



# **UNACCEPTABLE ACTIONS POLICY**

## DEFINITIONS

### **Customer:**

Customers include any person who engages with any aspect of SHG's services or anyone acting on behalf of such a person.

### **Unacceptable action:**

The actions of individuals who are angry, demanding, or persistent may result in unreasonable demands or unacceptable behaviour. Unacceptable action may take the form of written correspondence including letters, and e-mails; verbal communication either in person or by telephone and inappropriate comment on and use of social media.

### **Aggressive or abusive behaviour:**

Any incident, in which an employee is abused, or assaulted in circumstances arising out of or in connection with his or her work. This will include not only physical attacks, but threats and fear of violence, verbal abuse, racial, religious and sexual harassment, or humiliating behaviour, likely to undermine self-confidence and cause employees to suffer anxiety or stress related disorders. Inflammatory statements unsubstantiated allegations can also be abusive behaviour.

### **Unreasonable demands:**

Someone behaving in a way that is not fair or sensible.

## INTRODUCTION

The St Helena Government's procedure for dealing with the majority of complaints and complainants is set out in the SHG Complaints Procedure and supporting guidance. It is intended that the following procedure will only be implemented in exceptional circumstances.

SHG is committed to providing high standards of customer care whereby we believe that our customers and service users have a right to be heard, understood and respected. A key determinant of how responsive we are is ensuring that we have a positive approach to dealing effectively with complaints and using management information derived from such complaints to monitor performance and improve our services.

Occasionally, certain actions by people using our services, be they internal or external to SHG, can make it very difficult for us to deal with their enquiry or concern.

In a small number of cases the actions of some individuals become unacceptable because they involve abuse of our staff or our processes. When this happens we have to take appropriate steps. We have to consider whether the action impacts on our ability to do our work and to provide a service to others.

People may act out of character in times of trouble or distress. We do not view an action as unacceptable just because a person is forceful or determined. However, there are a range of actions we consider to be unacceptable. These include:

- Aggressive or abusive behaviour;
- Unreasonable demands;
- Unreasonable levels of contact

This policy aims to manage unacceptable actions.

## **POLICY AIMS AND OBJECTIVES**

The objectives of this policy are:

- To deal fairly, honestly, consistently and appropriately with all customers, including those whose actions SHG considers unacceptable. SHG believes that all customers have the right to be heard, understood and respected. SHG also considers that our employees and elected members have the same rights.
- To ensure that SHG employees, elected members and other customers are not disadvantaged by the actions or behaviours of customers who behave in an unacceptable manners.
- To make it clear to all customers and others engaging with SHG at all stages of their dealings with SHG, the types of actions and behaviours SHG considers to be inappropriate and to set out how SHG might manage such actions.
- To provide services that are accessible to all customers and others engaging with SHG. However, where SHG considers a customer's actions to be unacceptable, SHG retains the right to restrict or change access to our employees and/or services.
- To support employees and elected members in dealing with actions or behaviour from customers and others engaging with SHG that is considered to be unacceptable whether directed at them verbally, in writing or by social media.

## **AGGRESSIVE OR ABUSIVE BEHAVIOUR**

We understand that people can become angry when they feel that matters about which they feel strongly are not being dealt with as they wish. If that anger escalates into aggression towards our staff, we consider that unacceptable.

Any aggression or abuse directed towards our staff will not be tolerated.

Aggressive or abusive behaviour includes physical violence, threat of physical violence or any form of intimidating behaviour.

Aggressive or abusive behaviour also includes 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.

The use of inflammatory statements, remarks of a racial or discriminatory nature and unsubstantiated allegations, is considered to be abusive behaviour.

## **UNREASONABLE DEMANDS**

Customers may make what we consider unreasonable demands on SHG through the amount of information they seek or the nature and scale of the service they expect. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer or their representative, including organisations that may contact us on behalf of their clients.

