



# Unacceptable Behaviour Policy and Procedure Guide

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## Contents Page

Policy Statement.....	1
Roles and Responsibilities .....	2
Definitions .....	3
Manifestation of unacceptable behaviour.....	4
Manifestation of Unacceptable Demands and Persistence .....	5
Dealing with Unacceptable Behaviour.....	5
Potential new customers.....	6
Legal action .....	7
Monitoring.....	7
Appendix 1: Legislation, Guidance and Lined Policies .....	8
Key legislation and Guidance .....	8
Linked Policies and Procedures.....	8
Document Information Sheet .....	9

## Policy Statement

1. Home from Home Housing Association (HfH) aims to treat all people with a fair, honest and committed approach taking into account individual circumstances and needs. We will listen and work with customers to maintain a positive working relationship treating all individuals with respect and equality. We expect all individuals to treat our staff members, volunteers contractors, and any other person working on our behalf with the same respect.
2. We understand there can be circumstances which may not be part of everyday life which can cause a change in behaviour or attitude. Whilst we will take into account individual circumstances when reviewing a person's conduct this does not mean that we will tolerate unacceptable behaviour.
3. It is important that staff and anyone instructed to work on our behalf feel safe and secure at work which includes visiting customers in their homes.
4. We will take appropriate action where unacceptable behaviour has taken place. This can include verbal and/or written warnings and, in some circumstances, take action which may affect the tenancy of an individual.
5. This policy also covers behaviours that are overly demanding and/or persistent.
6. If a person is violent or threatens violence either verbally or in written communication, we may inform the police and will record this through the health and safety monitoring system.
7. This policy applies to customers, their household members and any visitors. The policy gives clear guidelines to all staff members and volunteers on how we define and deal with unacceptable and/or abusive behaviour.

## **Roles and Responsibilities**

<b>Job Role</b>	<b>Responsibility</b>
<b>Board Members</b>	Board members are responsible for overseeing compliance of this Policy and Procedure Guide and reporting to the main HfH Board
<b>Chief Executive</b>	The Chief Executive has responsibility for overseeing compliance with this policy and procedure guide
<b>Tenant Scrutiny Panel</b>	Helping to ensure that there is tenant scrutiny over key policies affecting all of our Customers
<b>Housing Managers</b>	Are responsible for ensuring all staff and contractors fully comply with this policy and procedure guide.
<b>Housing Officers/volunteers</b>	Are responsible for complying with this policy and procedure guide.

## Definitions

The following provides a list of what we mean by unacceptable behaviour:

- Causes distress or alarm to staff.

- Has a significant negative effect on the ability for us to provide services to customers.
- Causes an employee or representative of HFH to feel harassed.
- Is an aggressive threat of physical violence.
- Can be a non-aggressive threat of violence.
- The use of actual physical violence.
- Written abusive language, discriminatory language or comments including via letter, email and social media.
- When a person, due to the frequency or nature of their contact, makes it harder for us to consider their enquiry or complaint or refuses to accept the outcome of their complaint/enquiry.

## Manifestation of Unacceptable Behaviour

The following provides a list of how unacceptable behaviour may manifest itself (this is not exhaustive);

Verbal abuse of any kind – sexist, racist, homophobic, etc.

- Unreasonable demands.
- Unreasonable persistence.
- Unwarranted touching.
- Assault of any kind.
- Harassment.
- Stalking.
- Threats or threatening gestures via any form of communication.
- Possession of weapons on person.
- Letting dangerous animals loose at staff.
- Hoax/silent calls.
- Damage to staff or company possessions.
- Unlawful imprisonment.

- Hate speech or to insight hatred
- Digital methods of abuse such as Facebook, tweeting, blogging etc.
- Violence

## **Manifestation of Unacceptable Demands and Persistence**

This is what unacceptable demands and persistence may manifest as (this is not exhaustive);

- Demanding to only deal with a particular member of staff or unreasonably refusing to deal with a particular member of staff.
- Persistently contacting several members of staff about the same issue which can complicate a situation.
- Demanding responses to requests or complaints within an unreasonable time period.
- Persistently making requests for the same issues.
- Persistently refusing to accept that some issues are not within our remit to investigate.
- Continual phone calls or emails to staff members.
- Persistent refusal to accept the outcome of a decision, or seeking an outcome which is not possible for policy, legal or other valid reasons.
- Persistently approaching a member of staff through different routes about the same issue.
- Persistent complaining without basis for complaint.
- Repeated trivial complaints that have clearly not caused the complainant any injustice.

