



Complaints Unacceptable Actions Policy (Complaints Handling)

Policy Overview

1. This policy covers

- 1.1. Why we need an unacceptable actions policy for complaints handling
- 1.2. How we encourage positive engagement and support positive behaviour
- 1.3. Approach to engagement
- 1.4. Identifying behaviour we need to manage
- 1.5. How we support staff
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2. Why we need a policy

GBCT has customer service standards which reflect our commitment to offering high quality services and ensuring we treat everyone with dignity and respect. They set out what standards people can expect from us. In some circumstances, we need to take action to protect our staff or service from types of behaviour which impact our ability to provide a service or the well-being of our staff. This policy sets out how we identify and respond to those types of behaviour.

3. Who is covered by this policy?

This policy covers anyone who engages with GBCT to make a complaint, including service users, stakeholders & members of the public.

4. Engagement on complaints includes all forms of contact including verbal (over the phone, in person, etc.), written (letters, emails, online forms, etc.) as well as contact at GBCT events, training sessions and online. Online comments about the GBCT or individual staff members, which are shared publicly or in a forum or way that means they are not private, count as engagement even when they are not shared directly with GBCT.

5. Supporting positive engagement

We support positive engagement and will let people know how they can engage positively with us by providing information about how they can access our service and request adjustments, and explaining clearly what we need from them to provide the best possible service in complaints handling.

Supporting positive engagement includes supporting people to express concerns about our office and service in a constructive manner by ensuring we apply our customer service complaints process fairly and openly when individual concerns are raised.

6. Providing additional support

We understand that people who make a complaint to us may have experience of trauma, or have specific needs and requirements. We will ensure our staff have

appropriate training to identify where additional support may be needed and are supported to treat people with kindness and compassion. We will seek to defuse and de-escalate situations. We can signpost to organisations who can provide independent advice and support.

7. Making reasonable adjustments to our service

We are committed to ensuring that all people have an equal opportunity to engage with us in relation to their complaint. We try to anticipate our users' requirements and encourage all users to tell us if we need to adjust the way we deliver our service for them. If we decide we need to manage engagement with an individual, we will consider whether they have accessibility needs that we should take into account when doing so.

8. Our approach to managing engagement

While we will work to support positive engagement, there are some situations that we need to respond to or manage because of the negative impact on the wellbeing of our staff and our ability to provide a service. We do not need to actively respond to or manage any form of engagement simply because it is different or unusual. We also accept that individuals may be upset and distressed when they make a complaint, and we want to support them to engage with us.

We will seek, whenever possible to restore the relationship and to ensure we can provide a full service.

However, we do need to take action if the situation becomes unacceptable or is resulting in unreasonable demands on our office or unreasonable behaviour towards GBCT staff and others.

9. When we need to manage engagement in this way, we will ensure responses are proportionate to the behaviour and the impact on GBCT and our staff. This guidance gives general advice, but we will, whenever possible explain clearly the reason for any specific decision to the person affected and/or keep a separate documented record if that is not possible or appropriate.

10. When making decisions, it is important to remember that we need to assess behaviour reasonably and consistently. Although at times our resources may be under more pressure than others, any assessment should take into consideration whether we would be able to deal with the behaviour if we were operating effectively and normally. We may also take into consideration whether the issue is due to staff training requirements.

11. At all times, we will work to ensure our response is proportionate and necessary and uses the least restrictive method available.

12. The decision whether or not to take a management approach does not affect the right of any member of GBCT staff to end contact they find personally distressing or uncomfortable. This is because it is not appropriate for anyone to continue to engage if they are becoming distressed or it is having other negative impact on them. And

this is the case even if we decide that the criteria for further management is not met. There is more information on this in the supporting staff section below.

13. Recovering the relationship

Where possible, we should seek to act in ways that recovers the relationship. For example, staff may seek to defuse and de-escalate by suggesting breaks if conversations are becoming heated; intervene early before behaviour escalates; make proactive adjustments to our service to help individual users manage the anxiety and stress of engaging with us.

14. Actively managing behaviour, delivering our service

When reasonable approaches have been tried and failed and the unacceptable behaviour continues, an active management approach will be taken. Active management seeks to maintain our ability to deliver our complaints service while dealing with the unacceptable actions. It is important to note that this may not be the fault of an individual but because of circumstances outwith their control.

