

UNACCEPTABLE BEHAVIOUR POLICY

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Version 2.0

Policy for Handling Unacceptable Behaviour During
Contact with the University

the place of useful learning

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POLICY FOR HANDLING UNACCEPTABLE BEHAVIOUR DURING CONTACT WITH THE UNIVERSITY

1 Introduction

- 1.1 The University of Strathclyde is a place of useful learning, recognised as being people-oriented, bold, innovative, collaborative and ambitious. It is committed to equality of opportunity for members of its community (staff, students and visitors) and expects all members of its community to be treated courteously, with understanding and respect and to engage with others in a positive way
- 1.2 Occasionally, the behaviour of individuals using our Complaints, Appeals or other procedures makes it difficult for staff to deal with their request. In a small number of cases, the behaviour is deemed unacceptable because it involves abuse of staff or processes.
- 1.3 The University does not expect staff to tolerate unacceptable behaviour when dealing with individuals. This includes those engaged with any of the University's procedures or those acting on their behalf and considers the impact of the behaviour on the ability of staff to do their work and provide a service to others.
- 1.4 This Policy seeks to provide guidance for staff on how to respond to students or members of the public who are behaving in an unacceptable manner. Although the principles of behaviour described have general applicability, staff behaving in an unacceptable manner would be referred to the appropriate internal University procedure.
- 1.5 It should be noted that the University must comply with its legal obligations under Data Protection, Freedom of Information and Environmental Information Regulation. This is true even where an individual's behaviour may have been deemed 'unacceptable' in other situations. Where requests for recorded information are made these should be forwarded to the Information Governance Unit foi@strath.ac.uk.
- 1.6 This policy takes account of the [Scottish Public Sector Ombudsman's Unacceptable Actions Policy](#).

2 Unacceptable Behaviour

- 2.1 It is recognised that people may act out of character in times of trouble, distress or as a symptom of certain types or stages of illness. Forceful or determined behaviour is not, in itself, unacceptable. However, the actions of individuals who are angry, demanding or persistent may result in unreasonable demands on University services or aggressive behaviour towards staff.

Aggressive or Abusive Behaviour

- 2.2 Aggressive or abusive behaviour or language (whether spoken or written) is that which may cause staff or students to feel afraid, intimidated or abused. Such behaviour would include: threats, physical violence, inappropriate gestures, indecent comments, personal verbal abuse, discriminatory or derogatory remarks, rudeness, inflammatory statements or unsubstantiated allegations.

Unreasonable Demands

- 2.3 Demands are considered unreasonable when complying with the demand would impact significantly on the work of staff in terms of the time or resources required to meet the demand. Examples include:

- Repeatedly demanding responses within an unreasonable time-scale;
- Insisting on seeing or speaking to a particular person.
- Refusing to communicate with the relevant /designated person and continually approaching other members of staff
- Excessively contacting the University, such as continual or lengthy phone calls; frequent, unannounced visits; emails or letters or mass circulation of emails
- Repeatedly changing the substance of a complaint or appeal, raising unrelated concerns or not clearly identifying the issues whilst insisting an investigation takes place, despite reasonable efforts on the part of the University to help specify concerns
- Continually making unsubstantiated complaints or allegations

Unreasonable Levels of Contact

- 2.4 Sometimes the volume and duration of contact by an individual causes problems. This can occur over a short period: for example, a number of calls in one day or one hour, or over a longer period when an individual repeatedly makes long telephone calls or inundates staff with copies of information that has been sent already or that is irrelevant.
- 2.5 The level of contact is considered to have become unreasonable 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 the ability of staff to deal with the complaint or appeal, or with other people's requests for support.

Unreasonable use of the complaints procedure

- 2.6 Individuals with complaints have the right to pursue their concerns through a range of means. They also have the right to complain more than once about the University if subsequent incidents occur.
- 2.7 However, this contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent the University from pursuing a legitimate aim or implementing a legitimate decision. The University considers access to the Complaints Handling Procedure to be important and it will only be in exceptional circumstances that such repeated use would be considered unreasonable. However, the University reserves the right to do so in exceptional cases.

