

REGULATION

Acceptable behaviour policy

Updated February 2022

1 Purpose of this policy

RICS' development and enforcement of leading international standards protects consumers and businesses by ensuring the utmost level of professionalism is employed across the built and natural environment. We provide independent, risk-based regulation of the profession in the public interest. Our regulatory model applies globally to all individual members of the profession and all RICS-regulated firms. By assuring and, when necessary, enforcing our standards through our independent disciplinary process, RICS supports consumer confidence and a vibrant profession.

We aim to provide excellent standards of service, in line with the RICS values statement, to all who communicate and interact with us. We work hard to deliver these standards, and to treat service users with respect and dignity. Equally, we have a reasonable expectation to be treated with respect by those who communicate with us.

We recognise that, as regulatory service, some of the people who contact us may feel aggrieved or justifiably disappointed or angry because they feel they have been treated disrespectfully, or may have suffered harm or even financial loss through no fault of their own. Despite this, the majority of those who interact with us do so in a polite, professional and respectful way. Doing so allows us to deal with their concerns courteously, productively and efficiently.

However, members of the Regulation department occasionally receive communication or are subject to behaviours that are not professional or respectful. Those behaviours can have a profound impact on our resource, capacity and efficiency levels – as well as having an impact on the wellbeing of our staff.

This policy sets out how we manage those small number of instances of unreasonable behaviour that arise during our work. It applies to members of the public or members who have raised concerns with us, as well as the firms and individuals we regulate.

The policy aims to:

- define the behaviours that are not acceptable
- ensure fairness for those accessing our service by ensuring resources are distributed according to the merits of the matter raised, rather than based on the conduct of the person raising it
- protect the health, safety and wellbeing of staff who interact with those whose behaviour is considered unreasonable
- proactively manage resource allocation and improve efficiency in our communications, including ensuring the allocation of sufficient time and resource to manage unreasonable behaviour and
- empower our staff to deal confidently and effectively with unreasonable behaviour.

We will review this policy from time to time and may amend or update it accordingly.

2 Reasonable adjustments

We recognise and take seriously our obligation to make reasonable adjustments under the *Equality Act*. For example, this might include communicating with someone via their preferred method, offering information in a format that is more accessible or easier to read, or allowing more time to respond to enquiries. We invite individuals to notify us should they consider adjustments are needed.

We will take any reasonable adjustments into account when considering how to address behaviour under this policy. Please see section 4 for more details about this.

3 What do we mean by unreasonable behaviour?

We do not view assertive behaviour, or communicating in a clear and forthright way, as being unreasonable. We recognise that those contacting us may find it important to communicate the emotions they are experiencing. The background to the matters that are raised with us may be distressing and we recognise this could influence the way in which those involved communicate with us. Our staff are expected to make reasonable allowance for this.

We also recognise that the outcome of the matters raised with us might be personally important to those involved, who may be keen to know what is happening in this regard. Again, we appreciate that this might affect the way in which those using our service communicate with us. We will do our best to provide updates, and to manage expectations about the matters raised with us and how we will address these.

However, we will take steps to manage or to stop behaviour under this policy where it becomes aggressive, abusive or makes unreasonable demands upon RICS staff. The following are examples of what we mean by this, although the list is not exhaustive:

Aggressive or abusive behaviour, such as:

- threats
- derogatory comments, offensive language, or harassment
- making racial or culturally biased comments or remarks
- making demeaning, disrespectful or defamatory statements or
- use of abusive language.

Unreasonable demands, persistence, or communication, such as:

- attempts to dictate the approach we take to a particular matter, or insisting on a particular outcome
- sending excessive, irrelevant, and/or duplicate information
- repeatedly contacting us while we are dealing with a matter, or repeatedly placing unreasonable demands on our time (for example seeking excessive or lengthy telephone calls with the staff dealing with a matter)
- requesting responses within unreasonable timescales

- refusing to accept a decision made where an explanation for the decision has been provided
- repeatedly raising the same matter or matters arising from the same set of facts
- adopting a 'scattergun' approach to communication, such as by copying multiple staff, or staff who are unable to help, into emails or
- attempts to contact RICS staff other than through their work contact information (for example, through social media or personal email address).