15. The approach used should be tailored to the individual and the situation, this could include:

- restricting contact by channel (e.g. phone or email) or to a named person
- not providing direct contact details or staff names (when there is a risk this will lead to harassment)
- communicating through a third party such as an advocate rather than direct contact
- directing phone calls to an automated service (when phone contact is blocking others from accessing our service or is abusive)
- restricting time/volume of contact.

16. To ensure consistency, a decision to actively manage a situation needs to be made by a line manager.

17. Restrictions are normally subject to review at appropriate intervals while we are providing a complaints service. We retain the discretion to not include a review if the reason for the restriction means that would not be appropriate (for example if it is to protect staff from violence). The timing and circumstances where review would be considered should be explained clearly to the person who is under restriction at the time the restriction is put in place.

18. Protecting our staff and others

There are some situations that we are not able to accept and we will always take action. We have zero tolerance of threats, violent and abusive behaviour towards staff. This is to ensure their own safety and wellbeing and also protects the office and others.

There is advice below on identifying situations that we do not find acceptable. Staff always need to take action to respond to or disengage when these happen and

should always raise with a manager what has happened and any steps they were able to take.

It is important to note that in some situations, the only appropriate action is to end contact immediately.

19. Phone or face to face contact

During phone or face-to-face contact staff should issue a warning before ending contact if it is safe and they consider it appropriate to do so, but a warning is not required if it would be unsafe to do so or the language is intense, deeply upsetting or extreme.

20. If staff are informed they are being recorded for later use in public or are being livestreamed, they need to end contact politely but immediately. Recording is acceptable for personal use and we can support that, as noted below, but depending on the surrounding circumstances, this could also come under the category of harassment.

21. Written or email correspondence to GBCT

If we receive violent or abusive correspondence, the sender should be informed this is unacceptable. This could be done by a manager or from an account that is not linked to an individual if this has been aimed at an individual staff member.

22. The decision that correspondence is unacceptable should be made by a manager to ensure consistency. Where this behaviour is repeated despite warnings or an individual instance is regarded as at the higher end of abusive we may need to take steps to restrict methods of contact with the office.

23. Online, web and social media

This is a fast-moving and changing area; nevertheless, the principles outlined in this policy will still apply. GBCT will follow the best practice advice available at the time of any incident and note and record the reasons for our decisions. Actions may include:

- blocking accounts or using other technical options available on the relevant platform to minimise exposure
- using the relevant social media platform's own reporting mechanisms to seek to have the content removed
- limiting contact with the individual through other channels to reduce risk to staff – this could include ensuring the person is not provided with contact details
- direct threats on social media should be dealt with like any physical threat (see below).

24. Physical threats

When a physical threat is made, we will normally report it to the police. This includes situations when the threat made is not to us but a threat to harm a third party.

25. Identifying types of engagement we need to manage

It is important we are consistent when we take approaches to manage engagement and below are examples of when we may need to use one of the approaches above.

This list is not exhaustive and we can manage types of engagement or behaviour not listed if it is impacting negatively on individuals or our ability to provide a service.

Violence

Violence towards staff or others will not be accepted. Violence is not restricted to acts of aggression that may result in physical harm. It also includes actions or language (whether verbal or written) that would reasonably cause someone to feel offended, afraid or threatened.

Abuse

Abuse of staff or others will not be accepted. Abusive language includes all language that is designed or could be perceived as designed to insult or degrade, is racist, sexist or homophobic, or which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any supporting evidence.

Language which makes unfounded allegations about an individual's professional ability or capability or seeks to belittle or denigrate them personally is also unacceptable.

Violent or abusive comments sent to GBCT which are not aimed at us but at third parties are still unacceptable because of the effect that listening or reading them may have on our staff.

Comments made about GBCT or GBCT staff on social media which are designed to be, or which it is reasonable to assume may be, shared or made public are also covered for the same reason, even if they are not shared directly with us.

Harassment

Harassment of staff, whether accompanied or not by violence or abusive comments, is not acceptable. Harassment would include:

- repeatedly contacting or continuing to contact individual staff members when previously asked not to
- contacting staff outside of the office to seek to influence them
- targeting and naming them on public or other easily shared social media.