A demand is considered unacceptable when it is conveyed in a manner that involves aggressive or abusive behaviour. A demand is unacceptable when it starts to (or when complying with the demand would) impact excessively on the work of our staff. A demand is unacceptable when dealing with the matter takes up an excessive amount of staff time and in doing so, disadvantages other customers or service users.

For example:

- Repeatedly demanding responses within an unreasonable timescale;
- Demanding responses from several members of staff on the same subject;
- Insisting on seeing or speaking to a particular member of staff when that is not possible;
- Repeatedly changing the substance of an enquiry or complaint or raising unrelated concerns;
- Repeatedly posing a question time and again, when a response has already been given, because the individual may not like the answer they have received.

## **UNREASONABLE LEVELS OF CONTACT**

Sometimes the volume and duration of contact made to our staff by an individual causes problems.

This can occur over a short period, for example, when a large number of calls or e-mails are received from the same person in one day. When we are dealing with a complaint or enquiry; this may occur when a person repeatedly makes long telephone calls to us or inundates us with emails or copies of information that have already been sent or that are irrelevant to the substance of the complaint or enquiry.

We consider that the level of contact has become unacceptable when the amount of time spent talking to an individual on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts on our ability to deal with the matter, or on our responsibility for carrying out tasks relating to other members of the public.

## **HOW WE MANAGE AGGRESSIVE OR ABUSIVE BEHAVIOUR**

The threat or use of physical violence, verbal abuse or harassment towards our staff is likely to result in termination of all direct contact with the customer or service user.

Such incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

Where correspondence (either letter, fax or electronic) that is abusive to staff or contain Allegations that lack substantive evidence is received, we will inform the sender that we consider such language offensive, unnecessary and unhelpful and ask them to stop using such language. We will ask that the sender edit their correspondence to remove any offensive text and resend it, otherwise it will not be responded to.

Staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Our staff has the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour persists.

## **HOW WE DEAL WITH OTHER CATEGORIES OF UNREASONABLE BEHAVIOUR**

Where a member of the public repeatedly phones, visits our offices, raises the same issue repeatedly, or sends us large numbers of documents about which the relevance is not clear, we may decide to:

- Limit contact to telephone calls from the person at set times on set days;

- Restrict contact to a nominated member of staff who will deal with future calls or correspondence;
- See the person by appointment only;
- Restrict contacts to written correspondence only;
- Refuse to deal with further correspondence and return any documents or, in extreme cases, advise the person that further irrelevant documentation will be destroyed;
- Take any action that we consider appropriate to the circumstances.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the person that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.

Where someone repeatedly demands a response on an issue on which they have already been given a clear answer by SHG, we may refuse to respond to further enquiries from the person.

**We will always tell the person in writing what action we are taking and why.**

## **MANAGING UNACCEPTABLE ACTIONS**

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

– see Employee Guidance Note appended.

With the exception of such immediate decisions taken at the time of the incident, decisions to restrict contact with SHG are only taken after careful consideration of the circumstances by a senior member of staff. Wherever possible, we will give the individual the opportunity to change their behaviour before such a decision is taken.

## **HOW WE LET PEOPLE KNOW WE HAVE MADE THIS DECISION**

When a member of staff makes an immediate decision in response to aggressive or abusive behaviour, the individual concerned will be advised at the time of the incident.

When a decision has been made by senior management, the individual will always 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. They will also be

told the process for appealing the decision. This ensures that the individual concerned has a full record the decision and the reasons behind it.

## **THE PROCESS FOR APPEALING A DECISION TO RESTRICT CONTACT**

Where a member of the public has been informed that contact is to be restricted, they will be advised of the right to appeal. Any appeal must be made in writing and submitted to the relevant Director where the unacceptable action occurred and must be made within 10 working days of the date of the notification to restrict contact letter. A written letter of appeal should clearly set out why the appellant feels the decision to restrict contact is unreasonable. Only in exceptional circumstances will an appeal made outside of this timescale be considered. The appeal will be considered by a Director from another service area. Any reversal or amendment of the restriction arrangements will be at the discretion of the Director considering the appeal.

