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Policy:	Managing Contact Policy
Legal Requirements:	The Health and Safety at Work etc. Act 1974 The Management of Health and Safety at Work Regulations 1999 The Housing (Scotland) Act 2010 Public Services Reform (Scotland) Act 2010
Regulatory Standards:	The Scottish Housing Regulator has set out Regulatory Standards for all Registered Social Landlords (RSLs) to ensure that RSLs deliver good outcomes and services for its tenants and service users through good governance and financial management. This policy evidences that the following Regulatory Standards are being met: Standard 1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users. Standard 2. The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Standard 5. The RSL conducts its affairs with honesty and integrity.
Notifiable Events Guidance:	In compiling this policy, consideration has been given to the Notifiable Events Guidance issued by the Scottish Housing Regulator and the impact of that guidance on the policy.
Equality and Diversity:	The Association is committed to Equal Opportunities and will endeavour to ensure that all services are carried out in an undiscriminating manner in line with the Association's Equality and Diversity Policy. In particular, the Association will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.
Human Rights:	In compiling this policy, consideration has been given to "The Right to Adequate Housing" (Fact Sheet No. 21/Rev.1) published by the Office of the United Nations High Commissioner for Human Rights and the impact of that guidance on the policy. In particular, the Association is satisfied that this policy promotes the key aspects of the right to adequate housing – that it contains freedoms; entitlements; provides more than four walls and a roof; and protects against forced evictions.
Complaints:	Although the Association is committed to providing high levels of service, we accept that there may be occasions where customers may not be satisfied with the service they have received. The Association values all complaints and uses this information to improve the services that it provides. The Association's Complaints Policy describes our complaints handling procedure and how to make a complaint.
General Data Protection Regulation (GDPR):	The Association will treat all customers' personal data in line with its obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in the Association's Fair Processing Notice.



Policy Author:	Kevin Freeman
Policy Review:	In order to ensure that any change in circumstances is accommodated this policy will be subject to review every three years in the month of August.
Policy Approval:	This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Thursday the 25th of August 2022.



POLICY STATEMENT

Introduction

5 Yoker Housing Association Limited (the Association) is committed to offering a high-quality service to customers while ensuring that we treat everyone with dignity and respect. The Association believes that all customers have the right to be heard, understood and respected

10 The Association understands that people who approach us for help may have experienced trauma or have specific needs and requirements. The Association will ensure that staff treat customers with kindness and compassion. Our staff will have appropriate training to identify where additional support may be needed. Should they arise, the Association will always aim to defuse and de-escalate difficult situations.

For the purpose of this policy, engagement includes all forms of contact with the Association. This includes verbal (telephone or in person), written (letters, emails or online forms) as well as contact at events hosted by the Association.

15 This policy relates to all customers of the Association, including tenants, housing applicants, employees, contractors, elected members or other stakeholders.

Policy Aims

20 The Association aims to ensure positive engagement and communication between ourselves and our customers in order to provide the best possible level of service. In some circumstances, the Association may need to take action to protect staff from types of engagement which adversely impact on our ability to provide a service or have a detrimental impact on the wellbeing of our staff. This policy sets out how we identify and respond to those types of engagement.

25 The aim of this policy is to:

- Provide guidance to staff to ensure that they can respond appropriately to customers whose behaviour, when interacting with the Association, may be unacceptable;
- Provide a framework for dealing with behaviours which may have an adverse impact upon staff and time resources;
- To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions are considered unacceptable by the Association;
- To ensure that staff recognise the difference between challenging behaviour, which can be expected to an extent in their roles, and behaviour that goes beyond what staff are reasonably expected to deal with; and
- To ensure that our zero-tolerance approach to violence or threats towards staff is communicated to all customers, and that staff feel confident in identifying and dealing with unacceptable behaviours appropriately.

Protecting Our Staff and Others

40 The Association aims to ensure that staff and customers are treated with respect and do not suffer any hardship or inconvenience as a result of any individual(s) who act in an unacceptable manner.

The Association's processes allow us to differentiate between challenging behaviours which are as a result of customers experiences resulting in them feeling short term anger or frustration towards our service, and behaviour which is unreasonable and inappropriate.

45 The Association aims to ensure that its processes protect and preserve a customer's right to access services, whilst also ensuring that their actions do not have a detrimental impact on staff resources and the customer service provided to other customers.

The Association aims to support staff in delivering clear and consistent messages with regards to unacceptable behaviour.



