaviour to staff / committee or contractors on more than one occasion
- What the unacceptable behaviour displayed was, and the dates it occurred
- The date that the first warning letter was issued
- Restrictions (if any) on the customers' ability to contact the Association
- The method the customer should use to contact us whilst the restrictions are in place
- The timescale for the restrictions to be in place
- Their right to appeal the decision

The type of restriction imposed to contact will depend on the behaviour displayed but could include:

- Only accepting contact through a particular channel such as email or writing or a via a third party
- Require the customer to make an appointment to see a specific member of staff who will deal with their enquiry
- Restrict contact with the association either by blocking access to email us and / or blocking access to our social media platforms
- Only allowing staff or contractors to visit a customer in pairs

The above list is not exhaustive and we will take whatever actions we consider appropriate to protect our staff.

Where a tenant or other household member who is subject to unacceptable behaviour restrictions continues to make contact with the Association, we will treat this as Anti Social Behaviour and will manage this accordingly. This may ultimately result in us taking action to end a tenancy.

When the timescale for restrictions is coming to an end, a review will be undertaken by the manager who signed off on the restrictions. This review will decide on the following:

- Whether to continue with the restrictions, and for how long
- Whether to end the restrictions

For each decision a letter will be sent to the tenant explaining the decision and what it means for the tenant.

5. Deciding to Restrict Customer Contact

Calvay staff / committee who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with Calvay Housing Association may only be taken after careful consideration of the situation by a senior member of staff. Wherever possible, we will give a complainant the opportunity to modify their behaviour or action before a decision is taken.

Customers will 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.

6. Appealing a Decision to Restrict Contact

A customer can appeal a decision to restrict contact. A senior member of staff who was not involved in the original decision will consider the appeal. They will advise the customer in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

7. Recording and Reviewing a Decision to Restrict Contact

We record all incidents of unacceptable actions by customers. Where it is decided to restrict customer contact, an entry noting this will be made in appropriate computer records.

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

8. Supporting Our Staff / Committee

Where we have taken action or consider action necessary against unacceptable behaviour, the relevant manager (or in the case of a committee member, the Director) will tell the staff / committee member(s) involved of the actions they have taken against the perpetrator to reduce the likelihood of this happening again and to provide the necessary support mechanisms and assurance to staff. Staff / committee shall be informed of any ongoing dialogue or actions being progressed as they continue to ensure that staff / committee member(s) are fully informed of the action be taken..

Line managers shall communicate with staff member(s) regularly and ensure that any employee support is maintained particularly where, Employee Advisory Resource has been advised to provide additional support and counselling.

In the event that Police Scotland involvement, staff / committee members should be offered advice and guidance on proceedings should unacceptable behaviour result in criminal proceedings.

9. Policy Availability and Review

Copies of this Policy are available on request and free of charge from Calvay office. Copies of all major policies are also available to download from the Association's website www.calvay.org.uk. This policy will be reviewed every 5 years to make sure that the aims of the Policy are being achieved, or sooner if required.