



## Unacceptable Behaviour Policy

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<b>Approved by:</b>	<b>Stoke on Trent Housing Society Board</b>
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### 1.0 Introduction

1.1 Stoke on Trent Housing Society (the Society) is committed to delivering excellent customer services. It trains its staff to treat customers with respect and to deal with any enquiries efficiently and effectively.

1.2 In most cases Society staff enjoy an excellent working relationship with customers and can deal with all enquiries without problems. Occasionally, however, there may be incidents where customers may, for whatever reason, behave unreasonably which makes it difficult for staff to provide the standards of service that are expected.

1.3 This policy sets out:

- The ways in which the Society will seek to deal with customers whose behaviour causes upset, prevents staff from doing their jobs effectively and would not be expected in any normal working relationship in the delivery of services.
- The provisions the Society will put in place to deal with customers who display unacceptable behaviour in their contacts and requests for service.

1.4 It aims to address low level incidents and / or those of a repeated nature but is not in place to deal with acts of anti-social behaviour or where more serious incidents may be involved, for example, threats to staff or harassment. Where these incidents occur, the Society will take a zero- tolerance approach and will take appropriate tenancy enforcement or civil actions as required (see our Anti-Social Behaviour Policy for full details).

### 2.0 Policy Aims

The purpose of this policy is:

2.1 To define what behaviour from tenants, residents, and other customers we consider to be unacceptable.

2.2 To make every effort to ensure that our staff and contractors can carry out their duties safely without disadvantage, fear of discrimination or distress caused by unacceptable behaviour.

2.3 To make it clear to tenants, residents, and other customers that unacceptable behaviour will not be tolerated.

2.4 To provide guidance for which circumstances would result in a decision to restrict or change access to our services.

### 3.0 Links to Relevant Legislation and Internal Policies and Procedures

3.1 The Unacceptable Behaviour Policy complies with:

- The Equalities Act (2010)

- The Human Rights Act (1998)
- The Society's tenancy agreements

3.2 It should be used in conjunction with other relevant Society policies and procedure, which include:

- Complaints Policy
- Alerts Procedure
- Anti-social Behaviour Policy
- Violence at Work Policy
- Safeguarding Policy
- Equality and Diversity Policy

## 4.0 Definitions

4.1 There are five main categories of unacceptable behaviour.

- Unreasonable behaviour
- Aggressive or abusive behaviour
- Unreasonable demands
- Unreasonable persistence
- Vexatious behaviour

4.2 We will not deem behaviour to be unacceptable just because a customer is determined or forceful when making reasonable requests or complaints. We also appreciate that there may be circumstances where a customer is angry or upset and this will be considered when considering whether their actions are unacceptable.

## 5.0 Roles and Responsibilities

5.1 Any staff member, Board Member or contractor who believes they have experienced unacceptable behaviour from tenants, residents, and other customers, must take responsibility for raising a concern and following this policy.

## 6.0 Behaviours

### Unreasonable Behaviour

6.1 Customers may in some instances pursue requests for information or make complaints that are unreasonable. Examples of this type of behaviour include:

- Refusing to specify the details of a complaint, despite offers of assistance.
- Changing the basis of a complaint/request as the matter proceeds.
- Denying or changing statements made at an earlier stage.
- Making unjustified complaints about staff who are trying to deal with an issue and requesting to have them replaced.
- Covertly recording meetings and conversations.
- Submitting falsified documents from themselves or others.
- Refusing to accept a decision; repeatedly arguing points with no new evidence.
- Persistently seeking an outcome which the Society has already explained is unrealistic for policy, legal or other valid reasons.

### Aggressive or Abusive Behaviour

6.2 This type of behaviour includes physical, verbal, or written behaviour which may cause staff to suffer harm, or to feel afraid, intimidated, threatened, or abused. Examples of this type of behaviour include:

- Actual physical violence against a person.
- Physical violence against objects such as kicking or destroying property.
- Threats.

- Personal verbal abuse including derogatory or insulting remarks.
- Persistent shouting and/or persistent swearing.
- Unwelcome or rude gestures.
- Statements intended to cause offence
- Unsubstantiated allegations.
- Sexist, racist, homophobic or any other discriminatory comments/abuse.

### **Unreasonable Demands**

6.3 Customers may make what can be considered as unreasonable demands on our staff through the amount of information they seek, the scale of the service they expect or the number of approaches or complaints that they make regarding the same issue.

6.4 We consider demands to be unreasonable when they impact substantially on the work of staff, for example by taking up an excessive amount of time which is disproportionate to the issue. This is likely to disadvantage other customers as it can impact on the service that can be provided to them.

6.5 Examples of this type of behaviour include:

- Demanding responses within an unreasonable timescale.
- Insisting on meeting with or speaking only to a particular member of staff.
- Making persistent phone calls or persistently contacting the Society by other means.
- Repeatedly changing the substance of a complaint or raising unrelated issues.

### **Unreasonable Persistence**

6.6 We recognise that some customers will not accept that we are unable to assist them further or provide a level of service other than that provided already. They may persist in disagreeing with the action or decision taken in relation to their concern or contact us persistently about the same issue. We consider the actions of persistent customers to be unacceptable when they take up a disproportionate amount of time and resources. Customers who feel frustrated when they believe that they are not receiving appropriate satisfaction from the Society can pursue a complaint, to the Housing Ombudsman.