Protecting Our Staff and Others (continued)

The following statement illustrates the Association's stance on staff safety:

5 *The safety and well-being of our staff is our priority. Our staff have the right to work without the threat of, or actual, abuse, whether physical, verbal or written.*

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

10 *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. If this behaviour takes place within the Association's office, then you will be asked to leave the premises immediately.*

Our staff will give you respect and will do their best to help you. We therefore expect our customers to show the same respect to our staff.

15 The Association recognises that dealing with the public can, at times, cause anxiety and stress for staff, particularly where there is a risk of aggression, verbal abuse and / or violence. Staff should therefore report such incidents to their line manager.

Legislative and Regulatory Framework

20 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.

25 The Housing (Scotland) Act 2010 established the Scottish Social Housing Charter (SSHC) which contains three outcomes relating to the Customer / Landlord relationship.

30 In the development of this policy, consideration has been given to relevant aspects of the SPSO's Model Complaint Handling Procedure, specifically: The SPSO's "Complaints Handling Practice Guide – Supporting Respectful Engagement, Handling Difficult Situations" and the SPSO's "Making Complaints Work for Everyone" best practice guide.

Equality and Diversity

35 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.

40 In dealing with unreasonable behaviour the Association will consider physical or mental impairments, or any other personal characteristic which may affect a customer's behaviour. The Association will make reasonable adjustments to ensure that such individuals are treated fairly and have access to our services.

45 The Association also recognises that behaviours can be influenced by anger and anxieties caused by underlying issues. The Association will use the information we have about customers to identify and consider their individual needs and circumstances when considering the most appropriate way to manage unacceptable behaviour.

Defining Unacceptable Behaviour

50 The Association recognises that people may be experiencing personal issues and as a result may act of character at the time when engaging with the Association. As a result, they may come across as being forceful or determined. The Association does not view this behaviour as unacceptable.

55 Where there are incidences of behaviour which some staff may find challenging, another staff member who is well-trained and confident in dealing with such incidences would be expected to assist in diffusing the situation.

Unacceptable behaviour is when a staff members ability to do their job is compromised, or when the behaviour displayed results in the misuse of staff and time resources. The Association has categorised potential unacceptable behaviour into the following four categories: (1) Aggressive or Abusive Behaviour, (2) Unreasonable Demands, (3) Unreasonable Persistence and (4) Unreasonable Use of the Complaints Handling Procedure.



Defining Unacceptable Behaviour (continued)

Aggressive or Abusive Behaviour

5 The Association expect staff to be treated courteously and respectfully. The Association accepts that customers may sometimes be angry or upset, however, it is not acceptable when anger or frustration about an issue escalates into aggression or violence that is directed towards staff. Violence or abuse towards staff will not be tolerated and is completely unacceptable.

10 Violence considers all acts of aggression that may cause staff to feel afraid, threatened, or abused. It not only includes acts of aggression that may result in physical harm, but it also considers verbal and non-verbal behaviour or language.

15 Examples of aggressive or abusive behaviour that the Association will not tolerate include, but are not exclusive to physical violence, personal verbal abuse, derogatory, slanderous or libellous remarks (either verbal or written), inflammatory statements, threats to discredit individuals and unsubstantiated allegations.

Unreasonable Demands

20 Customers may make unreasonable demands on our staff. This can be because of the amount of information they seek, the nature and scale of the 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.

25 Examples of demands that the Association considers as unreasonable include but are not exclusive to demanding responses within an unreasonable timescale, insisting on seeing or speaking to only to a particular member of staff, continuous telephone calls, letters or emails regarding the same issues and repeatedly changing the nature of complaints.

Continuous demands become unacceptable and unreasonable when they negatively impact on staff and time resources, as this can create a disadvantage to other customers or the day-to-day running of the Association.

Unreasonable Persistence

30 The Association recognises that some customers will find it difficult to accept that staff are unable to assist them further or provide a level of service other than that already provided. Customers may persist in disagreeing with the action or decision taken in relation to their concerns or may try to contact our offices persistently about the same issue.

35 Examples that the Association deems as unreasonable persistence include but are not exclusive to where the complainant refuses to accept the outcome and / or the Association's explanations on a closed complaint or they continue to pursue the same issues without presenting any new information.

40 Additionally, it is considered unacceptable when staff and time resources are compromised as a result of a customer's persistence to the extent that this has a detrimental impact on the service provided to other customers.

Unreasonable Use of the Complaints Handling Procedure

45 The Association welcomes all expressions of dissatisfaction from customers about any aspect of our services and treat them all in accordance with the complaints handling procedure. However, the Association recognises that in exceptional circumstances the way a customer uses the complaints handling procedure may be to harass staff members, or obstruct decisions previously made by the Association.

