



Unacceptable Actions Policy of the Scottish Fundraising Adjudication Panel

1. Introduction

This Policy sets out the Scottish Fundraising Adjudication Panel's (the Panel) approach to any individuals whose actions or behaviour we consider unacceptable.

The policy applies to all individuals, organisations and individuals acting on behalf of organisations, who have contact with us. This includes, but is not restricted to, those making a complaint about a charity, third parties acting on behalf of others, interested members of the public, the media and any charity which we may receive a complaint about.

For ease of reference, throughout this document we refer to 'individuals' but the approach applies equally to our dealings with others e.g. organisations.

2. Policy aims

We believe that all individuals have the right to be heard, understood and respected. We also consider that the Panel have the same rights.

We aim to provide a service that is accessible to all. However, we retain the right, where we consider individuals actions or comments to be wholly unacceptable, to restrict or change access to our service.

This policy is designed to ensure that neither individuals who contact the Panel nor the Panel themselves suffer any disadvantage as a result of the unacceptable actions of others.

This policy also applies to the Panel when communicating with individuals.

3. Defining unacceptable actions

Unacceptable actions are those which, because of their nature or frequency, raise substantial health, safety, resource or equality issues for the individuals involved.

The Panel recognises 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

which have led to individuals contacting us. Similarly, we do not automatically view behaviour as unacceptable just because an individual is forceful or determined in their point of view.

However, actions which result in unreasonable demands on the Panel or unacceptable behaviour directed at the Panel will almost always be considered as falling within the scope of this policy.

The Panel has grouped unacceptable actions under three broad headings:

3.1 Unacceptable behaviour

We expect the Panel to be treated courteously and with respect at all times.

Behaviour which may cause Panel members to feel distressed, threatened or abused will not be tolerated. The Panel understands that there is a difference between aggression and anger. However, it is never acceptable for anger to escalate to unacceptable behaviour directed at the Panel. Examples include, but are not restricted to:

- Verbal or physical violence such as acts of aggression or making threats (whether oral or written)
- Verbal hostility or abuse
- Making derogatory remarks, inflammatory statements or unsubstantiated allegations about the Panel
- Recording conversations with the Panel without prior consent
- Using harassing or stalking behaviours

3.2 Unacceptable demands

In some instances, an individual may make what we consider to be unreasonable demands on the Panel through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the Panel, by taking up an excessive amount of the Panel's time to the disadvantage of other functions.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues being considered.

Examples include, but are not restricted to:

- demanding responses within an unreasonable timescale
- making continual phone calls, or sending letters stating the same thing, repeatedly
- demanding that issues already addressed are looked at again
- contacting us repeatedly in respect of decisions we have taken, with which they disagree

3.3 Unreasonable persistence

While we accept that being persistent may be an appropriate and positive approach by individuals in a very limited number of circumstances, there are situations where the volume and/or duration of contact made to the Panel by a single individual causes problems.

We consider that the level of contact has 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 from them impacts on our ability to deal with that issue, or with other individuals.

Examples include, but are not restricted to:

- unduly frequent or excessively long phone calls or letters relating to the same subject
- refusing to accept a final outcome where there is no right to review, or the review processes have been exhausted
- repeatedly questioning the competency or integrity of the Panel
- continuing to express concerns about the actions of a charity without presenting any new information

4. Managing unacceptable actions

The Panel do not expect that there will be many individuals whose actions we would consider unacceptable. For the minority whose actions and behaviours we do consider unacceptable, however, our approach will be dependent on the specific circumstances.

Examples include, but are not restricted to:

- asking the individual to stop using offensive or abusive language (whether oral or written)
- ending telephone calls if the caller is considered aggressive, abusive or offensive
- restricting an individual's contact with the Panel to manage the impact of the unacceptable action
- reporting to the police all instances where physical violence is used or threatened

Deciding to restrict contact

The Panel have the authority to deal immediately with unacceptable 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 the Panel are only taken after careful consideration of the situation

by the Panel as a whole. Wherever possible, we give individuals the opportunity to modify their behaviour or action before restricting contact with us.

When a decision to restrict contact is taken by the Panel, the individual concerned is told in writing why the decision has been made and advised of any restricted contact arrangements and, if relevant, the length of time that these restrictions will remain in place.

Recording and reviewing 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 files and on appropriate computer records.

A decision to restrict contact may be reconsidered if the individual demonstrates a more acceptable approach. The status of individuals with whom restricted contact arrangements have been put in place will be reviewed on a regular basis, as determined by the Panel.

Policy availability

Copies of this policy are free and are available on request or can be downloaded from the Panel website at <https://www.goodfundraising.scot/unacceptable-actions-policy/>

Adopted: June 2017