6.7 Examples of this type of behaviour include:

- Persistent refusal to accept a decision made in relation to a complaint.
- Refusal to accept explanations relating to what can and what cannot be done.
- Continuing to pursue a complaint without presenting any new information
- Unwillingness to accept the terms of a tenancy agreement or policy where these terms are clear and unambiguous

### **Vexatious Behaviour**

6.8 We consider vexatious behaviour to be when customers complain to cause unnecessary aggravation, frustration, or inconvenience rather than to resolve a genuine issue. Examples of this type of behaviour include:

- Where the customer states the request is meant to cause significant inconvenience, disruption or annoyance.
- Requests for information the customer has already seen or demonstrates a clear intention to reopen issues that have already been considered.
- Customers who have by their own actions made a situation worse and then complains about it.

### **Social Media**

6.9 We consider the use of social networking sites and the internet to encourage aggression and/or abuse towards our staff or contractors to be unacceptable behaviour. Any messages posted via social media or other internet- based media, including email, will be considered as any written or spoken communication.

## **7.0 Managing Unacceptable Behaviour**

7.1 There are relatively few customers whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent.

7.2 Where there is face-to-face or telephone contact, particularly where customers are abusive, offensive, or intimidating, Society staff will inform the customer that their behaviour is unacceptable and outline the reasons why. In any situation where there is immediate response given to the customer, the staff member will advise that unless the behaviour, which is unacceptable changes then they will terminate the contact. This may involve walking away from a meeting where this happens, politely asking a customer to leave, or terminating a telephone call.

7.3 Whenever, a staff member has had to terminate a contact with a customer, the details of what happened and when will be recorded in the Society's Housing Management System and a line manager must be informed.

7.4 In all cases of unacceptable behaviour a manager will contact the customer to explain what actions we consider unacceptable and why, ask them to amend their behaviour, and explain what actions we will take if they do not. Where we must take action, we will tell the customer in writing what action we are taking and why.

7.5 We may offer to meet the customer to discuss the unacceptable actions and agree a way forward. It may be appropriate in some cases to engage external experts, such as independent mediators, to assist us in resolving a situation.

7.6 We may advise the customer that we consider the issue(s) fully responded to and that continuing correspondence on the issue(s) would serve no useful purpose. In these circumstances future correspondence relating to the issue(s) will be noted and filed but will not be acknowledged or responded to unless it contains new significant information which we consider require action or response.

7.7 We may advise the customer that we can only consider a certain number of issues within a given time and ask them to limit or focus their request accordingly.

7.8 We may restrict customer contact with our office. For example, we may:

- Only take calls from the customer during specified times and days.
- Arrange for a specific member of staff to deal with calls or correspondence from the customer.
- Require the customer to make an appointment to see a named member of staff before visiting the office.
- Restrict email contact, which is immediate and easily abused.
- Require the customer to communicate in writing or through a third party
- Take other action that we consider appropriate.

7.9 Customers will be notified in writing with details of any restrictions being imposed and the duration that these will apply.

## **8. Aggressive or Abusive Behaviour**

8.1 The threat or use of physical violence, verbal abuse or harassment towards staff is likely to result in a customer "Alert" being added to their tenancy account (an Alerts Procedure is in place to manage Alerts) . All incidents where physical violence is used or threatened will be reported to the police. Verbal abuse or harassment may also be reported to the police if it is sufficient to cause fear and alarm to a member of staff.

8.2 Customer correspondence that is abusive to staff or which contains unsubstantiated allegations of a serious nature will be dealt with by informing the customer in writing why we consider what they have written to be unacceptable. We will ask them to stop communicating in this way and advise that we will not respond to future abusive correspondence. If this behaviour continues, we may apply any of the restrictions listed at 7.8.

## **9. Restricting Customer Contact**

9.1 With the exception of incidents where immediate action is required, decisions to restrict contact are only taken after careful consideration of the situation by the Housing Director. Wherever possible we will give a customer the opportunity to modify their behaviour or action before a decision is taken.

9.2 We aim to restrict contact in a way that allows the customer to continue receiving a service from us and continue to progress through any process they are currently involved in. We will aim to maintain at least one form of contact except in extreme situations where we will require all contact to be through a third party.

9.3 We will tell customers in writing why a decision has been made to restrict future contact, the restricted contact arrangements, and the length of time that the restriction will be in place.

9.4 A customer has the right to appeal against a decision to restrict contact. The customer should be advised in writing about this right. The Housing Director will advise the customer in writing that either the restricted contact arrangements will remain in force or a different course of action has been agreed. We will also advise the customer of their right to contact the Housing Ombudsman if they believe our decision to restrict contact is unjust.

9.5 We will regularly review the status of all customer's with alerts and/or where contact has been restricted and a decision may be reconsidered, and restrictions may be lifted or eased if a customer demonstrates a more acceptable approach.

## **10.0 Equality and Diversity**

10.1 The Society will comply with the terms of our Equality and Diversity policy when dealing with incidents of unacceptable behaviour. We will consider the individual circumstances of the staff member and the customer involved when investigating an incident and determine the most appropriate course of action.

10.2 No one will be unlawfully discriminated against because of their race, colour, ethnic or national origin, language, religion, belief, age, gender, sexual orientation, marital status, family circumstances, employment status, physical ability, or mental health.

## **11. Monitoring and Review**

11.1 To ensure this Unacceptable Behaviour Policy remains effective, the Society will:

- Review this policy at regular intervals when significant changes are made to legislation or guidance or when related policies and procedures are amended.
- Present any changes to the Society Board for approval.
- Make any amendments known to employees.
- Communicate and consult with employees on this policy through continued training.
- New staff will have a thorough induction and training to ensure that they understand and can implement our policy