4 How will we respond to unreasonable behaviour?

We will always report violence, aggression, abuse, or threats against our staff to the police. Such behaviour is also likely to result in one or more of the restrictions outlined below being put in place.

In all other cases, we will explain why we consider that the behaviour in question is unreasonable and ask for this to be changed.

Where the unreasonable behaviour continues, we may take one or more of the steps outlined below:

- Politely terminating phone calls (for example in response to aggressive behaviour, or where the call relates to matters that have already been addressed in full).
- Restricting contact to a single named member of staff or email address.
- Limiting phone calls to specific times or dates, with the requirement for prior arrangement, and/or limiting the length of phone calls.
- Limiting communication to being in writing only and/or blocking further phone calls.
- Limiting the issues that we will correspond on, and/or returning correspondence (for example where a decision has already been made and explanation given, or where we receive excessive, irrelevant and/or duplicate information).
- Blocking emails from a particular address (for example, where the number or length of emails sent is excessive, or where we receive abusive or offensive emails).
- Including a senior member of staff in communications.

Where a decision is made to restrict contact, the person affected will be notified of this and the reasons for the decision in writing (unless a reasonable adjustment has been agreed to communicate in a different way).

In taking a decision under this part of the policy, we will ensure that the level of restriction applied is proportionate. This will include consideration of the nature and seriousness of the unreasonable behaviour in question, and the degree to which it affects the aims set out in section 1. We will also take account of any prior occurrences of unreasonable behaviour and warnings issued in this respect.

We will also take account of what we know of the individual's circumstances, including whether their health, financial or social resources affect their ability to engage with our processes, as well as any existing reasonable adjustments.

We will also consider any insight, remorse and/or learning demonstrated in terms of the behaviour, as well as any assurances offered about future behaviour.

In all but the most extreme cases, we will leave at least one route for an individual to contact us as part of any restriction(s) being imposed.

We will also let the individual know that they have the option of requesting a review of the decision under section 5 of this policy. Appropriate contact details will also be provided at the point of a restriction being imposed, to be used in order to raise a challenge.

We reserve the ability to impose additional restrictions or to cease communication entirely if unreasonable behaviour persists following a restriction being applied. We would make this decision according to the same process as outlined above.

5 Requesting the review of a restriction we have imposed

Those who have had their contact with us restricted have the option to request a review of the decision to impose the restriction.

A review may be requested where:

- the person affected believes the decision taken was not consistent with this policy
- their circumstances have changed since the decision was taken (or last reviewed, whichever is the later) and this means the restriction imposed may no longer be appropriate or
- a period of at least six months has elapsed since the date of the decision (or last review, whichever is the later) and they believe the restriction ought to be lifted or changed.

Such a request can be made over the phone or in writing, subject to the specific restrictions we have imposed. For example, if we have decided to restrict communication to being in writing only, this would be the method used to request a review.

The person requesting a review should provide the evidence and information that they would like to be considered as part of the review together with their request.

The restrictions we have imposed will remain in place while the review is being considered.

Reviews will be considered by a manager who was not involved in the original decision to impose a restriction.

The review will be considered within ten working days of receipt, and the person affected will be notified of the outcome.

The manager considering the request will decide whether the restriction should remain in place or whether a different course of action should be taken.

This decision will be taken with due regard to the provisions set out in section 4, and may also take account of behaviour since the restriction was imposed.

This decision is the final stage in the review process. No further requests for a review of the same decision may be made. The RICS Regulation service complaints process may not be used to challenge a decision taken under this policy.

We reserve discretion to review restrictions imposed under this policy, and to lift these restrictions wholly or partially, without receipt of a request that we do so.

Delivering confidence

We are RICS. Everything we do is designed to effect positive change in the built and natural environments. Through our respected global standards, leading professional progression and our trusted data and insight, we promote and enforce the highest professional standards in the development and management of land, real estate, construction and infrastructure. Our work with others provides a foundation for confident markets, pioneers better places to live and work and is a force for positive social impact.

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