50 Examples that the Association considers to be an unreasonable use of the complaints handling procedure include but are not exclusive to continual attempts to make frivolous or vexatious complaints relating to a complaint which has already been considered or continual attempts to re-open a complaint which has been concluded by attempting to reframe it.

55 The Association recognises an individual's right to access the complaints handling procedure. Only in very exceptional cases will the Association take action to restrict a customer's access to complain (e.g., where it is impacting significantly on the resources of the Association).



Managing Unacceptable Behaviour

The Association accepts that on occasions there may be a small number of customers who may act in an aggravated manner towards staff. Despite the reasoning for such actions, the Association will consider their behaviour unacceptable should it adversely affect our ability to carry out our work and provide a service to other customers. Should this be the case, the Association may need to restrict a customer's contact with us in order to prevent similar events from occurring. The Association aims to do this in a way that, wherever possible, allows a customer to have their concerns addressed and are still able to, if necessary, complain appropriately through our complaints handling procedure.

Reporting Incidents

The Association takes 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 the Association restricting direct contact with the individual responsible. This includes but is not exclusive to abuse or harassment on the basis of age, physical or mental disability, gender identity or sexual orientation, race, ethnicity or national identity or religious belief.

Every incident must be reported to the Association's Director 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 Police Scotland. The staff member's line manager will provide support and assistance with these reports if required.

The Association may also consider threats of violence and abusive behaviour against staff to be a breach of tenancy (Section 3: Respect for Others). Where this is the case, the Association would pursue this in accordance with its Anti-social behaviour and Neighbour Nuisance Policy.

Telephone Calls

The Association's staff are well-trained and know how to deliver an excellent customer service. However, staff have the right 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, telling the caller that their behaviour is unacceptable and that the call will be terminated should their behaviour continue.

Staff members should immediately inform their line manager when they have had to end a call due to a customer's unacceptable behaviour. The incident will be recorded in the relevant house file or on the customer's housing application form.

Written Correspondence

Written correspondence (letter / email) that is received and is abusive to staff, or contains allegations that lack substantive evidence, will be referred to the relevant line manager for a response. The customer will be contacted to advise them their behaviour is unacceptable. The customer will be asked to refrain from using this behaviour and it will be made clear to the customer that we will not respond to their correspondence in future if they do not. In such cases future contact may be required through a third party. Subject to the nature of the correspondence, Police Scotland may also be notified.

Restricting Contact

In situations where previous warnings have been issued to a customer exhibiting unacceptable behaviour and where their behaviour has not improved, the Association may decide to limit or restrict that individuals contact with the Association (for example: in person, by telephone, letter, email or by any combination of these).

A decision to restrict contact will not be taken lightly. The Association will consider the rights of the individual against our obligation to protect our staff and provide a comprehensive service to all customers.

In instances where a decision has been taken to restrict a customer's contact, there will be sufficient provisions in place to ensure the customer can still report emergency repairs or other emergency tenancy issues.



Restricting Contact (continued)

Where a customer repeatedly telephones, visits the office, sends irrelevant documents or raises the same issues, the Association may decide to:

- Restrict the channels the customer can use (e.g. phone or email);
- Communicate through a third party such as an advocate;
- 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 customer;
- Meet the customer by appointment only;
- Restrict the customer to only written communication; or
- Return the documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.

When restricting contact, the Association will notify the customer of the action being taking and the reasoning behind this decision.

Where a customer continues to contact the Association on a wide range of issues, and this contact is considered excessive, they may be told that only a certain number of issues will be considered within a given period and will be asked to limit or focus their requests accordingly.

Appealing a Decision

A customer can appeal a decision to restrict contact. Should the customer want to appeal, they will be advised in writing about this right and the appeals process. A member of staff who was not involved in the original decision will consider the appeal and will advise the customer in writing of their decision. The decision can be either that the restricted contact arrangements still apply or that a different course of action is to be taken.

A customer can appeal a decision within fourteen 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 which are currently in place.

An appeal will be acknowledged within three working days of receipt. The appeal will be considered, and a decision will be communicated to the customer within fourteen working days.

If a customer remains dissatisfied after the appeals process, a complaint can be made to the SPSO. The SPSO is the final stage for complaints about public services in Scotland.

Confidentiality, Data Protection and Rights of Access

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. The Association will comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR) in relation to all personal information held.

The GDPR includes the following rights for individuals:

- What personal data the Association holds about them;
- The purposes for processing their personal data;
- The categories of personal data concerned;
- How long the Association intends to store your personal data for;
- If the Association did not collect the data directly from them, information about the source;
- The right to have incomplete or inaccurate data about them corrected;
- 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 the Association and to be informed about any automated decision-making that we use.