The appellant will be notified in writing of the outcome of the appeal within 10 working days of receipt of the letter of appeal. The Director's decision is final.

Thereafter all paperwork in relation to the process for decision to restrict contacts will be held by the Information and Research Support Officer.

## **HOW WE RECORD AND REVIEW A DECISION TO RESTRICT CONTACT**

We record all incidents of unacceptable actions which have resulted in contact being restricted.

Where it is decided to restrict contact, an entry noting this is made by the Information and Research Officer in the relevant file.

A decision to restrict contact as described above may be reconsidered if the complainant or enquirer demonstrates a more acceptable approach.

The Information and Research Officer will review the status of all restricted contact arrangements on a regular basis and correspond with the Service(s) concerned with regards to these reviews, as well as share the status reviews with Police intelligence.

## **MANAGEMENT OF POLICY**

The primary responsibility for adherence to this policy rests with line managers who are accountable for implementing the policy and bringing it to the attention of their employees. Further advice may be sought from Corporate HR.

The Directors of SHG have overall responsibility to ensure that this policy is applied fairly and meets any legislative requirements in force.

The policy will be reviewed by the Head of Human Resources on an annual basis or as required by legislative changes.

#### **RELATED POLICIES AND PROCEDURES**

This policy should be read in conjunction with the following supporting documents:

- SHG's Complaints Procedure
- Bullying & Harassment Policy (Code of Management)
- SHG Social Media Policy
- Report It, Sort It

#### **CONTACTS**

Corporate Human Resources, The Castle, Jamestown, Tel: 22470 or e-mail the Head of Human Resources at [barbara.george@sainthelena.gov.sh](mailto:barbara.george@sainthelena.gov.sh)



# **MANAGING UNACCEPTABLE CUSTOMER BEHAVIOUR**

## **EMPLOYEE GUIDANCE**

### **PURPOSE AND SCOPE**

This Guidance Note is designed to help employees manage situations in which they may be subjected to unacceptable behaviour from SHG customers. For the purpose of the guidance, any individual to whom a service is being provided is considered a customer and in this regards the principles will equally apply to SHG employees receiving a service from other employees or service partners.

The flowcharts appended to this document set out the key steps that employees should follow in managing unacceptable customer behaviour.

### **What behaviour might be considered as unacceptable or unreasonable?**

Unacceptable behaviour directed towards SHG employees may for example, include the following:

- Aggressive or abusive behaviour (e.g. include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness, inflammatory statements and unsubstantiated allegations)
- Persistently making the same complaint, despite the matter having been fully addressed/investigated under the complaints procedure, or seeking an unrealistic outcome with intent to persist until the desired outcome is achieved
- Repeating complaints about a previous or historical matter that cannot be undone or remedied
- Repeatedly changing the nature of focus or the desired outcome, part way through an investigation or after a formal response has been provided

### **What behaviour by colleagues could be considered as unacceptable or unreasonable?**

SHG's Code of Management provides an extensive list of examples of unacceptable behaviour that in extreme cases may extend to bullying and harassment and other intimidating, threatening actions.

### **What measures are in place to prevent unacceptable behaviour or violence at work?**

Clear standards are in place to ensure that services meet the expectations of their customers and are delivered in a manner that is professional, courteous and timely. SHG's Complaints Procedure and Report It, Sort It provides the means by which service users can exercise their right to register a complaint where they consider those expectations have not been met. The procedure aims to ensure that complaints are handled efficiently and effectively and, wherever possible, resolved to the customer's satisfaction. The expectation is that effective management of customer complaints will reduce the likelihood of unacceptable behaviour towards SHG's employees.

### **What should I do if a customer becomes aggressive?**

In registering a complaint, customers may become frustrated or upset. Aggressive or abusive behaviour is clearly unacceptable; however an attempt to understand the issue from the customer's perspective and show empathy may help in trying to diffuse a potentially escalating situation.

If attempts to diffuse the situation or requests for the individual to modify their behaviour fail, it would be appropriate to terminate the interview or telephone conversation.