Demands on our office

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the office. An example of such impact would be that the demand takes up an excessive amount of staff time and, in so doing, disadvantages other participants/service users/stakeholders and prevents us from providing a service to the person making the demands within a reasonable timescale.

Examples of actions grouped under this heading include:

- repeatedly demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular member of staff when that is not possible
- making wild and unsubstantiated allegations which prove to be untrue, causing distress, wasting time and resources.
- repeatedly changing the substance of their issue or raising unrelated concerns.

26. Levels of contact

Sometimes the volume and duration of contact made to our office 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 the life-span of a complaint when someone repeatedly makes long telephone calls to us or inundates us with information that has been sent already or that is irrelevant to the service we are providing or sends repeated emails raising the same or similar issues.

We consider that the level of contact has become unacceptable when the amount of time spent on the telephone, or responding to, reviewing and filing emails or written correspondence or managing the contact impacts on our ability to provide a service to that person or organisation, or to provide a service to others.

27. Refusal to co-operate with complaints investigation

We want people to work with us to resolve their complaint. This can include agreeing with us the issues we will look at; providing us with further information, evidence or comments on request; or helping us by summarising their concerns or completing a form for us.

Repeated refusals to co-operate makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request. However, we consider it is unreasonable to bring a matter to us, or ask us to provide a service, and then not respond to reasonable requests.

28. Supporting staff

Staff will receive training to defuse and actively manage situations. They are encouraged to seek support if any contact causes them concern or distress.

29. Empowering staff to end contact they find distressing

All staff have the authority to end any engagement or interaction which they find personally distressing or difficult at the point of occurrence. Staff should not feel they need to continue to engage in contact if it is having a negative impact on them or which is making them feel uncomfortable. This is the case whether or not they consider it meets the zero tolerance criteria. Whenever possible and appropriate, staff should seek to end the engagement professionally and politely. This can include:

- explaining they find the situation uncomfortable or distressing and explaining what they need to happen to be able to continue

- ending a call
- ending an interview/meeting
- not reading an email or other correspondence to the end
- disengaging from GBCT social media.

30. When this occurs, they should take a note and discuss with their line (or, if not available, other) manager as soon as possible.

31. Supporting staff

When a zero tolerance incident has occurred or active management approach has had to be used, all staff involved are encouraged to have a de-brief meeting with their line manager and agreed actions from that discussion noted. This ensures that we are providing support to all colleagues. Staff will be able to take a short time away from all contact if requested and may request to no longer have contact with a specific individual.

32. GBCT has a number of policies in place to support the wellbeing of staff. Staff who experience an incident should be reminded of these options and supported to access them if they wish.

33. Approach to communicating decisions

- Explain the situation neutrally and avoid blame, there may be many reasons why the situation has become difficult. Engaging with organisations can be stressful, people's situations, needs and abilities are complex.
- Look for opportunities to restore the relationship. Try to see the situation from the points of view of all involved. When possible or appropriate, seek ways to help someone demonstrate their needs and perspective rather than asking them to defend their position. This can help move the relationship forward.
- Be clear and straightforward.
- Ensure the communication is accessible, inclusive and meets the needs of the person.

34. Recording and sharing information

It is important that we keep a clear record whenever we have had to

- actively work to restore a relationship to avoid restrictions
- put restrictions in place
- take a zero tolerance approach.

This should include storing any online evidence such as screen shots.

Material that is being stored as evidence may be distressing. This should always be stored in a way that it cannot be accidentally or unintentionally accessed – files should be named to indicate they contain distressing material. Physical documents can be stored inside envelopes.

35. Individuals can feel shame and distress about situations that have become difficult. While we need to record what has happened, we should do so factually and

ensure it can only be accessed by those who need to do so. Some of the actions we take may need to be highlighted in our system to allow staff to implement decisions or to be aware that steps may need to be taken to manage some interactions. When doing so, we should record the minimum required.

36. Sharing information

There is specific advice in the section on physical threats about sharing with other agencies. Internally, we need to ensure all relevant staff are aware of actions taken and restrictions to make sure our actions are effective. This will vary depending on the action and decisions on sharing should be noted and recorded