

Managing Unacceptable Behaviour

Guidelines for Accredited Representatives
and Relevant RCN Staff

CORPORATE



RCN Respect Charter

our commitment to
working together



Acknowledgements

Jane Clarke, RCN Group Secretary

Chris Cox, Director of Membership Relations

Liz Laughton, Head of HR and OD

Joanna Lewis, Customer Relations Manager

Sue Tarr, Operational Manager

Guy Thomas, RCN Officer

Jill Thornton, Health and Wellbeing Manager

Laura Wager, Head of Internal Communications

Amisha Wilde, Learning and Organisational Development Manager

This publication is due for review in March 2019. To provide feedback on its contents or on your experience of using the publication, please email publications.feedback@rcn.org.uk

RCN Legal Disclaimer

This publication contains information, advice and guidance to help members of the RCN. It is intended for use within the UK but readers are advised that practices may vary in each country and outside the UK.

The information in this booklet has been compiled from professional sources, but its accuracy is not guaranteed. Whilst every effort has been made to ensure the RCN provides accurate and expert information and guidance, it is impossible to predict all the circumstances in which it may be used. Accordingly, the RCN shall not be liable to any person or entity with respect to any loss or damage caused or alleged to be caused directly or indirectly by what is contained in or left out of this website information and guidance.

Published by the Royal College of Nursing, 20 Cavendish Square, London, W1G 0RN

© 2017 Royal College of Nursing. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise, without prior permission of the Publishers. This publication may not be lent, resold, hired out or otherwise disposed of by ways of trade in any form of binding or cover other than that in which it is published, without the prior consent of the Publishers.

Contents

1. Introduction	4
2. Unacceptable behaviour	5
3. Sanctions available when the Respect Charter is breached	5
4. Managing and de-escalating a challenging situation	6
5. Process for managing unacceptable behaviour	7
6. Guidance for supervising officers/senior officers your responsibilities	8
Appendices	
7. Appendix 1 – RCN Respect Charter	9
8. Appendix 2 – Template of first warning letter for RCN members	10
9. Appendix 3 – Template of letter for withdrawal of member’s case	11

1. Introduction

RCN staff, accredited representatives, and members are all a part of the RCN. We make a difference for nursing staff, employers, patients and the public, but only when we work together and truly value each other's contribution.

These guidelines introduce our **Respect Charter**, which governs how all our stakeholders should approach working with each other at all times. They also: highlight what steps will be taken when the standards in our Respect Charter are not met; provide guidance for our accredited representatives who are subjected to unacceptable behaviour; and outline what support is available to them.

We recognise that our members in particular can be experiencing high levels of stress and/

or be very unwell when they contact our accredited representatives. We therefore aim to provide our accredited representatives with the necessary skills and guidance to support all of our customers in their time of need. That said, unacceptable behaviour towards our accredited representatives will not and should not be tolerated, either by them, their supervising officer/senior officer or the RCN's leadership.

Through these guidelines accredited representatives and their supervising officers can access guidance on managing challenging situations to help them build their confidence in handling unacceptable behaviour. The process contained within these guidelines aims to support accredited representatives and relevant RCN staff in their management of these incidents.

2. Unacceptable behaviour

All individuals who engage with the RCN are expected to treat RCN accredited representatives in accordance with the RCN's Respect Charter (**Appendix 1**) to avoid unacceptable behaviour.

The RCN defines unacceptable behaviour as:

- behaviour directed towards a person that in any way attempts to belittle, threaten or intimidate, including verbal, written and physical abuse, and harassment
- harassment in the context of these guidelines is defined as repeatedly inappropriate or excessively regular contact from an individual or group.

3. Sanctions available when the Respect Charter is breached

RCN Members

- Members have a responsibility to work with our accredited representatives in accordance with the **Respect Charter**.
- Failure to do so may lead to RCN services being withheld from the member for a fixed or permanent period, in appropriate circumstances.
- In addition, a formal complaint can be made by accredited representatives about a member's behaviour under the **RCN Members' Disciplinary Policy and Procedure**. This policy applies to all members.

4. Managing and de-escalating a challenging situation

If someone is communicating with you in an unacceptable way, be it face to face, over the phone or in written form, there are steps you can take to try and de-escalate the situation. The following tips aim to help you do this and should always be employed as a first step in the process of managing unacceptable behaviour.

Face-to-face and/or verbal incidents

- Act as a role model for appropriate behaviour.
- Address the person directly and politely.
- Slow down the conversation and ask the person to repeat what they said.
- Give the person honest and constructive feedback, be specific.
- Ask them to stop behaving in an unacceptable manner and explain that if they don't you will remove yourself from the situation/end the phone call.
- When an individual appears to be distraught, employing the following skills may help you to calm them.

Non-verbal listening skills

- Maintain eye contact.
- Keep your facial expression neutral.
- Ensure your body language is professional but open.
- Keep a level tone of voice.
- Talk at a steady pace, avoid rushing.

