

## Alstern Solicitors Zero Tolerance Policy on Abusive Communication and Clients

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### **Introduction**

The majority of individuals who contact Alstern Solicitors communicate with us in a polite and courteous manner. This policy is aimed at how we manage the relatively few individuals whose actions we consider unreasonable.

When you contact Alstern Solicitors to make enquiries, provide information, or raise a complaint, we believe you should be listened to by our staff, understood, and given an opportunity to explain your case or query. We believe that you should be treated with courtesy and respect by Alstern Solicitors and its staff.

Our staff members have the same rights and we expect you to treat our staff with courtesy and respect. If you have particular communication needs, for example, if you have a disability, condition, or illness, we will accommodate these where appropriate in accordance with our reasonable adjustment policy.

### **Purpose of the Policy**

Our aims and objectives are:

- To define the behaviours that are not acceptable to Alstern Solicitors.
- To ensure that the ability of staff to conduct business is not adversely affected by those few individuals who behave in an unreasonable manner.
- To ensure our staff have a safe working environment and are not exposed to unnecessary stress.
- To empower Alstern Solicitors staff to deal confidently and effectively with unreasonable behaviour.

### **Scope**

This policy applies to members of the public and all those who Alstern Solicitors serves.

If restrictions are imposed on an individual, care will be taken to ensure that their ability to respond to us on matters is not impaired.

### *Unacceptable Behaviour*

We recognise that, when you contact Alstern Solicitors, you may have reason to feel aggrieved, upset, or distressed. We do not view assertive behaviour (for example, putting forward your case in a persuasive manner) as unreasonable. However, we will manage behaviour that is aggressive or abusive, or which places unreasonable demands on our staff under this policy. Some examples of what we consider to be unreasonable behaviour are provided below.

### **Aggressive/Abusive Behaviour**

Unreasonable behaviour is behaviour or language (whether verbal, i.e. face-to-face or by telephone, or written) that may cause staff to feel intimidated, threatened, or abused. Examples include:

- Threats
- Verbal abuse
- Racist and sexist language
- Derogatory remarks
- Offensive language
- Rudeness
- Making inflammatory statements
- Raising unsubstantiated allegations

While we accept that those in contact with us may feel angry, it is not considered acceptable when that anger becomes aggression directed towards staff.

### **Unreasonable Requests and Communication**

Requests may be considered unreasonable by the nature and scale of service expected. Examples include:

- Requesting responses to unreasonable timescales
- Insisting on speaking with certain members of staff
- Adopting a "capture-all" approach by contacting many staff members and third parties

Communication may be considered unreasonable if, for example, individuals:

- Continually contact us while we are in the process of looking at a matter
- Make a number of approaches about the same matter without raising new issues
- Refuse to accept a decision made where explanations for the decision have been given
- Continue to pursue complaints/issues which have no substance
- Continue to pursue complaints/issues which have already been investigated and determined
- Continue to raise unfounded or new complaints arising from the same set of facts

We recognise that our resources, including staff time, have to be used where they can be most effective. This might mean that we cannot respond to every complaint/issue in the way

a person would like, if in doing so it would take up what Alstern Solicitors regards as being a disproportionate amount of time and resources.

## **Managing Unreasonable Behaviour**

All staff at Alstern Solicitors have the authority to manage unreasonable behaviour.

### **Zero Tolerance**

Alstern Solicitors has a zero-tolerance position on violence and threats against our staff and this behaviour will always be reported to the police. In all other cases, we will only restrict communication with you if we have informed you that your behaviour is unreasonable and have asked you to modify your behaviour. We will explain what action will be taken if the warning is ignored and, if you do not modify your behaviour, we will take steps to restrict communications with you.

If we decide a restriction is appropriate, we will consider which of the options below best fits the circumstances. The level of restriction that we apply will be proportionate, taking into account the nature, extent, and impact of your behaviour on our ability to do our work.

We will be transparent and explain to you what restriction we are putting in place, our reasons for doing so, and how long the restriction will apply.

