



# Unacceptable Behaviour Policy

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## Contents

|     |                                                              |   |
|-----|--------------------------------------------------------------|---|
| 1.  | Introduction .....                                           | 2 |
| 2.  | Our Aims in Dealing with Unacceptable Behaviour .....        | 2 |
| 3.  | Defining Unacceptable Actions .....                          | 2 |
| 4.  | Managing Unacceptable Action .....                           | 4 |
| 5.  | Deciding to Restrict Contact .....                           | 5 |
| 6.  | Appealing a Decision to Restrict Contact .....               | 5 |
| 7.  | Recording and Reviewing a Decision to Restrict Contact ..... | 5 |
| 8.  | General Data Protection Regulation .....                     | 5 |
| 9.  | Policy Monitoring .....                                      | 5 |
| 10. | Other Related Policies and Procedures.....                   | 5 |
| 11. | Equality Impact Assessment.....                              | 6 |
| 12. | Policy Review .....                                          | 6 |

## **1. Introduction**

ng homes aims to provide a first-class service to all of our tenants and customers but we acknowledge that there may be occasions when people are dissatisfied and make complaints. The Association's Complaints Policy gives clear details of the process to be followed if a customer is unhappy with any aspect of the services we provide. This policy sets out our approach to those customers whose actions or behaviour becomes unacceptable.

## **2. Our Aims in Dealing with Unacceptable Behaviour**

- To make it clear to customers we will deal with any complaint sympathetically and in line with our complaints policy, making every effort to resolve issues in the minimum of time and we will provide customers with clear and simple information on the course of action they can take if still dissatisfied with our service.
- To provide guidance for staff and customers on what behaviour from residents and other customers we consider to be unacceptable and to ensure that we have measures in place to respond appropriately to these unacceptable actions.
- Ensure that our staff and other people who use our service do not suffer disadvantage as a result of the unacceptable behaviour of others.
- Ensure we make reasonable adjustments e.g. for people who have mental health issues, dementia or Tourette's syndrome, or other learning disabilities.
- We will treat our customers with dignity and respect and we will deal with all customers in a fair, honest, consistent and appropriate manner including those whose actions we consider are unacceptable.
- To provide a service that is accessible to all customers. We retain the right, however, to restrict or change access to our services where we consider a customer's actions or behaviour to be unacceptable.
- To ensure so far as reasonably practicable, the health, safety and welfare at work of all employees in terms of the Health & Safety at Work Act 1974.
- To ensure that reasonable care is taken to provide support to staff, protect them from harassment in the course of their duties and to ensure that they are treated with dignity and respect by our customers.
- ng homes operates a policy of zero tolerance in relation to the threat or use of physical violence, verbal abuse or harassment towards staff. Instances of this nature will always be reported to the police.
- To ensure other customers and staff do not suffer any disadvantage from those who act in an unacceptable manner.

## **3. Defining Unacceptable Actions**

We understand that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to making a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

However, the actions of customers who become very angry, demanding, unreasonable or persistent may result in unacceptable behaviour towards our staff.

These actions can be grouped under the following four broad headings:

- **Aggressive or Abusive Behaviour**

Violence is not restricted to acts of aggression that may result in physical harm. It also includes threats, personal abuse, derogatory remarks, rudeness and behaviour or language (both oral or written) that may cause staff to feel afraid, threatened or abused. In addition, inflammatory statements and unsubstantiated allegations can also be considered abusive behaviour. Statements do not need to be made directly to a member of staff or expressly address or name them to be abusive or threatening.

Staff should be treated courteously and with respect at all times. Customers may feel anger which involves the subject of their complaint but it is not acceptable when anger escalates into aggression directed towards staff.

- **Unreasonable Demands**

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and/or the sensitivity of the issues raised by the customer. Examples of action include demanding responses within an unreasonable timescale, continuous phone calls or letters, making demands which do not comply with our policies or legislation, repeatedly changing the substance of the complaint or raising unrelated concerns.

Demands which place staff members under duress or stress, impact substantially on the work of the office staff and/or take up an excessive amount of staff time to the disadvantage of other customers or functions are unreasonable and unacceptable

- **Harassment**

The Association must take reasonable care to provide support to staff, protect them from harassment in the course of their duties and to ensure as far as reasonably practicable the health, safety, welfare and wellbeing for all employees. Examples of harassment include making defamatory allegations, unwarranted criticism, issuing inappropriate information and insulting and abusing staff (both oral and written). Where ng homes have been advised of harassment against a member of staff in the course of their duty from a third party i.e., a customer, contractor or member of the public on at least two occasions and reasonable steps have not been taken to prevent it happening again, the member of staff may have grounds to make a claim against the Association.