Verbal listening skills

- Ask open, relevant questions.
- Paraphrase what they have said to show you are listening.

If the individual's unacceptable behaviour continues, repeat your request for them to stop and let them know you will take the matter further.

If the situation is escalating face to face and you need assistance, find a colleague to support you as soon as possible. If you feel at all under threat, remove yourself from the situation immediately and put a distance between yourself and the individual involved. You must also consider calling the police if you believe the threat to you or others may be severe.

Written incidents

- Take your time reading through the email or letter.
- Pick out the points that need responding to and the evidence of unacceptable behaviour.
- Consider whether it would be more constructive to call the individual to discuss their email or letter, and employ the skills listed for verbal incidents.
- If you choose to write back, be clear and polite, acknowledge their concerns.
- Highlight where you believe their behaviour has breached our Respect Charter and include a copy if appropriate.
- Ask them to treat you respectfully and explain that if they don't, you may have to refuse to communicate with them.
- Talk to your RCN supervising officer/senior officer for further advice on handling the situation.

Recovering from incidents

- Incidents of unacceptable behaviour can have a substantial impact on our accredited representatives, their wellbeing, productivity, and their relationships with our members.
- If you are affected by an incident, you are encouraged to seek support to reflect on and recover from what took place. Talk to your relevant RCN supervising officer/senior officer. They will offer guidance on recording and reporting the incident, and explore what further support you may need.

5. Process for managing unacceptable behaviour

Recording and reporting incidents

- Every incident of unacceptable behaviour must be both recorded and reported. The record is a short write-up completed by the individual subjected to the behaviour, explaining what happened and what action they took as a result.
- Records must be factual, accurate and detailed. They should include:
 - the words and phrases used by the individual
 - the rate and tone of speech (if verbal)
 - the attempts you made to de-escalate the situation
 - any action taken, for example, if you asked the individual to stop using particular language or if you terminated the call or meeting
- copies of any relevant emails and/or letters the member sent you.
- The record made should be factual and shouldn't contain judgement, or make reference to how you feel about the incident.
- In all incidents, the record must be submitted in a timely manner as part of a report via the **Incident Reporting Form**.
- It's important to note that, if the member involved makes a Subject Access Request under the Data Protection Act in the future, they will be sent a copy of your record of the incident. Our need to capture the incident has to be balanced with their right to view the information we record about them. Records of the incidents may make difficult reading for the subject of your complaint, but if it's factual and accurate then you should have no concerns about writing your record.

Incident reporting

Your incident reports will be sent to your regional or country office for their records. An anonymised quarterly report of all incidents will be shared with the RCN's Membership Representation and Support programme board to inform any work we believe is needed to further protect and support our accredited representatives.

Next steps

These guidelines anticipate that the next steps of the processes for managing unacceptable behaviour are completed by a supervising RCN officer/senior officer or RCN senior manager, in support of the accredited representative affected.

6. Guidance for RCN supervising officers/senior officers

When an incident occurs

- If an incident is reported to you by an accredited representative carefully consider what type of support you should offer. Determine whether the accredited representative needs your intervention and, if so, to what extent, or whether they appear to be comfortable handling the situation.
- It is important that you make time as soon as you hear about an incident to speak with the accredited representative and to give them space to talk about the situation. It may help to discuss with them how the member's behaviour conflicted with our **Respect Charter**.
- As part of this discussion, discuss how the accredited representative is managing the situation, check what support they may require and offer any advice that you are able to give.
- You should also advise the accredited representative that if the member continues to behave inappropriately then the RCN may consider withdrawing support and/or submitting a formal complaint under the **RCN Members' Disciplinary Policy and Procedure**.
- As an RCN supervising officer/senior officer you have a responsibility to ensure that all incidents of unacceptable behaviour are both recorded and reported. Where appropriate, you should offer to assist the accredited representative in recording the incident to ensure it meets the standards in the recording section of these guidelines (see page 9). You will receive a final copy when the accredited representative submits their **Incident Reporting Form**.
- When an RCN member breaches our **Respect Charter**, you should determine, in consultation with the accredited representative, whether further action is required. Initially, it might be decided to speak to the member over the phone, or invite them in for a discussion.
- In these discussions, the purpose is to outline the RCN's expectations of how accredited representatives will be treated, and reassure the member that they will receive the support they need as long as they behave in accordance with our **Respect Charter**. You should make it clear that failing to act appropriately could result in withdrawal of support, either in relation to the member's case or the specific service they are accessing through the accredited representative, and/or a formal complaint being made under the **RCN Members' Disciplinary Policy and Procedure**.
- If the member's unacceptable behaviour continues, you or a senior manager should send them a warning letter. A template for this is available as **Appendix 2**, but you are encouraged to edit this as appropriate, as your knowledge of the situation and the individuals involved should heavily influence the content and tone.

