

UNACCEPTABLE ACTIONS POLICY

This policy explains the approach that Highlands and Islands Enterprise staff can take to deal with the small number of customers whose behaviour is considered unacceptable.

1. Introduction

Highlands and Islands Enterprise (HIE) is committed to ensuring that our services meet the needs of our customers and are delivered to a high standard. We aim to be open and accessible and believe that all customers have the right to be heard, understood and respected. We also believe that HIE staff have the same rights.

Occasionally, the behaviour or actions of individuals using HIE's services makes it difficult to continue working with them. In a small number of cases, the actions become unacceptable because they involve abuse of our staff or resources. When this happens, action has to be taken to protect HIE staff.

2. Defining unacceptable actions

Behaviour is not viewed as unacceptable just because a customer is forceful or determined. However, actions that result in unreasonable demands on our office or unreasonable behaviour towards HIE staff are considered to be unacceptable. This policy aims to manage these actions, which fall under three broad headings:

▪ Aggressive or abusive behaviour

Any violence or abuse towards HIE staff will not be accepted. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused, and may include threats, personal verbal abuse, derogatory remarks and rudeness. Inflammatory statements and unsubstantiated allegations are also considered to be abusive behaviour.

▪ Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of HIE. Examples include:

- Repeatedly demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff when that is not possible

An example of such impact would be that the demand takes up an excessive amount of staff time and in so doing disadvantages other customers.

▪ Unreasonable levels of contact

Sometimes the volume and duration of contact made by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or one hour. It may occur over a longer time frame when a customer repeatedly makes long telephone calls to HIE or inundates HIE with copies of information that has already been sent or that is irrelevant.

The level of contact is considered unacceptable when the amount of time spent talking to a customer on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on the ability to deal with that customer, or with other customers.

3. Managing aggressive or abusive behaviour

The threat or use of physical violence, verbal abuse or harassment towards HIE staff is likely to result in a termination of all direct contact with the customer and incidents may be reported to the police. This will always be the case if physical violence is used or threatened. HIE will not accept any correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. The customer will be told that their language is considered offensive, unnecessary and unhelpful, and will be asked to stop using such language. A statement will be made to the customer that HIE will not respond to their correspondence if the action or behaviour continues.

HIE staff have the right to make a decision to end telephone calls if they consider the caller aggressive, abusive or offensive. The caller may be told that their behaviour is unacceptable and the call will be ended if the behaviour persists. In extreme situations, the customer will be told that their name is on a 'no personal contact' list. This means that HIE will limit contact with them to either written communication or through a third party.

4. Dealing with other unreasonable behaviour

When unreasonable behaviour impairs the function of HIE, action has to be taken. Any action taken will be the minimum required to solve the problem, taking into account relevant personal circumstances, including the seriousness of the issues and the needs of the customer.

Actions that may be taken:

- limit contact to telephone calls from the customer at set times on set days
- restrict contact to a nominated member of HIE staff who will deal with future calls or correspondence from the customer
- see the customer by appointment only
- restrict contact from the customer to written communication only
- return any documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed
- take any other action considered appropriate

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

The customer should always be informed of the action HIE is taking and why.

5. Decisions on unreasonable behaviour

Any member of HIE staff who directly experiences aggressive or abusive behaviour from a customer has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

- **Letting customers know**

With the exception of immediate decisions taken at the time of an incident, decisions to restrict contact with HIE are only taken after careful consideration of the situation by a Director in HIE. Wherever possible, the customer will be given the opportunity to change their behaviour before a decision is taken.

When a decision has been made, the customer will be told in writing why the decision to restrict future contact has been made, the arrangements for restricted contact and, if relevant, the length of time those restrictions will be in place. This ensures that both HIE and the customer have a record of the decision.

- **Process for appealing**

A customer can appeal a decision to restrict contact. An appeal could include, for example, a customer saying that their actions were wrongly identified as unacceptable, the restrictions were disproportionate, or that they will adversely impact on the individual because of personal circumstances.

A HIE Director not involved in the original decision will consider the appeal. They will have discretion to quash or vary the decision based on the evidence available to them and the customer will be advised in writing of the course of action.

- **Recording and reviewing a decision**

HIE records all incidents of unacceptable action by customers. It is the responsibility of individual staff to record any unacceptable action and report it to HIE's Business Improvement and Internal Audit team. The Business Improvement and Internal Audit team will offer advice and support, as well as maintaining a central record of all reported unacceptable actions. When a decision is made to restrict contact, an entry noting this is made in the relevant Business Improvement and Internal Audit file and any other appropriate files. A decision to restrict contact may be reconsidered if the customer demonstrates a more acceptable approach. The Head of Business Improvement and Internal Audit reviews the status of all customers with restricted contact arrangements on a regular basis.

6. Policy availability and review

Copies of this policy are available on line and on request from HIE offices. The policy is reviewed on a regular basis to ensure its aims are being achieved.

Contact

For advice or guidance on this policy, please contact:

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