

GBSLEP Unacceptable Behaviour Policy



Introduction

This policy applies to all individuals contacting the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) on behalf of themselves, another individual, organisation or group. It applies to all forms of contact and defines the behaviours and actions that are not acceptable to the GBSLEP.

GBSLEP team members are expected to treat individuals with courtesy, respect and fairness. Similarly, GBSLEP expect employees to be treated in the same way. The company has a duty to protect the welfare and safety of staff. Where individuals behave unacceptably or unreasonably, this policy will be referred to and applied.

Our resources, including employees time are limited, and must be used for the benefit of all. This might mean that the company cannot respond to every issue in the way an individual might wish, if in doing so it would take up what the GBSLEP regards as being a disproportionate amount of time and resources. This also includes circumstances where the company is prevented by law from giving advice on certain subjects.

Principles

The behavioural expectations for GBSLEP employees and individuals interacting with us are:

For GBSLEP team members to:

- Provide a fair, open, proportionate, and accessible service.
- Listen and seek to understand.
- Treat everyone who contacts us with respect, empathy, and dignity.

For those interacting with GBSLEP to:

- Treat employees with respect and courtesy.
- Engage with us in a way that does not impact on our ability to carry out our work effectively and efficiently for the benefit of all individuals interacting with the GBSLEP.

What behaviour is unacceptable

Behaviour is unacceptable when individuals act in a way they shouldn't. Sometimes individuals might act differently if they are upset or annoyed. If that means an individual treats GBSLEP employees inappropriately, it won't be accepted.

Aggressive or abusive behavior may include:

- threats of physical harm or actual physical harm
- behaviour or language (verbal or written) that may cause staff to feel offended, afraid, threatened or abused

- insulting or degrading language
- personal grudges toward certain employees
- making serious allegations against employees without any evidence
- the company may also decide that comments aimed not at GBSLEP but at third parties are unacceptable because of the effect that listening to or reading them may have on employees.

Unreasonable demands

A demand may be unreasonable if handling it could take up an excessive amount of an employees time. As a publicly funded organisation, with limited resource to respond, this could stop other clients from accessing our support.

The company may decide a demand is unreasonable if, for example, an individual:

- demands responses within an unreasonable timescale
- insists on seeing or speaking to someone more senior or a particular member of staff when it is not possible
- keeps raising new or unrelated concerns
- demands that nobody who is male / female deals with them
- demands to speak to someone on the same day when that person isn't available

Unreasonable frequency or duration of contact

The number of times an individual contacts GBSLEP, or the duration of each contact, can cause problems for employees.

The level of contact may become unacceptable when the amount of time spent talking to an individual on the telephone, or responding to, reviewing and filing emails or written correspondence, means it is difficult to deal with that individual and impacts upon our ability to serve the needs of others.

Examples of unreasonable levels of contact:

- making a lot of calls in one day
- frequent emails about the same issue or repeatedly sending us emails with large amounts of information that is not necessary
- sending in new complaints before the company has had an opportunity to address earlier complaints
- repeatedly asking the company to look at the same issue when it has already been addressed through this process or another
- repeatedly making very long calls to employees
- calls outside of normal working hours

Refusal to cooperate

During communication the company may need to ask an individual to work with us to progress an issue/complaint. Sometimes they may refuse to engage in this process. This may include:

- Refusal to provide information and/or evidence.
- Not providing a summary of their concerns or refusal to provide information.

- Not providing comments or responses to reasonable deadlines.
- Not agreeing to a defined complaint scope within a reasonable timescale.

Approaches that may be taken as a result of unacceptable behaviour

Any GBSLEP employee who experiences offensive, aggressive, or abusive action from an individual should immediately end correspondence and speak to their line manager and Head of Governance to determine the best course of action. If after consultation with a manager further advice is required, legal advice may be sought.

If GBSLEP feel behaviour is unacceptable or unreasonable, the following actions may be taken:

- restrict or end contact on the matter
- restrict contact on all matters
- ask that all future contact is made through a third party advocate
- end contact entirely for a period of time
- report incidents to the police (for example, if violence has been threatened)
- take any other action considered appropriate (in extreme cases, this may include blocking calls or resorting to legal action)

In making a decision, GBSLEP may consider:

- how it affects employees
- how it affects the individual (including their personal circumstances and any reasonable adjustments)
- the extent to which the company are able to engage or assist
- the extent to which the process or subject matter has been exhausted

Where a decision is made in consultation with a manager to restrict contact, it will be explained in writing:

- why a decision has been made,
- what arrangements for contact, if any, have been put in place,
- the length of time the restrictions will be in place,
- when the restriction will be reviewed.

Restricted contact will normally be for an initial period of six months and will be reviewed at three monthly intervals by the Head of Governance, except where the decision has been made to cease all contact. Restricted contact can be extended beyond six months but shall continue to be reviewed at three monthly intervals. Where the restriction is continued the individual will be informed in writing.

This process may be reconsidered by GBSLEP if the individual commits to behaving with courtesy, respect and fairness and:

- some time has passed
- there is a more suitable alternative available
- evidence is received that there were exceptional reasons for the behaviour

Not adhering to a restriction

Where an individual does not follow the restriction put in place, employees may discontinue contact at the point of incident e.g. if the restriction included no telephone contact, employees have approval to remind individuals of the restriction and end the call immediately.

If an individual continues to ignore the restriction, employees will consult with a manager to consider whether further restrictions in line with this policy are required, for example blocking calls or emails.

How an individual can appeal our decision

Information on appealing against the decision to restrict contact will be provided to the individual. A request for an appeal must be made within 10 working days of the decision to restrict contact.

Any appeal will only consider arguments against the restriction. An appeal could include, for example, the individual saying that the restrictions:

- are disproportionate
- will be disproportionately impacted upon because of personal circumstances, e.g. a previously undisclosed disability.

A member of senior leadership team will consider the appeal. They have discretion to remove, change or uphold the restriction based on the evidence available to them.

The appeal will be considered within 10 working days of receipt of the request for an appeal and the individual will be advised in writing of the outcome of their review and whether restrictions will be maintained, removed, or varied as a result.

Whilst the appeal is being considered, the restricted contact arrangements will remain in force. There is no further right of appeal. The decision made is final.

Providing support to employees impacted by unacceptable behaviour

The manager of the employee who has been impacted by unacceptable behaviour should discuss with them what support they require following the incident(s). This may include connecting them with a mental health first aider, referring them to our employee assistance programme or ensuring they have no further contact with the individual who has behaved unacceptably.