



The Havebury Housing Partnership

MANAGING UNACCEPTABLE BEHAVIOUR POLICY HS 054

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Relevant corresponding Policy <i>(procedures only)</i>	N/A		
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Equality & Diversity Impact Assessment Outcome			
Legal Advice (inc date)	Not Required – Benchmarked to Housing Ombudsman Service		

1 Introduction

- 1.1 We believe that customers of our services have a right to be heard, understood, and respected. We work hard to be open and accessible to everyone. Occasionally, the behaviour or actions of a very small number of our residents using our service makes it very difficult for us to deal with their complaint or to respond to their service request.
- 1.2 We recognise that sometimes on single occasions, during times of stress and anxiety, that behaviours can alter and are deemed unacceptable. Our teams are trained to support and challenge these behaviours so that we can continue to provide a service and will use our vulnerable persons principle and customer service training to adjust our service as required.
- 1.3 That said, where behaviour is significantly unacceptable, or continues these situations can be challenging to our staff, which take up an unreasonable amount of time and resources.
- 1.4 When this happens, we must take action to protect our staff. We also consider the impact of the behaviour on our ability to do our work and provide a service to others.
- 1.5 We have aligned our approach with the Housing Ombudsman approach to managing unacceptable behaviour.
- 1.6 In this policy, the term 'resident' includes anyone who accesses our services in connection with service delivery, complaints, and disputes on behalf of a resident, (being a tenant or a leaseholder).

2 Defining Unacceptable Actions

2.1 Aggressive or Abusive Behaviour

- 2.1.1 We understand that residents may be angry about the issues they have had to raise with us. We also know the difference between anger and aggression. If anger escalates into aggression towards any member of our staff or someone who works on our behalf, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.
- 2.1.2 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused. We will judge each situation individually and appreciate individuals who come to us may be upset.
- 2.1.3 Examples of aggressive or abuse behaviour can (but is not limited to) include:
- Threats
 - Physical violence
 - Language which is designed to:
 - insult or degrade,
 - is racist,
 - sexist or homophobic; or
 - which makes serious allegations that individuals have committed criminal, corrupt, or perverse conduct without any evidence is unacceptable.

2.2 Unreasonable Demands

- 2.2.1 We will consider demands unreasonable if they impact substantially and unreasonably on our work through the amount of information sought, the nature and scale of service expected, or the regularity or number of approaches made.
- 2.2.2 Examples of this behaviour include:
- repeatedly demanding a response within an unreasonable timescale,
 - insisting on seeing or speaking to a particular member of staff, when that is not possible,
 - repeatedly changing the substance of a complaint or raising unrelated concerns.
 - continual phone calls, emails, or letters
 - repeatedly requesting services that are contrary to our policies or would place a disproportionate burden upon the organisation
- 2.2.3 An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other residents and prevents us from responding with our services within our timescales.

2.3 Unreasonable Levels of Contact or Demands

- 2.3.1 We consider that the level of contact has become unacceptable when the amount of time spent, talking to a resident on the telephone, or responding to, reviewing, and filing emails or written correspondence impacts on our ability to respond to other residents' queries and requirements for our services.
- 2.3.2 This type of contact may occur over the lifespan of a tenancy, when a resident repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.
- 2.3.3 Examples of unreasonable demands include:
- persistent refusal to accept a decision made in relation to a complaint or enquiry
 - persistent refusal to accept explanations relating to what we can or cannot reasonably do
 - continuing to pursue a case without presenting any new information

2.4 Seeking Advice

- 2.4.1 What amounts to unacceptable behaviour will always depend on the circumstances surrounding the behaviour and the seriousness of the issues. If residents require independent support, they may wish to seek advice from an advice agency such as Citizens Advice.
- 2.4.2 Where we consider that additional support is required for an individual, we will make the necessary referral to the appropriate agency or service.
- 2.4.3 Where a different communication method is required, our process will be adjusted accordingly.
- 2.4.4 The lists used within this policy are not exhaustive.

3 Responding to Unacceptable Actions or Behaviours by Residents

- 3.1 How we will respond to unreasonable actions/behaviour will depend on the nature and extent of their impact.
- 3.2 Our teams are authorised to take such immediate action as they, acting reasonably and responsibly, consider to be appropriate at the time. Such action may include immediately removing themselves from a situation, ending telephone calls, and not replying to other forms of communication where the contact is considered aggressive, abusive, or offensive. The employee in this situation has the right to make this decision, tell the resident that the behaviour is unacceptable, and end the attendance/call/communication if the behaviour continues. This will be documented, and the manager notified.
- 3.3 We reserve the right to take additional, more long-term action based on the behaviour, which will be proportionate.
- 3.4 We may for example assign a resident a designated point of contact within the business.
- 3.5 We may also report incidents to the Police where necessary and appropriate. With any action taken, the resident will be notified of the steps being taken and the reasons, when and how they should communicate or access services going forward.

4 Reasonable Adjustments

- 4.1 We understand that some residents have disabilities or other protected characteristics as defined by the Equality Act (2010), which may make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset.
- 4.2 We also recognise that some disabilities can make it difficult for residents to assess the impact that their behaviour might have on other people. We will always consider making reasonable adjustments for a disabled resident if we are asked to do so. For example:
- We could consider using different methods of communication,
 - Agree to give clear warnings when we feel that a resident's behaviour is unacceptable so that they have the opportunity to change it.
 - Liaise with an advocate for a resident.
- 4.3 However, we would not consider it to be reasonable to expect our staff to accept being subjected to aggressive, offensive, or abusive actions, language, or behaviour. We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or our work.

5 Legislation and Regulation

External Documents:

Data Protection Policy

Equality Act 2010

Housing Ombudsman Scheme – and guidance notes:

[Managing unacceptable behaviour policy Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

Complaint Handling Code

Internal Documents:

HS011 Complaints Policy

P032 Complaints Procedure

HS053 Safeguarding

Vulnerable persons principles

Support strategy 2022-25

Safe working practices