3 Handling Unacceptable Behaviour

- 3.1 The threat or use of physical violence, verbal abuse, intimidation or harassment will not be tolerated and is likely to result in the ending of direct contact with the individual. If physical violence is used or threatened the individual will be removed from University property and the incident reported to the police. Staff may end telephone calls or meetings if an individual is considered aggressive, abusive or offensive. The staff member has the right to make this decision, inform the individual that their behaviour is unacceptable and end the call or meeting if the behaviour does not stop.
- 3.2 The University will not respond to correspondence of any form that is abusive to staff or contains allegations that lack substantive evidence, except to inform the individual that their language is offensive, unnecessary and unhelpful. If such behaviour continues the University may require future contact to be through a third party.
- 3.3 Where an individual's behaviour adversely affects the ability of staff to conduct their work the University may need to restrict the contact that individual has with the University. Where an individual is engaged in the Complaints or Appeals procedure, the University will aim,

wherever possible, to do this in such a way as to allow the complaint or appeal to progress to completion.

- 3.4 Where an individual shows unreasonable persistence in contacting the University the University may decide to:
- only take telephone calls at set times on set days
 - restrict contact to a nominated member of staff
 - see the individual by appointment only
 - meet with the individual only with another member of staff present
 - require the individual to contact the office in writing only
 - return correspondence or documents or, in extreme cases, advise that further correspondence/documents will be destroyed
 - take any other action considered appropriate.
- 3.5 Where the University considers continued correspondence on a wide range of issues to be excessive, an individual may be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly. In exceptional cases, the University reserves the right to refuse to consider a complaint/appeal or future complaints/appeals from an individual. In taking this decision the University will take into account the impact on the individual and also whether there would be a broader public interest in considering the issues further.
- 3.6 The complainant will always be informed what action is being taken and why.

The Process

- 3.7 Any member of staff who directly experiences aggressive or abusive behaviour from an individual has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy. With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the University are only taken after careful consideration of the situation and evidence by the relevant manager. Wherever possible, the individual will be given the opportunity to change their behaviour or action before a decision is taken.
- 3.8 When a staff member makes an immediate decision in response to aggressive or abusive behaviour, the individual is advised at the time of the incident. When a decision has been made by the relevant manager, the individual will be 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. This ensures that the complainant has a record of the decision.

4 Appealing a Decision to Restrict Contact

- 4.1 An individual may appeal a decision to restrict contact. The University will only consider appeals that relate to the restriction and not to another matter or procedure. An appeal could include, for example, cases where the individual claims their actions were wrongly identified as unreasonable; the restrictions were disproportionate; or that they will adversely impact on the individual because of personal circumstances. A senior member of staff (e.g. a Director, Executive Dean or other Senior Officer), who was not involved in the original decision, would consider the appeal then advise the individual, in writing, of the outcome.

5 5 Recording and Reviewing a Decision to Restrict Contact

- 5.1 Where it is decided to restrict contact with an individual, an entry noting this will be made in the relevant file.
- 5.2 A decision to restrict contact may be reconsidered if the individual demonstrates an acceptable approach. The relevant manager will review the status of individuals with restricted contact arrangements on a regular basis.

6 When considering implementation of this policy please contact:

- 6.1 For advice on the needs of individuals with disabilities: disabilityservice@strath.ac.uk
Where FOI or Data Protection requests are involved: foi@strath.ac.uk
For advice on equality related matters: equalopportunities@strath.ac.uk
For advice on staff related matters: humanresources@strath.ac.uk
- 6.2 Where staff from across the University are affected or where severe restriction or withdrawal of contact is being considered, please contact the Chief Operating Officer prior to taking any action.