



NBHTL Policy – Abuse of Staff

Introduction to this policy

We believe that everyone has the right to be heard, understood, and treated with respect and dignity. We also believe that our staff have the same rights.

Occasionally the behaviour or actions of individuals using our harbour make it difficult for us to deal with them. In a small number of cases, the actions of individuals become unacceptable because they involve abuse of our staff, processes or even other harbour users.

When this happens, we will take action to control the abuser.

This Policy explains how we will approach these situations.

The actions we consider to be unacceptable

We recognise that people may act out of character in times of trouble or distress. We also understand that there may have been upsetting or distressing circumstances that have led to this behaviour. We do not view behaviour as unacceptable just because an individual is forceful or determined. However, we do consider actions that result in unreasonable demands on our time or unreasonable behaviour towards our staff to be unacceptable. It is these actions that we will manage under this Policy.

Aggressive or abusive behaviour

We understand that you may be angry with the issues you have encountered but if that anger escalates into aggression towards our staff, we consider that unacceptable. Any violence or abuse towards our staff is not accepted.

Violence and aggression is not restricted to physical harm alone; it includes behaviour or language (verbal or written) that cause our staff to feel threatened, abused or intimidated. Examples of such behaviour include swearing, threats, personal verbal abuse, derogatory remarks and rudeness. Inflammatory statements and unsubstantiated allegations can also be abusive behaviour. Language which is designed to insult or degrade, or which is racist, sexist or homophobic is unacceptable.

Unreasonable demands

Demands become unacceptable when they start to impact substantially on the balance of our work for other harbour users. These kinds of behaviour can detract from the service we can offer to others, placing a significant burden on the organisation. Dealing with such behaviour requires a disproportionate amount of time and diverts an unreasonable proportion of our financial and human resources away from our statutory functions. Examples include:

- repeatedly demanding responses within unreasonable timescales.
- insisting on speaking to a particular member of staff when that is impossible.
 - repeatedly changing the exact nature of the complaint or issue they are raising or raising unrelated concerns.
- repeatedly contacting us in respect of decisions we have taken and with which you disagree.

Unreasonable levels of contact

Sometimes the volume and duration of contact made on our staff by an individual causes problems. This can occur over a short period of time or longer. We consider that the level of contact has become unacceptable when the amount of time spent talking to an individual, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that issue, or with other individuals.



Examples of how we will manage unacceptable behaviour

The threat or use of physical violence, verbal abuse or harassment towards our staff is likely to result in us ending all direct contact with the individual. We will always report to the police instances where physical violence is used or threatened.

We will not deal with correspondence (in any format) that is abusive or contains unsubstantiated allegations about our staff. Where we can, we will return the correspondence, explaining why we consider it to be offensive and we will ask individuals to stop using such language.

Our staff will end telephone calls if they consider the caller to be aggressive, abusive or offensive. The staff member taking the call has the right to make this decision.

They will tell the individual that they consider their behaviour to be unacceptable and will end the call if the behaviour does not stop.

Where individuals repeatedly phone, visit, send large volumes of documents where their relevance is unclear, or raise repeated issues we may:

- limit the number of telephone calls to set times and set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from that individual in the future.
- restrict contact to writing only; our staff will quickly terminate any telephone calls
- return documents to the individual or, in extreme cases, advise the individual that further irrelevant documents will be destroyed.

Communicating our decision to you

When an employee makes an immediate decision in response to offensive, aggressive or abusive behaviour, the individual will be advised straight away and at the time of the incident.

Where senior management make the decision, the individual will receive our reason in writing, the restricted contact arrangements put in place under this Policy, and, if relevant, the length of time these restrictions will remain in place.

The process for appealing a decision to restrict contact

An individual can appeal a decision to restrict contact by writing to the Chair of NBHTL. Contact details are on our web page.

We will only consider arguments that relate to the restriction. Where possible, a senior member of the committee not involved in the original decision will carry out the review and will consider, based on the information available, whether the decision to restrict contact was appropriate.

Once these considerations have taken place, the individual will be advised in writing whether the restricted contact arrangements still apply, or a different course of action has been agreed. Where we decide to terminate all contact with an individual there will be no other right of appeal and we will entertain no representations from them. We will make this clear in our final communication, and we will draw their attention to their right to complain to ELC.

How we record and review a decision to restrict contact

We record all incidents of unacceptable actions by individuals. Where it is decided to restrict an individual's contact, an entry noting this is made in the relevant NBHTL files.

The status of individuals with whom restricted contact arrangements have been put in place will be reviewed on a regular basis.

A decision to restrict contact may be reconsidered either on request or on review.