The customer should be advised that their complaint will be addressed but that their behaviour must be modified during any future contact with SHG.

### **What strategies could be employed to diffuse a situation where a customer becomes abusive or aggressive?**

In line with SHG's Unacceptable Actions Policy and Complaints Procedure, the following strategies could be employed:

- Acknowledge the customer's disappointment with the service they have received.
- Reassure the customer that their complaint will be addressed.
- Explain the complaints procedure and how their complaint will be handled.
- Confirm what steps will be taken and the timescales the customer can expect.
- Advise the customer that their behaviour is unacceptable and must stop.
- Remain calm and in control of the situation.

### **When would it be appropriate to terminate an interview/telephone conversation with a customer?**

If a customer is behaving in an aggressive or abusive manner and fails to modify their behaviour when requested, it would be appropriate to politely terminate the interview/telephone call however, if there is a risk to personal safety or the safety of others, it would be appropriate to terminate the interview/telephone call immediately.

### **Will I be disciplined for terminating a customer interview/telephone conversation?**

If you feel threatened or uncomfortable when involved in a one-to-one interview or telephone conversation with a customer then you have the right to decide to advise the customer that their behaviour is unacceptable and end the interview/call if that behaviour continues. You will not be disciplined for doing so, but you should report the matter to your line manager immediately.

### **I have been threatened/assaulted by a customer and I want to press charges.**

Where a customer has been threatening and/or violent towards an employee, SHG will support that employee in reporting the matter to the Police if they wish to do so.

### **What strategies can be put in place to deal with any future contact from customers who repeatedly display unacceptable behaviour?**

The Unacceptable Actions Policy sets out a number of strategies that can be invoked to deal with future contact with known aggressive or abusive customers:

### **To whom should I report unacceptable behaviour?**

Unacceptable behaviour by a customer should be reported to your line manager. When an employee handling a complaint considers the complainant's behaviour to be unacceptable, the complaint should be referred to the line manager who will determine if this is the case.

In reporting unacceptable behaviour by a colleague, the Policy and Procedure for dealing with complaints of Bullying and Harassment promotes prompt and informal resolution of complaints wherever possible but also provides employees with access to formal procedures to resolve complaints if necessary.

Any incidents of unacceptable action should be recorded on the Incident Form (see template below), along with details of the customer contact, details of any witnesses and any further action taken. The completed form should be submitted to your Director through your line manager. Where necessary, your Director may escalate the matter to the Head of Human Resources.

Employees who feel that additional training would assist them in managing difficult situations and unacceptable behaviour should discuss the matter with their line manager.

**Corporate Human Resources  
July 2018**



**St Helena  
Government**

## INCIDENT REPORT FORM

CONFIDENTIAL

<b>Type of incident (<i>please tick</i>)</b>	<b>Abuse:</b> <input type="checkbox"/> <input type="checkbox"/> <b>Written</b> <b>Verbal</b>  <b>Threat:</b> <input type="checkbox"/> <input type="checkbox"/> <b>Written</b> <b>Verbal</b>  <b>Assault:</b> <input type="checkbox"/>  <b>Date of incident:</b>
<b>Name of person who was abused/threatened or assaulted</b>  <b>Job title &amp; Directorate</b>	
<b>Customer/individual who committed the act and relevant details</b>	
<b>Description of the location, where the incident took place and names of any witnesses</b>	
<b>Describe how the incident arose and progressed, and any contributing causes, where applicable</b>	
<b>Nature of injuries sustained (<i>if applicable</i>)</b>	

<b>Person to whom the incident is being reported</b>	
<b>Action taken</b>	
<b>Line manager/Director's investigation findings</b>	

***Note: When recording an incident always stick to the facts; avoid statements that could be interpreted as ill feeling, personality conflicts or dislike of the customer or his/her condition.***