### **Options to Restrict Contact**

If you continue to behave unreasonably after we have asked you to modify your behaviour, the options we will consider are:

- Requiring you to contact a named staff member(s) only.
- Restricting telephone calls to specified days and times, as agreed with you.
- Terminating telephone calls if you persistently raise issues which we have already responded to in full. We will politely explain that we are unable to comment further on the matter and will ask if there are any other issues you wish to raise. If no new issues are raised and you persist in raising issues which we have already addressed, we will tell you so before ending the call. A written warning will then be sent, with a view to limiting future communication to written communication only.
- Terminating telephone calls if you are aggressive, abusive, or offensive. We will politely ask you to modify your behaviour, but if the behaviour continues, we will tell you again that your behaviour is unacceptable and end the call. The manager of the member of staff involved will then send you a written warning, with a view to limiting future communication to written only.
- Restricting the issues we will correspond on.
- Returning large volumes of irrelevant documentation. In extreme cases, we will advise you that further irrelevant documents will be destroyed.
- Declining to respond to further correspondence which does not raise new issues. The correspondence will be read and filed, but we will not acknowledge it unless you provide significant new information or evidence relating to the matter.

- Blocking your emails if the number and length of emails sent causes difficulties to us
- Not responding to correspondence which is abusive or offensive and blocking emails that are abusive or offensive.
- Asking that future allegations you submit are supported by an independent third party such as the Citizens Advice Bureau, a legal representative, or an advocate, to ensure that our staff resources are spent in a proportionate way.
- Terminating our retainer with you.
- Reporting physical violence, verbal abuse, threats, or harassment to the police if appropriate

Any one of the above options (or a combination of these) may be applied to an individual.

### **Special Considerations for Individuals with Disabilities (Including Mental Health Issues)**

If you have a disability/mental health issue and may be subject to a restriction under this policy, we will consider whether:

- Your unreasonable behaviour relates to the disability/mental health issue.
- The restriction being applied will affect you more than a person who does not have that particular disability/mental health issue.

For example, we will give careful consideration before imposing a restriction on telephone calls with a person who has a visual impairment, as they might find it difficult to write to us instead.

### **Appeals**

You must request an appeal within 10 working days of the decision to restrict contact (or another agreed time period if a reasonable adjustment is in place). While the appeal is being considered, the restricted contact arrangements will remain in force.

Your appeal can be made in writing, by email, or by telephone, but the format you use will depend on which method of contact has been restricted. For example, if we are not accepting your telephone calls, you will need to submit your appeal in writing or by email.

If you wish to appeal our decision, please contact our director directly at [Lani@alsternsolicitors.co.uk](mailto:Lani@alsternsolicitors.co.uk).

Our director will consider your appeal. If the decision to restrict communication was made by a complaints officer, another complaints officer who was not involved in the original decision will consider the appeal.

The appeal will be considered within 10 working days of receipt of the request for an appeal and you will be advised either that the restricted contact arrangements still apply or a different course of action may be agreed. If we cannot respond within this timescale, they will tell you why and let you know when they will be able to respond fully.

## **Review of Restrictions**

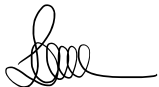
We will review the record of restrictions on an annual basis. The majority of restricted individuals will be removed from the record of restrictions once the period stated in the original restriction letter has expired. However, we can decide to extend the restriction if we consider there is an ongoing risk of inappropriate or unreasonable behaviour towards our staff. If we decide to extend your restriction, we will contact you to explain why.

You can request a review of the decision to extend your restriction by following the appeals procedure outlined above.

## **Conclusion**

Alstern Solicitors is dedicated to maintaining a professional and respectful environment for both our clients and staff. We take a zero-tolerance approach to abusive behaviour and will take all necessary actions to protect the well-being of our employees.

Date: 1 Jan 2024

A handwritten signature in black ink, appearing to read 'Lani', with a long horizontal flourish extending to the right.

Approved by: Lani Nguyen, Director