LANARKSHIRE VALUATION JOINT BOARD

UNACCEPTABLE ACTIONS POLICY

MARCH 2025

1. Introduction

This Policy sets out Lanarkshire Valuation Joint Board's (LVJB's) approach to the service users whose actions or behaviours LVJB considers unacceptable.

We believe service users have a right to be heard, understood and respected.

Occasionally, the behaviours or actions of service users makes it difficult for us to deal with other service priorities due to the time and effort required to deal with a few service users. In some cases, this may even extend to actions becoming unacceptable because they involve abuse of our staff or our process.

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

This Policy explains how we will approach these situations.

2. Appeals

The Assessor is an independent statutory official who carries out their duties in terms of non domestic valuation and council tax legislation. Likewise, as Electoral Registration Officer, they must adhere to appropriate legislation. A separate and distinct appeal system exists for disagreements with entries in the Valuation Roll, Council Tax List or Electoral Register. An appeal will not therefore be dealt with as a complaint as an appeal must follow the appropriate legislative framework.

3. What actions do LVJB consider to be unacceptable?

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading to a particular matter being raised by a service user.

We do not view behaviour as unacceptable just because a service user is forceful or determined. In fact, we accept that being persistent can at times be a positive advantage when pursuing a particular issue.

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.

a) Aggressive or abusive behaviour

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

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 staff to feel afraid, threatened or abused, and may include threats, personal verbal abuse, derogatory remarks and rudeness.

We also consider inflammatory statements and unsubstantiated allegations to be abusive behaviour.

b) Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the office.

Examples of actions grouped under this heading include:

- repeatedly demanding responses within an unreasonable timescale,
- insisting on seeing or speaking to a particular member of staff when that is not possible, or appropriate,
- repeatedly changing the substance of an enquiry or raising unrelated concerns.

An example of such an impact would be that the demand takes up an excessive amount of staff time and in so doing disadvantages other service users.

c) Unreasonable levels of contact

Sometimes the volume and duration of contact made to our office by a service user causes problems. This can occur over a short period, for example, several calls in one day or one week. It may occur over the lifespan of an enquiry when a service user repeatedly makes long telephone calls to us or inundates us with enquiries which essentially have been previously dealt with.

We consider that the level of contact has become unacceptable when the amount of time spent talking to a service user on the telephone, or responding to, reviewing and filing emails or written correspondence impacts our ability to deal with other workload.

d) Unreasonable use of the complaints process

Individuals with complaints about LVJB have the right to pursue their concerns through LVJB's Complaints Handling Policy. They also have the right to complain more than once about an organisation with which they have a continuing relationship, if subsequent incidents occur.

However, this contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent an organisation from pursuing a legitimate aim or implementing a legitimate decision. We consider access to our complaints procedure to be important and it will only be in exceptional circumstances that we would consider such repeated use is unacceptable – but we reserve the right to do so in those exceptional cases.

4. Examples of how we manage aggressive or abusive 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 service user. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

We will not accept any correspondence (letter, fax or electronic correspondence) that is abusive to staff or contains allegations that lack substantive evidence. We will tell the service user that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues.

LVJB staff will end telephone calls if they consider the caller aggressive, abusive or offensive. LVJB staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and end the call if the behaviour persists.

5. Examples of how we deal with other categories of unreasonable behaviour

We must act when unreasonable behaviour impairs the functioning of our office.

We aim to do this in a way that allows a service user to legitimately pursue any issue they so wish to. 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 issue and the needs of the service user.

a) Actions we may take

Where a service user 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 service user 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 service user
- restrict contact from the service user to writing only
- writing to the service user advising them that the matter is considered to be closed and no further dialogue will be entered into with them

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the service user 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.

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

6. The process we follow to make decisions about unreasonable behaviour

Any member of LVJB staff who directly experiences aggressive or abusive behaviour from a service user 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 LVJB are only taken after careful consideration of the situation by a more senior member of staff.

a) How we let people know we have made this decision

When an LVJB employee makes an immediate decision in response to aggressive or abusive behaviour, the service user is advised at the time of the incident. When a decision has been made by senior management, a service user will always 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 service user has a record of the decision.

b) The process for appealing a decision to restrict contact

It is important that a decision can be reconsidered. A service user can appeal a decision to restrict contact.

An appeal could include, for example, a service user saying that: their actions were wrongly identified as unacceptable; the restrictions were disproportionate; or that they will adversely impact on the service user 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 service user in writing* that either the restricted contact arrangements still apply, or a different course of action has been agreed.

c) How we record and review a decision to restrict contact

A copy of all letters in connection with decisions to restrict contact with particular service users should be kept in LVJB's proprietary electronic document management software application. A decision to restrict contact with a particular service user in relation to a specific matter may be reconsidered if the service user demonstrates a more acceptable approach or raises a completely different issue that has not been previously considered.

- This can be supplemented if written communication is not the most appropriate form for the service user.

7. Equalities Act 2010

Where the matter concerns an equal opportunity issue then it should be raised with the LVJB's Administration Manager.