



Unacceptable Actions Policy

UNACCEPTABLE ACTIONS POLICY	
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1	Governance	15/11/2021	General Review and update.
2	B Callaghan	01/06/2022	General Review
3	B Callaghan	17/05/2023	General Review
4	B Callaghan	10/05/2024	General Review
5	B Callaghan	31/03/2025	General review and update
6	Governance	28/10/2025	In response to the evolving nature of recent complaints, many of which have grown in complexity, sensitivity, and impact, the policy has been reviewed and strengthened to ensure it remains robust, responsive, and fit for purpose.

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Introduction

We encourage everyone engaging with us to do so positively to help us provide them with the best possible level of service. In some circumstances, we need to take action to protect our staff or service from types of engagement 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 engagement.

What actions do LVJB consider to be unacceptable?

The LVJB Complaints Handling Procedure (for the customer) states that there are some things we can't deal with through our complaints handling procedure. These include:

- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our Unacceptable Actions Policy

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 our office.

We do not view behaviour as unacceptable just because a complainant is forceful or determined.

In fact, we accept that being persistent may sometimes be a positive advantage when pursuing a complaint.

However, we do consider actions that result in unreasonable demands on our office or unreasonable behaviour towards LVJB staff to be unacceptable. It is these actions that we aim to manage under this Policy.

Aggressive or abusive behaviour

We understand that many complainants are angry about the issues they have raised in their complaint. If that anger escalates into aggression towards LVJB staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.

Violence and aggression are not limited to actions that cause or threaten physical harm. They also encompass behaviour or language, whether spoken, written, or otherwise communicated, that may cause staff to feel afraid, threatened, or abused.

Examples of such behaviour include, but are not limited to:

- Threats or intimidating remarks
- Personal verbal abuse
- Unsubstantiated allegations
- Statements that are defamatory

Importantly, such statements do not need to be made directly to a staff member, nor must they explicitly name or address them, to be considered abusive or threatening. Remarks made outside the workplace, or directed at friends or family members of staff, may also constitute unacceptable behaviour under this policy.

Similarly, unsubstantiated allegations about our organisation may constitute unacceptable behaviour under this policy.

The key consideration is the overall context and impact of the behaviour. Where actions or communications, regardless of their form or setting, create a hostile, intimidating, or abusive environment for staff, the LVJB will take appropriate action in line with this policy.

Unreasonable demands

Individuals may place unreasonable demands on our resources through the nature, frequency, or scale of the service they expect. Such behaviour can significantly impact our ability to deliver services effectively and impartially.

Examples of unreasonable demands include:

- Repeatedly requesting responses within unrealistic timeframes
- Imposing unreasonable conditions on staff or processes
- Insisting on speaking with a specific staff member when this is not feasible
- Refusing to accept that the LVJB is unable to provide a particular service or take a specific action
- Frequently altering the nature of a complaint or issue, or introducing unrelated concerns

These behaviours can detract from the quality of service we provide and place a disproportionate burden on the organisation. Responding to such demands often requires excessive time and diverts financial and human resources away from our statutory functions.

This can be particularly challenging and stressful for staff, especially when it becomes impossible to reach a reasonable resolution or establish a constructive dialogue. What constitutes an unreasonable demand will always depend on the specific circumstances and context in which the behaviour occurs.

Unreasonable persistence

Sometimes the volume and duration of contact made to our office by an individual can cause problems. This can occur over a short period for example, several calls in one day or one hour. It may occur over the lifespan of a complaint when a complainant repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

Contact with complainants becomes unacceptable when the time and resources required to respond, whether by telephone, email, or written correspondence, begin to interfere with our ability to effectively manage that individual's complaint or to address other complaints.

In some cases, individuals may repeatedly contact the LVJB about the same issue or closely related matters. While their tone may remain courteous, the persistence of their approach can become disproportionate, consuming excessive time and resources in exchanges that are ultimately unproductive for both parties.

This persistence may also manifest as serial complaining, where individuals submit repeated complaints about the handling of previous complaints, sometimes involving multiple departments or organisations. The defining feature of such behaviour is its ongoing and repetitive nature over time.

LVJB reserves the right to assess when such persistence disrupts our operational capacity or amounts to harassment or unreasonable treatment of staff. In such cases, appropriate measures may be taken to manage contact in line with this policy.

