



## **Dealing with Unacceptable Behaviour**

### **1. Introduction**

This Policy sets out the Scottish Council of Jewish Communities' (SCoJeC) approach to the relatively few individuals whose actions or behaviour we consider unacceptable. Such individuals are likely to be people who contact our office in connection with a complaint, but the principles set out here also apply to our dealings with people other than complainants. Contact may be by letter, telephone, e-mail, or in person, but we use the term "correspondent" for ease of reference throughout this Policy.

### **2. Policy Aim**

- 2.1 To make it clear to all correspondents, both at initial contact and throughout their dealings with SCoJeC, what we can or cannot do in relation to the matter they raise. In doing so, we aim to be open and not raise hopes or expectations that we cannot meet.
- 2.2 To deal fairly, honestly, consistently and appropriately with everyone, including those whose actions we consider unacceptable. We believe that everyone has the right to be heard, understood, and respected. We also consider that SCoJeC and our members and staff have the same rights.
- 2.3 To provide a service that is accessible to all. However, we retain the right, where we consider a correspondent's actions to be unacceptable, to restrict or change access to our service.
- 2.4 To ensure that other people, including SCoJeC members and staff, do not suffer any disadvantage from or as a result of correspondents who act in an unacceptable manner.

### **3. Defining Unacceptable Action**

- 3.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a correspondent contacting us. We do not view behaviour as unacceptable just because a correspondent is forceful or determined. In fact, we recognise that being persistent can be an advantage when pursuing a concern. However, the actions

of correspondents who are angry, demanding, or persistent may result in unreasonable demands being made on our organisation or unacceptable behaviour towards our members or staff. It is these actions that we consider unacceptable and aim to manage under this Policy.

We have grouped these actions under three broad headings:

### **3.2 *Aggressive or Abusive Behaviour***

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 to feel afraid, threatened or abused. Examples of such behaviour include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive behaviour.

We understand the difference between aggression and anger. The anger felt by many correspondents involves the subject matter of the issue they raise. However, it is not acceptable when anger escalates into aggression directed towards SCoJeC members or staff. We expect to be treated courteously and with respect. Violence or abuse is unacceptable.

### **3.3 *Unreasonable Demands***

Correspondents may make what we consider unreasonable demands on our office through 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 will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the correspondent. Examples of such actions include demanding responses within an unreasonably short deadline, insisting on seeing or speaking to a particular member of staff, excessive numbers of phone calls or letters, repeatedly changing the substance of the complaint, or raising unrelated or personal matters.

### **3.4 *Unreasonable Persistence***

We recognise that some correspondents will not or cannot accept that SCoJeC is unable to assist them further or provide a level of service other than that provided already. Correspondents may persist in disagreeing with the action or decision taken in relation to the issues they raised or contact the office persistently about the same issue. Examples of such actions include persistent refusal to accept a decision made in relation to an issue, persistent refusal to accept explanations relating to what we can or cannot do and continuing to pursue an issue without presenting any new information. The way in which these correspondents approach our office may be entirely reasonable, but it is their persistence in doing so that is not.

3.5 We would also consider requests unacceptable if, through their scale or repetition, they start to impact substantially on the work of the office, such as by taking up an excessive or disproportionate amount of time or resources, or by interfering with other activities.

#### 4. **Managing Unacceptable Actions**

- 4.1 There are relatively few correspondents whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict correspondent contact with us in order to manage the unacceptable action. We aim to do this, wherever possible, in a way that allows the matter raised to progress to completion through our procedures. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We try to maintain at least one form of contact. In extreme situations, we tell the correspondent in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with our office to either written communication or through a third party.
- 4.2 The threat or use of physical violence, verbal abuse or harassment towards SCoJeC members or staff is likely to result in the ending of all direct contact with the correspondent. Incidents may in extreme cases be reported to the police. This will always be the case if physical violence is used or threatened.
- 4.3 We do not deal with correspondence in any form that is abusive to staff or contains allegations that lack substantive evidence. When this happens we will tell the correspondent that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not do so. We may require future contact to be through a third party.
- 4.4 We will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable, and end the call if the behaviour does not stop.
- 4.5 Where a correspondent repeatedly phones, visits the office, sends irrelevant documents or raises the same issues, we may decide to:
- only take telephone calls from the correspondent at set times on set days, or put an arrangement in place for only one member of staff to deal with calls or correspondence from that correspondent in the future.
  - require the correspondent to make an appointment to see a named member of staff before visiting the office, or to contact us only in writing.
  - return the documents to the correspondent or, in extreme cases, advise the correspondent that further irrelevant documents will be destroyed.
  - take other action that we consider appropriate. We will, however, always tell the correspondent what action we are taking and why.
- 4.6 Where a correspondent continues to correspond on a wide range of issues, and this action is considered excessive, then the correspondent will be told that only a certain number of issues will be considered in a given period and asked to limit or focus contacts accordingly.

- 4.7 A correspondent's behaviour may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the correspondent continues to dispute our decision relating to their complaint. The correspondent will be told that no future phone calls will be accepted or interviews granted concerning this matter, and any future contact must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the correspondent provides significant new information relating to the issue.

## 5. **Deciding to Restrict Contact**

- 5.1 SCOJEC members or staff who directly experience aggressive or abusive behaviour from a correspondent have the authority to deal immediately with that behaviour in a manner they consider appropriate in line with this Policy.
- 5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with SCoJeC are only taken after careful consideration of the situation by a more senior member of staff. Wherever possible, we give a correspondent the opportunity to modify his or her behaviour before a decision is taken. Correspondents are told in writing why a decision has been made to restrict future contact, the restricted contact arrangements, and, if relevant, the length of time that these restrictions will be in place.

## 6. **Appealing a Decision to Restrict Contact**

A correspondent may appeal a decision to restrict contact. A senior member of staff who was not involved in the original decision considers the appeal. He or she will advise the correspondent in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

## 7. **Recording and Reviewing Incidents and Decisions**

- 7.1 We record all incidents of unacceptable actions by correspondents. Where it is decided to restrict a correspondent's contact with us, an entry noting this is made in the relevant file and on appropriate computer records.
- 7.2 A decision to restrict correspondent contact may be reconsidered if the correspondent demonstrates a more acceptable approach. A senior officer of the Council will review the status of all correspondents with restricted contact arrangements no less than annually.

## 8. **About this Policy**

A copy of this Policy (which is based on a model published by the Office of the Scottish Charity Regulator) will be sent to any person to whom it is being applied, and is also available on our web-site or by post on request and free of charge. We review it regularly to ensure that the Policy is achieving its purpose.