



UNACCEPTABLE CUSTOMER BEHAVIOUR POLICY

Approved On	June 2023(Amended Nov 2024)
Next Review Date	June 2026

1 Introduction

West of Scotland Housing Association recently reviewed our Customer Care Standards following an extensive consultation exercise with tenants, customers and staff. These standards outline the level of service customers should expect when they contact us regarding a wide range of enquiries. Along side this we also reviewed the values that we expect our staff, Board members and contractors/agents to display when interacting with all customers.

As much as our tenants and other customers can expect to be treated in line with our values when they engage with us, our staff also have a right to be treated in an Acceptable manner when undertaking their role.

This Policy defines behaviour which we deem to be unacceptable and details what will happen should staff or any of our contractors encounter such behaviour. It aims to ensure that our staff, contractors and those working on our behalf are able to carry out their duties safely without disadvantage, fear of discrimination or distress caused by unacceptable behaviour from our customers.

Equalities Statement

An Equalities & Human Rights Impact Assessment has been carried out as part of the review of this policy. Actions from this assessment will be incorporated into the implementation of this policy to reduce the negative impact of this policy in respect of affected protected characteristics in line with the Equalities Act 2010.

2 Links to other policies

The following policies are relevant to the Unacceptable Behaviour Policy:

- Complaints Handling Procedure
- Customer Care Charter

The Unacceptable Behaviour Policy also ensure that we are adhering to the following outcome from the Scottish Social Housing Charter:

Outcome 1: Social landlords perform all aspects of their housing services so that:

- they support the right to adequate housing
- every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services

Outcome 2: Social landlords manage their businesses so that:

- tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

3 WSHA Values and Customer Service Standards

As outlined above we recently reviewed our Values and our Customer Care standards.

Our customer care approach is based our values which are:

- Respect - We treat everyone with empathy and kindness
- Inclusive - We aim to meet individual needs and recognise diversity
- Integrity - We act with integrity and honesty at all times
- Improvement - We aim to continuously improve what we do to benefit our customers, staff and stakeholders
- Support - We will be supportive in our approach with customers, staff and stakeholders

We set out what customers can expect from us in terms of staff demonstrating each of our values:

Value	We will
Respect	<ul style="list-style-type: none"> • Always communicate with you in polite and friendly manner • Listen to you and respect your views • Always behave respectfully and professionally
Inclusive	<ul style="list-style-type: none"> • Be welcoming and friendly to everyone • Ensure that everyone we work with feels respected • Take time to listen and get to know you and your needs • Be aware of and have understanding of various cultures and beliefs
Integrity	<ul style="list-style-type: none"> • Speak honestly and be open • Help wherever possible • Do the right thing even if it is not the easiest thing to do • Take responsibility and proactively resolve any issues • Do what we say we are going to do and communicate updates • Ensure any information you share with us will be treated in a confidential manner
Improvement	<ul style="list-style-type: none"> • Always seek to do our best • Strive to improve what we do for our customers • Take positive action to improve poor customer service • Look for ways to make a positive difference through the work that we do
Support	<ul style="list-style-type: none"> • Always have a “how can I help” approach • Show empathy and understanding • Listen to your concerns and help to resolve issues wherever possible

As set out in our Customer Care Charter the above are the values staff should demonstrate. You can also read in our Charter about the level of service you should expect to receive in interactions with the Association. You can read more here (link to Charter on web)

4 Unacceptable Customer Behaviour

As the policy sets out, we will not deem behaviour to be unacceptable just because a customer is determined or forceful when making reasonable requests or complaints. We also appreciate that there may be circumstances where a customer is angry or upset and this will be taken into account when considering whether or not their actions are unacceptable.

For the purposes of this Policy, we have outlined five main categories of unacceptable behaviour. These are:

- a) Aggressive or abusive behaviour
- b) Unreasonable demands
- c) Unreasonable persistence
- d) Vexatious behaviour
- e) **Sexual Harassment**

Our Definitions of Unacceptable Behaviour

Aggressive or abusive behaviour

This type of behaviour includes physical, verbal or written behaviour which may cause staff to suffer harm, or to feel afraid, intimidated, threatened or abused.

Examples of this type of behaviour 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

Unreasonable Demands

Customers may make what can be considered as unreasonable demands on our staff through the amount of information they seek, the scale of the service they

expect or the number of approaches or complaints that they make regarding the same issue. We consider demands to be unreasonable when they impact substantially on the work of staff, for example by taking up an excessive amount of time which is disproportionate to the issue. It is important to note that this is likely to disadvantage other customers as it can impact on the service that can be provided to them.

Examples of this type of behaviour include:

- Demanding responses within an unreasonable timescale
- Insisting on meeting with or speaking only 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

Unreasonable Persistence

We recognise that some customers will not or cannot accept that we are 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 concern or contact our office persistently about the same issue.

We consider the actions of persistent customers to be unacceptable when they take up a disproportionate amount of time and resources. Customers who feel frustrated when they believe that they are not receiving appropriate satisfaction from us can pursue a complaint, ultimately to the Scottish Public Services Ombudsman (SPSO). As part of our complaints process when we have issued a Stage 2 decision letter, it will always contain contact details for the SPSO.

Examples of this type of behaviour 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

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. Their complaint may be based on fictitious events or extreme exaggerations of very minor service issues.

Examples of this type of behaviour include:

- Where the requester states the request is actually meant 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
- Customers who have developed an opportunity to complain by their own actions, or lack of actions, creating or making a situation worse, and then complaining about it
- 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

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 which does not directly involve the Association.

Positive Behaviours

Our staff will always try to assist you when you contact us whether by phone, email, through social media, or in person. If you display the below behaviours then this 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 always have an understanding of different cultures

5 How will we manage unacceptable behaviour

We anticipate that there will be relatively few customers that will demonstrate unacceptable behaviour towards our staff 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 do have a duty to protect our staff and contractors, and when customers behaviour is not acceptable, or behaviours outlined in section 4 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 Director 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 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
- The restrictions 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 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 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 actions we consider appropriate to protect our staff.

Where a tenant or other customer 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 should the customer be an existing tenant.

When the timescale for restrictions is coming to an end, a review will be undertaken by the Director 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.

6 Right to Appeal

As outlined above a customer has the right to appeal against a decision to restrict contact. The customer will be advised in writing about this right and the contact details of the Chief Executive to whom their appeal should be addressed within 21 days of being informed of our decision to restrict contact. The Chief Executive will advise the customer in writing that either the restricted contact arrangements will remain in force or a different course of action has been agreed.

Commented [SB1]: We would need to think about how this would work in practice. It is unlikely that we would evict unless the behaviour was particularly serious and posed a risk to staff. I would imagine that cases would be minimal. We wouldn't want to open the flood gates for anyone who is simply causing annoyance. I think we need to make this clear in the procedure

Commented [SB2R1]: I would suggest a lawyers letter might be one of the first steps if taking this process forward

At this stage we will advise the customer of their right to contact the Scottish Public Services Ombudsman (SPSO) or other relevant independent organisation if they believe our decision to restrict contact is unjust.