## **Dealing with Unacceptable Behaviour**

1. We will initially do all we can to implement an (informal) arrangement with the Customer before taking formal action. This is to allow the Customer time to consider and adjust their behaviour. Mediation or advocacy through third parties may also be considered to try and improve the situation.
2. If this informal approach fails, we may consider issuing a warning to the customer before taking any formal steps. A warning will include examples of where the

individual's behaviour has been considered unacceptable with reference to what formal steps may be taken if the behaviour continues..

3. Any actions used will be proportionate and take into account disabilities or vulnerabilities of the Customer, as appropriate.
4. Where we have any safeguarding concerns that may have resulted in unacceptable behaviour we may refer the individual to support services, (for example social services).
5. Where initial warnings and steps have been taken and these have not minimised or stopped the behaviour or where the behaviour is so serious from the outset, legal action will be considered.
6. We may report an act of unacceptable behaviour to Police due to the nature of the incident.
7. We reserve the right to restrict contact or attendance to our offices where an individual behaves in an unacceptable manner. Restrictions may also include:
  - Providing a single point of contact
  - Limiting contact to a single form i.e. to writing, email or telephone only
  - Limiting contact to certain times or to a limited number of times per week or month
  - Declining to give any further consideration to an issue unless any additional evidence or information is provided
  - Only considering a certain number of issues in a specific period.
8. We will always inform those involved of any actions we propose to take or have taken in the most appropriate form of communication.
9. If the Customer's behaviour has improved at the point of review, we will consider can lifting the restriction. If it has not improved, an explanation will be provided as to why the restriction will remain in force for a further period pending the next agreed review date.
10. Customers will have the right to appeal to the restriction and we will consider this appeal and provide feedback in within 10 working days of the appeal.

## Potential New Customers

11. Should any member of staff or person working on our behalf encounter any form of unacceptable behaviour by a potential resident we reserve the right to refuse the granting of a tenancy where the nomination agreement with the local authority allows this.
12. For new let properties we expect to receive information from the nominating authority that includes any history of unacceptable behaviour.
13. For tenants undergoing a mutual exchange we will request a reference from the landlord of the prospective tenant this will include a request for any history of unacceptable behaviour to be provided.
14. Where history of unacceptable behaviour is highlighted via a nominating authority or other landlord the severity will be determined by an appropriate person.
15. Where we have housed a tenant and the severity is determined as a concern for future engagement and management with the resident the appropriate person will ensure the right practises are put in place in line with HfH's lone working policy.

## **Legal Action**

16. A full assessment of the incident including vulnerability of a person will be taken into account before any legal action is pursued.
17. This can include any legal remedies available to us of a property where tenancy terms and conditions have been breached.

## **Monitoring**

We will monitor and evaluate our approach to unacceptable individual behaviour. This includes reserving the right to monitor and review telephone calls made to us, emails and letters sent to us and any form of social media used, as appropriate.



## **Appendix 1: Legislation, Guidance and Lined Policies**

### **Key Legislation and Guidance**

- Equality Act 2010
- Data Protection Act 2018.
- Housing Ombudsman Guidance Notes: <https://www.housing-ombudsman.org.uk/landlords-info/guidance-notes/managing-unacceptable-behaviour-policy/>
- Housing Ombudsman Unacceptable Behaviour Advice Cards: The Ombudsman has put together a document with advice cards to provide landlords with guidance when handling complaints from customers. These advice cards consist of common unacceptable calls from users of the Housing Ombudsman Scheme and suggested ways used by our colleagues to deal with these calls. Some examples include angry callers, accusations and allegations, callers who won't stop talking, callers who threaten our colleagues and many more. This can be accessed from the link above.

### **Linked Policies and Procedures**

- Anti - social Behaviour Policy and Procedure
- Complaints Policy and Procedure Guide
- Safeguarding Adults
- Safeguarding Children

## Document Information Sheet

<b>Policy or Procedure Title</b>	Complaints Policy and Procedure
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