- **Unreasonable Persistence**

Customers may persist in disagreeing with action or decisions taken in relation to their complaint or may persistently contact the office about the same issue. Such actions can be unacceptable when they take up a disproportionate amount of time. We have the right to assess whether that persistence has reached the point of disrupting our ability to undertake our work, or is amounting to harassment or unreasonable treatment of our staff.

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 where these terms are clear and unambiguous

- Refusing to accept a decision; and repeatedly arguing points with no new evidence
  - Persistently seeking an outcome which we have already explained is unrealistic for policy, legal or other valid reasons.
- **Vexatious Behaviour**  
We consider vexatious behaviour to be when customers complain to cause unnecessary aggravation, frustration or inconvenience rather than to resolve a genuine issue. Their complaint may be based on fictitious events or extreme exaggerations of very minor service issues.

Examples of this type of behaviour include:

- Where the requester states the request is actually 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 developed an opportunity to complain by their own actions, or lack of actions, creating or making a situation worse, and then complaining about it
- 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/or requesting to have them replaced
- Recording meetings, conversations or staff inspections covertly or overtly without explicit consent

The above list is not exhaustive and should be considered as a guide to the types of behaviour we would view as unacceptable.

#### **4. Managing Unacceptable Action**

There are relatively few customers whose actions are considered unacceptable. How we deal with this unacceptable behaviour depends on its nature and extent.

As stated in Section 2. Above, ng homes operates a policy of zero tolerance in relation to the threat or use of physical violence, verbal abuse or harassment towards staff. Instances of this nature will always be reported to the police. In addition, in accordance with the Association's Allocation Policy, housing applications may be suspended if customers use threatening or violent behaviour towards staff.

If this unacceptable behaviour adversely affects our ability to do our work and provide a service to others, we may need to restrict the customer's contact with the office in order to manage the unacceptable action. We may restrict contact in person, by telephone, letter, electronically or by any combination of these. In extreme situations the customer may be restricted to contact the office only by either written communication or through a third party.

Staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The caller will be told that the behaviour is unacceptable and the call will be ended if the behaviour does not stop.

## **5. Deciding to Restrict Contact**

Decisions to restrict contact with the Association will only be taken by senior staff after careful consideration of the situation. Whenever possible, the customer will be given the opportunity to modify their behaviour and will be advised that if no improvement is made, contact with the Association will be restricted. Customers will be advised in writing why a decision has been made to restrict future contact, the restricted arrangements and, if relevant, the length of time these restrictions will be in place and the appeal procedure.

We will consider a range of options, such as:

- terminating all contact
- terminating communication by specified channels only (e.g. refusing to take telephone calls from an individual)
- refusing to accept communication on a specified subject only
- requiring the individual to communicate only through a third party

## **6. Appealing a Decision to Restrict Contact**

A senior member of staff who was not involved in the original decision will consider the appeal and will advise the customer in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

## **7. Recording and Reviewing a Decision to Restrict Contact**

Where it is decided to restrict customer contact, an entry noting this is made in relevant files and on appropriate computer records. A decision to restrict customer contact may be reconsidered if the customer demonstrates improved behaviour. Senior staff will review the status of all customers with restricted contact arrangements on a monthly basis.

## **8. UK General Data Protection Regulation 2021**

The ng group will treat your personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notice.

## **9. Policy Monitoring**

Responsibility for monitoring the application of this policy will rest with Corporate Services

## **10. Other Related Policies and Procedures**

- Dignity at Work Policy
- Racial Harassment Policy
- Complaints Policy and Procedures
- Equality and Diversity Policy
- Staff Code of Conduct
- Board Members Code of Conduct

- Discipline and Grievance Procedures
- Allocations Policy
- Customer Care Policy
- Association's Membership Policy
- Stress Management Policy
- Data Protection Policy

## **11. Equality Impact Assessment**

This Policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.

## **12. Policy Review**

The policy will now be reviewed every three years or earlier in line with regulatory or legislative guidance/changes or good practice guidelines.