Unreasonable refusal to co-operate

When reviewing a complaint, we rely on the cooperation of the individual who has raised the concern. This may involve:

- Agreeing the scope of the complaint to be investigated
- Providing additional information, evidence, or comments when requested
- Summarising concerns or completing relevant forms to support the process

We understand that some individuals may face genuine difficulties in meeting these requests, and we will always seek to offer appropriate support in such cases.

However, it is unreasonable to submit a complaint and then repeatedly refuse to engage with reasonable requests necessary for its resolution. A lack of cooperation can significantly hinder our ability to investigate and respond effectively.

We are committed to handling complaints fairly and thoroughly, and this requires constructive engagement from all parties involved.

Examples of how we manage unacceptable behaviour

The threat or use of physical violence, verbal abuse or harassment towards LVJB staff is likely to result in a termination of all direct contact with the complainant. We may report incidents to the police. This will always be the case if physical violence is used or threatened.

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, offensive, upsetting or extreme.

We will not respond to correspondence (in any format) that contains statements that are abusive to staff or contains allegations that lack substantive evidence. Where we can, we will return the correspondence. We will explain why and say that we consider the language used to be offensive, unnecessary and unhelpful and ask the sender to stop using such language.

We will state that we will not respond to their correspondence if the action or behaviour continues. In extreme situations, we will tell the complainant in writing that their name is on a 'no personal contact' list. This means that we will limit contact with them to through a third party.

The decision that correspondence is unacceptable should be carefully considered and communicated to 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.

If a complainant repeatedly 'phones, visits the office, raises repeated issues, or sends large numbers of documents where their relevance isn't clear, we may decide to:

- limit contact to telephone calls from the complainant at set times on set days.
- restrict contact to a nominated member of LVJB staff who will deal with future calls or correspondence from the complainant.
- see the complainant by appointment only.
- restrict contact from the complainant to writing only.
- return any documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.
- take any other action that we consider appropriate.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the complainant that only a certain number of issues will be considered in a given period and we ask them to limit or focus their requests accordingly.

Any member of LVJB staff who directly experiences aggressive or abusive behaviour from a complainant has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.

In exceptional cases, we reserve the right to terminate contact with an individual. We will consider the impact on the individual and whether there would be a broader public interest in considering the matter further.

In more serious cases, we may consider legal options such as seeking an interdict or pursuing other protective actions to safeguard our staff.

Our priority is to ensure a safe and respectful working environment for all staff, and we will take proportionate action where necessary to uphold that standard.

We will try to ensure that any action we take is the minimum required to solve the problem, considering relevant personal circumstances including the seriousness of the complaint and the needs of the individual.

Wherever possible, we will give a complainant the opportunity to change their behaviour or action before any decision is taken.

We will always tell the complainant what action we are taking and why.

How we let people know we have made this decision

When an LVJB employee makes an immediate decision in response to offensive, aggressive or abusive behaviour, the complainant is advised at the time of the incident. When a decision has been made by a senior member of staff, a complainant will always be given the reason in writing as to 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.

The process for appealing a decision to restrict contact

It is important that a decision can be reconsidered. A complainant can appeal a decision to restrict contact. If they do this, we will only consider arguments that relate to the restriction and not to either the complaint made to us or to our decision to close a complaint.

An appeal could include, for example, a complainant saying that: their actions were wrongly identified as unacceptable; the restrictions were disproportionate; or that they will adversely impact on the individual because of personal circumstances.

A senior member of staff who was not involved in the original decision will consider the appeal. They have discretion to quash or vary the restriction as they think best. They will make their decision based on the evidence available to them. They must advise the complainant in writing that either the restricted contact arrangements still apply, or a different course of action has been agreed.

We may review the restriction periodically or on further written request after a period of time has passed.

Each case is different. We will explain in the letter setting out the restriction what review process will be in place for that restriction and in what circumstances they could request this be reconsidered.

How we record and review a decision to restrict contact

We record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records. Each quarter a report on all restrictions will be presented to our Corporate Leadership Team so that they can ensure the policy is being applied appropriately. A decision to restrict complainant contact as described above may be reconsidered either on written request or on review.

Contact us

Written complaints should be addressed to:

The Governance Team
Lothian Valuation Joint Board
17A South Gyle Crescent
Edinburgh
EH12 9FL

Email: Complaints@lothian-vjb.gov.uk

Telephone: 0131 344 2500

Website: www.lothian-vjb.gov.uk