Name & Signature  
Person Reporting the Accident

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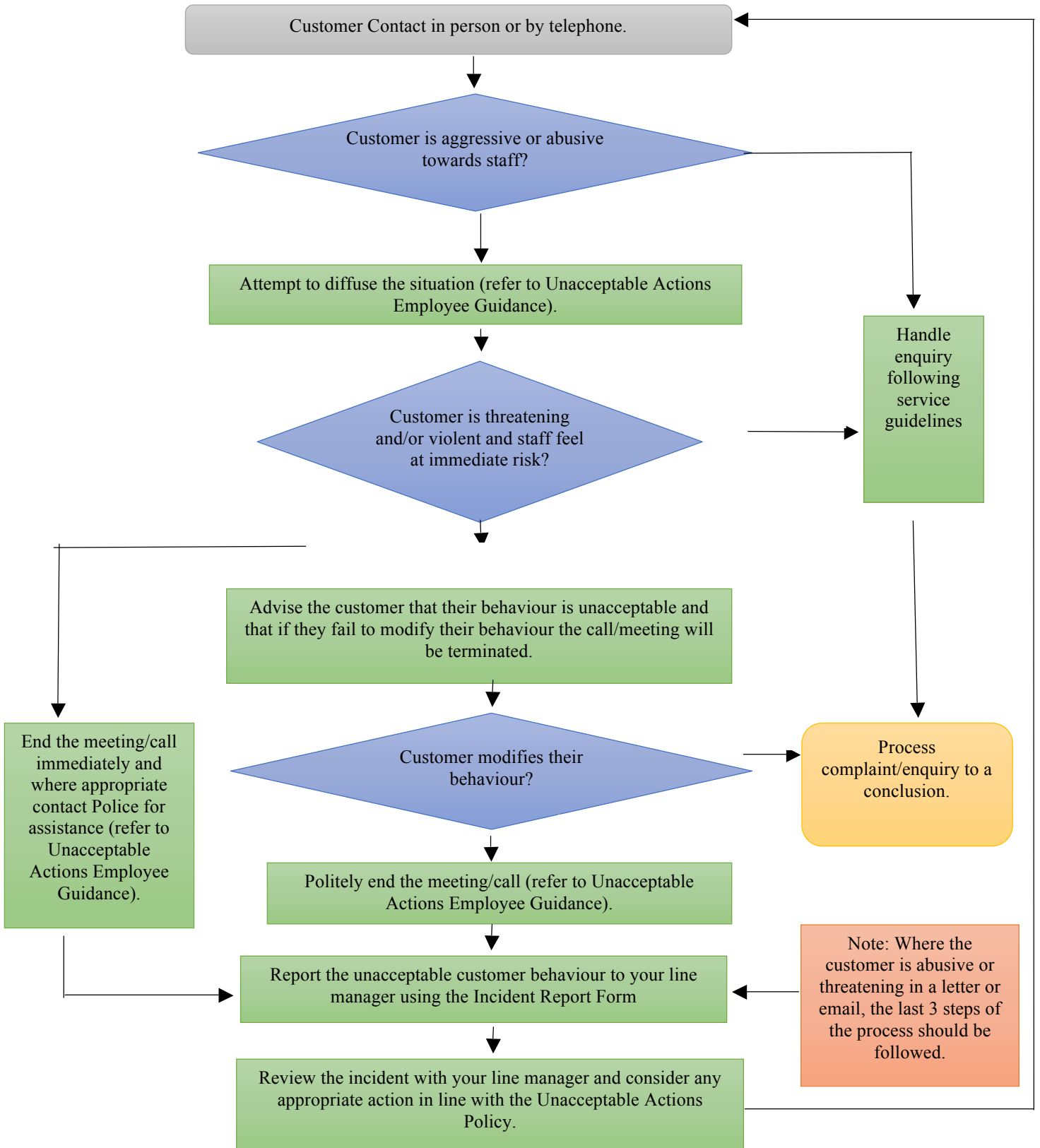
Name & Signature  
Director

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**This is a CONFIDENTIAL form and should be submitted to Corporate Human Resources on completion**

## Aggressive or Abusive Customer Behaviour



## Unreasonable Customer Demands/Persistence

