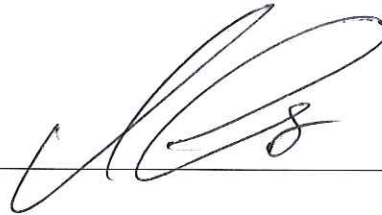




THE ISLE OF GIGHA HERITAGE TRUST

Harassment Policy

Estates Officer signature



Date

23/01/19

Chairman of the Board signature



Date

23-1-19

Isle of Gigha Heritage Trust

Reviewed and adopted 10th August 2015

1.0 POLICY STATEMENT

1.1 This policy sets out the Trust's approach to the relatively few complainants whose actions or behaviour we consider unacceptable.

2.0 SCOPE OF THE POLICY

2.1 We believe that complainants have a right to be heard, understood and respected. The Trust's staff will make every effort to be open and accessible at all reasonable times. However, occasionally, the behaviour or actions of some complainants make it very difficult for us to deal with their complaint. In a small number of cases the actions become unacceptable because they involve abuse of our staff or our process.

2.2 When this happens, we have to take action to protect our staff. We must consider the impact of such behaviour on our ability to do our work and provide service to others.

2.3 This policy explains how we will approach these situations.

3.0 POLICY AIMS

3.1 This policy aims to make it clear to all complainants, both at initial contact and throughout their dealings with the Trust's staff, what we can or cannot do in relation to their complaint. In doing so, we aim to be clear and open, so that we do not raise hopes or expectations that we cannot meet.

3.2 To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. We believe that all complainants have the right to be heard, understood and respected. We also believe that employees of the Trust have the same rights.

3.3 To provide a service that is accessible to all complainants. However, we reserve the right, where we consider complainant actions to be unacceptable, to restrict or change access to our service.

3.4 To ensure that other complainants and our employees do not suffer any disadvantage from complainants who act in an unacceptable manner.

4.0 DEFINITIONS

4.1 In order to ensure this policy is applied properly, it is necessary to define what would be considered unacceptable actions.

4.2 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to the Trust.

We do not view behaviour as unacceptable just because a complainant is being forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint. However the actions of complainants who are angry, demanding or persistent may result in unreasonable demands or unacceptable behaviour towards our employees. It is these actions that we consider unacceptable and aim to manage under this policy. We have grouped these actions under the following broad headings:

4.3 *Aggressive or abusive behaviour*

- 4.3.1 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause employees to feel afraid, threatened or abused.
- 4.3.2 Examples of behaviours grouped under this heading include threats; physical violence; personal verbal abuse; derogatory remarks; and rudeness. We also consider that inflammatory allegations can be abusive behaviour.
- 4.3.3 We expect our employees to be treated courteously and with respect. Violence or abuse towards employees is unacceptable. The Trust's employees understand the difference between aggression and anger. The anger felt by many complainants involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression directed towards our employees.

4.4 *Unreasonable demands*

- 4.4.1 Complainants may make what we consider unreasonable demands on the Trust through the amount of information they seek, the nature and scale of service they expect and the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.
- 4.4.2 Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale; insisting on seeing or speaking to a particular employee; continual phone calls or letters; repeatedly changing the substance of the complaint; or raising unrelated concerns.
- 4.4.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the Trust. This could involve taking up an excessive amount of employee time to the disadvantage of other complainants or functions.

4.5 *Unreasonable Persistence*

- 4.5.1 We recognise that some complainants will not or cannot accept that the Trust is unable to assist them further, or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact us persistently about the same issue.
- 4.5.2 Examples of actions grouped under this heading include:
- Persistent refusal to accept a decision made in relation to a complaint
 - Persistent refusal to accept explanations relating to what the Trust can or cannot do
 - Continuing to pursue a complaint without presenting any new information
- 4.5.3 The way in which these complainants approach the Trust may be entirely reasonable, but it is their persistent behaviour in continuing to do that which is not.

4.5.4 We consider the actions of persistent complainants to be unacceptable when they take up what the Trust regards as being a disproportionate amount of time and resources.

5.0 **MANAGING UNACCEPTABLE ACTIONS**

5.1 There are relatively few complainants 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 complainant contact in order to manage the unacceptable action. We aim to do this in a way that allows a complaint to progress to completion through our complaints process. We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. We will try to maintain at least one form of contact. In extreme situations, we may tell the complainant in writing that they must restrict contact with us to either written communication or through a third party.

5.2 The threat or use of physical violence, verbal abuse or harassment towards the Trust's employees is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the Police. This will always be the case if physical violence is used or threatened.

5.3 We do not deal with correspondence (letter, fax or electronic) that is abusive to employees or contains allegations that lack substantive evidence. When this happens we will tell the complainant that we consider that their language is offensive, unnecessary and unhelpful. We will ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party.

5.4 Our employees will terminate telephone calls if the caller is considered aggressive, abusive or offensive. The employee 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.

5.5 Where a complainant repeatedly telephones, visits the Trust's office, sends irrelevant documents or raises the same issues again and again, we may decide to:

- Only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one employee to deal with calls or correspondence from the complainant in the future;
- Ask the complainant to make an appointment to see a named employee before visiting the office, or that the complainant contacts the office in writing only;
- Return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;
- Take other action that we consider appropriate. We will, however, always tell the complainant what action we are taking and why.

5.6 Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant is told that only a certain number of issues will be considered in a given period and asked to limit the focus of their requests accordingly.

5.7 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the Trust's

decision relating to their complaint(s). The complainant will be told that no future telephone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

6.0 MONITORING AND IMPLEMENTATION

6.1 The Chief Executive is responsible for ensuring all staff, Board and Committee members comply with this policy and is responsible for:

- Ensuring that this Policy is distributed and made known to all staff through the relevant management structure
- Ensuring that this Policy is publicised to all Members, using the website, customer newsletter etc. as appropriate
- Monitoring the implementation of this policy, and ensuring it is followed in conjunction with any other Policy

6.2 If a complainant is dissatisfied with this or the complaints process and wishes to appeal, the complainant is able to contact the Chair of the Board on Board@gigha.org.uk.

7.0 REVIEW OF THE POLICY

7.1 This policy will be reviewed after 12 months and thereafter every 3 years.