

# Managing Unacceptable Actions by Complainants

## Summary Table

|   |  |
|---|--|
| <b>Policy Status</b><br>(circle as appropriate) | <p style="text-align: center;"><i>Approved and finalised</i></p> <p style="text-align: center;"><i>Subject to consultation</i></p> <p style="text-align: center;"><i>Draft</i></p> |
| <b>Responsible Officer</b>                      | Senior Feedback Officer, Customer Services   |
| <b>Policy Sponsor</b>                           | Service Manager (Customer Services)  |
| <b>Authorised by</b>                            | Business Services Committee  |
| <b>Approval Date</b>                            | 18 April 2019  |
| <b>Review Date</b>                              | April 2024   |

### 1. Policy Statement

Aberdeenshire Council (including the Aberdeenshire Health & Social Care Partnership) retain the right to restrict the contact that certain customers have with Aberdeenshire Council and its staff, should these customers display behaviours that we consider unacceptable in pursuing either formal or informal complaints with the authority.

Aberdeenshire Council ensures that the Complaint Handling Procedure is available and accessible for all customers and seek to work with customers to achieve a resolution to all complaints and concerns. In exceptional circumstances, the authority will take action to reduce or restrict contact from customers who: display aggressive or abusive behaviour towards staff; correspond with unreasonable persistence; or who place unreasonable demands on Aberdeenshire Council staff.

### 2. Scope

This policy applies to all individuals who submit formal or informal complaints to Aberdeenshire Council, either on behalf of themselves or others.

All council officers should be aware of this policy if they handle either formal or informal complaints from customers, and that this policy can be implemented by contacting Aberdeenshire Council’s Feedback Team.

Reasonable allowances will be made for customers in line with Aberdeenshire Council’s diversity and equality policy.

### **3. Principles**

Aberdeenshire Council ensures that customers can easily access the authority's Complaints Handling Procedure, and that the process is as transparent and accessible as possible within the relevant data protection legislation.

Aberdeenshire Council work with customers to: understand complaints that are raised; achieve a reasonable resolution where possible; and to inform customers of this resolution and their right to progress to the Scottish Public Services Ombudsman (SPSO) on completion of the Complaints Handling Procedure.

However, Aberdeenshire Council will not tolerate, accept or process correspondence that threatens, intimidates or abuses members of staff. The authority will also not consider acts of aggression, unsubstantiated allegations against employees, or correspondence that unduly pressurises our staff or occupies disproportionate resources.

We believe complainants have the right to be heard, understood and respected, and that our employees have the same rights.

We will never unfairly restrict contact and will explain our decisions to customers in line with our own guidance and that provided by the SPSO.

Restricting contact does not prevent customers from accessing council services, corresponding with the authority around day to day matters, or raising new issues of concern, but does prevent customers from corresponding with council staff in an unacceptable manner in the pursuit of either formal or informal complaints.

### **4. Related Links**

Aberdeenshire Council's Complaints Handling Procedure  
<http://publications.aberdeenshire.gov.uk/dataset/complaints-procedure>

Unacceptable Actions Policy Guidance Document  
(To be included upon completion)

Scottish Public Services Ombudsman Act (2002)  
<https://www.legislation.gov.uk/asp/2002/11/contents>

SPSO Unacceptable Actions Policy  
<https://www.spsso.org.uk/unacceptable-actions-policy>

## 5. Index of Documents

a) Policy

Version control, including the date of approval, any revisions to the policy and a summary of those changes.

| <u>Revision Date</u> | <u>Previous Revision Date</u> | <u>Summary of Changes</u> |
|----------------------|-------------------------------|---------------------------|
|                      |                               |                           |

b) Distribution

State where the approved versions will be circulated. A disclaimer should be added to state that documents seen out with those settings are not considered valid.

| <u>Name</u> | <u>Title</u> | <u>Date</u> |
|-------------|--------------|-------------|
|             |              |             |
|             |              |             |