Incidents related to case management

If incidents continue to occur and involve a member receiving support for a case, the RCN may choose to withdraw support for that case. Please note that withdrawal of support must be agreed between the accredited representative and you, the supervising officer/senior officer. You should also consult with the relevant senior manager. It may be appropriate to request a facilitated discussion with the member beforehand as a final attempt to resolve the problem. **Appendix 3** provides a second template letter informing a member that the RCN is withdrawing support, which can be amended to suit the situation.

If withdrawal of support is agreed, you should discuss with the accredited representative how further contact with the member should be managed and agree the steps to be taken to close the case.

7. Appendix 1 – RCN Respect Charter



RCN Respect Charter our commitment to working together

These declarations outline how all RCN stakeholders including staff, members and customers, regardless of their role, must approach working with each other at all times.

1. We acknowledge that our personal behaviour has an impact on others.
2. We value our differences and recognise that we will not always share the same views.
3. We grow from our mistakes by working and learning together.
4. We respect and preserve confidentiality.
5. We treat everyone with courtesy and respect, and act with integrity at all times.

In the event of these commitments being breached, incidents will be handled in accordance with our disciplinary policy, other relevant policy or framework.

8. Appendix 2 - Template of first warning letter for RCN member

Dear XXX

I write further to my telephone conversation with you with regards to the support that you have been receiving from XXX (name of accredited representative).

When we spoke I believe I was very clear about the standard of behaviour we expect from our members towards our accredited representatives who are offering support to you. I understand that you have since met with/spoke to/emailed (insert accredited representative) on (insert date) and during (this/ these) interactions your behaviour / language tone was again unacceptable.

While I understand that your current situation may be causing you distress, you are expected to behave in a professional and courteous way towards RCN accredited representatives. (insert nature of the incident detailing specific behaviour, why this was unacceptable, impact that this may have had and the changes needed to ensure the member continues to receive RCN support for this specific matter.)

In order for us to provide the best support possible, all RCN members are expected to adhere to the RCN Respect Charter, highlighted for you below. Might I also refer you to the On the Case document that was provided to you when your case was opened by the RCN. For all future communication and interaction we would ask that you ensure that your behaviour is aligned to the charter and the On the Case document.

RCN Respect Charter

1. We acknowledge that our personal behaviour has an impact on others.
2. We value our differences and recognise that we will not always share the same views.
3. We grow from our mistakes by working and learning together.
4. We respect and preserve confidentiality.
5. We treat everyone with courtesy and respect, and act with integrity at all times.

I need to advise you that should you continue to behave in a manner that is unacceptable and causes distress to our accredited representatives, we will have no choice but to withdraw RCN support.

I recognise this is likely to be a stressful time for you. Our Counselling service, available on 0345 772 6100, may be able to provide support for you during this period and I would encourage you to contact them if you feel you would benefit.

If you would like to discuss this letter in more detail please call me on (insert number) or email me at (insert email address).

Yours sincerely,

XXX

9. Appendix 3 – Template letter for withdrawal of support for a member's case

Dear **XXX**

I write with regards to the support you have been receiving for your employment issues from **XXX** (*name of accredited representative*).

I wrote to you on **XXX** following our telephone discussion to inform you that your behaviour at the time was unacceptable and in conflict with the RCN Respect Charter. I also advised that should you continue to behave in a manner that was deemed to be unacceptable, we would withdraw RCN support for your current employment issues.

I was disappointed to be informed that on **XXX** (*insert nature of the incident(s) detailing specific behaviour, why this is still unacceptable and impact that this is continuing to have on the accredited representative*).

It is with regret that I must inform you that the RCN will be immediately withdrawing support for your ongoing employment issues with (*insert employer*). I have taken this difficult decision whilst being mindful of (*insert employment situation faced by the member*) and realise this will be unwelcome news. This will apply to your current employment issues and will not affect any other RCN services you might be receiving, for example our Lamplight service or any support related to NMC matters, as these are not managed by RCN (*insert region / country office*) and this support is determined separately.

The decision to withdraw RCN support is in line with our On the Case leaflet on the basis that:

- *State clearly in summary /bullet points of the inappropriate behaviour as highlighted on the 'on the case leaflet'.*

I am taking steps to close your file today and would appreciate it if you would not include RCN accredited representatives or staff in to any future emails to your employer. The RCN will also be informing your employer that we will no longer be acting for you.

If you would like to discuss my letter in further detail please call me on (*insert number*) or email me at (*insert email address*) If you are not satisfied with the support the RCN has provided for you then you can find the RCN Complaints process on the RCN website at: <https://www.rcn.org.uk/contact/complaints-form>

I am very sorry that it has come to this and I wish you well with your (*include any relevant next steps that would have been supported by the RCN*).

Yours sincerely

XXX

cc (as required)

The RCN represents nurses and nursing, promotes
excellence in practice and shapes health policies

RCN Online
www.rcn.org.uk

RCN Direct
www.rcn.org.uk/direct
0345 772 6100

Published by the Royal College of Nursing
20 Cavendish Square
London
W1G 0RN

020 7409 3333

October 2017
Publication code 006 272

