



Community Based Housing Association
promoting sustainable communities

Unacceptable and Unreasonable Behaviour Policy

Document Title	Unacceptable and Unreasonable Behaviour Policy
Version No.	001
Version date	November 2022
Author Title & Issuing Department	CEO, and Company Secretary
Target Audience	Board (and Committee) Members, ECBHA Staff
Links to Regulatory Standards-Economic/Consumer	to The Policy relates to key areas of both the Economic Standards, as well as Consumer Standards.
Approved By	ECBHA Board
Date Approved	To be considered by the ECBHA Board on 23/11/2022
Review Date	December 2024
Outcomes for Customers	The Policy will provide guidance for customers relating to what is Unacceptable and Unreasonable Behaviour.
How tenants, residents and service users were involved in the review/development of this document	Residents have not been involved in the development of the Policy. However, the Policy has been benchmarked with other providers and follows good practice guidelines. Also, the Policy will be communicated to residents using relevant channels.
Training Provision	All staff will be provided a briefing on this Policy and relevant procedures will be developed to ensure implementation.
Links to the Corporate Plan	2. Empowering Resident Voice; 4. High Quality, Affordable Housing.
Links to Key Values: This procedure links to the key values of: Deliver a great service, Accountability, Respect, Integrity, Work Together	

Version Control

Version	Revision Date	Author: Job Title	Change Description

Unacceptable and Unreasonable Behaviour Policy		
Content		Page Number
1	Purpose of the Policy	4
22. 12. 22. 32. 42. 5	Definition: Unacceptable behaviour Unreasonable demands Harassment Unreasonable frequency or duration of contact How we manage unacceptable behaviour and unreasonable demands	4 4 4 5 5 6
3	Appeals process	7
4	Legislative or other guidelines	8
5	Links to ECBHA Corporate Plan	8
6	Monitoring	8

1. Purpose of this Policy

This policy sets out ECBHA's approach to managing behaviours or actions that are considered unacceptable and are having a harmful impact on ECBHA colleagues and / or on their ability to provide a consistent level of service to other customers.

2. Definition

2.1 Unacceptable behaviour

ECBHA understands that customers may act out of character in times of distress or due to frustration. However, if that frustration becomes aggression or abuse towards staff, it will not be tolerated.

Staff have the right to undertake their work free from aggression or abuse and customers are expected to treat them with courtesy and respect. Aggressive or abusive behaviour may include:

- threats of or actual physical harm
- behaviour or language (verbal or written) that may cause staff to feel offended, afraid, threatened or abused
- insulting or degrading language
- personal grudges toward certain staff
- making serious allegations against staff without any evidence

2.2 Unreasonable demands

A demand may be unreasonable if handling it could take up an excessive amount of staff time and prevent them from handling other customer enquiries within agreed timescales. Unreasonable demands may include:

- demanding responses within an unrealistic timescale
- insisting on seeing or speaking to someone more senior or a particular member of staff when that is not possible.
- regularly changing what the complaint is about.
- regularly raising new or unrelated concerns
- refusing to accept a decision following a full investigation.
- making repeated contacts about the same issues even though a response has already been provided.

2.3 Harassment

Staff have the right to carry out their duties free from harassment or threats of harassment. All customers are asked to respect that staff are delivering services and decisions on behalf of ECBHA and therefore, this may not reflect their own views or preferences.

Examples of harassment may include:

- recording staff without consent
- publishing information online such as through any social media channel, that is deemed to be unacceptable.
- contacting staff using their personal details or social media presence such as Facebook, Twitter, or LinkedIn.
- publishing personal, sensitive, or private information about staff online or other public domains such as noticeboards or newsletters.

2.4 Unreasonable frequency or duration of contact

The number of times a customer may contact ECBHA, or the duration of each contact, can cause problems for staff.

Customers may make what are considered unreasonable demands on our staff through the amount of information they seek, the nature and scale of service they expect or the number of approaches they made. What amounts to unreasonable demands will be dependent on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.

Examples of unreasonable levels of contact include:

Sometimes the volume and duration of contacts by an individual can cause's problems. This can occur over a short period, for example, multiple calls or emails in one day or in one hour. It can also occur over a longer period with regular long telephone calls or inundating the office with copies of information already submitted or irrelevant to the issue.

making multiple unnecessary calls in one day

persistent emails about the same issue or repeatedly sending emails with large amount of information attached that is not required when a matter is closed.

sending new complaints before there has been an opportunity to address earlier/existing complaints repeatedly asking staff to look at the same issue when it has already been addressed through the complaints process.

repeatedly making very long calls

2.5 How ECBHA manage unacceptable and unreasonable demands

If ECBHA feel the behaviour is unacceptable or unreasonable, any of the following actions may be taken:

- Staff may either place a caller on hold or end the telephone call if the caller is aggressive, offensive, or abusive, or is making unreasonable demands.
- warning the customer about their behaviour and requesting that the customer modifies their future behaviour contact on the matter is restricted or ended.
- ask that all future contact is made through a third-party such as a family member
- contact will be restricted to emergency contact only and all other correspondence should be in writing.

· Incidents may be reported to the police (for example, if violence has been threatened)

take any other action that is considered appropriate (in extreme cases, this may include injunctions and seeking possession of a customer's tenancy)

· other tenancy enforcement action

Where staff are considering any of the above actions or have had to take immediate action (for example, end a phone call), this will be discussed with a Line Manager, who will then consider with staff which action is appropriate (if any).

Customers will be informed about the action ECBHA is taking and the reason for it. This may include how long restrictions will be in place.

In deciding the action, the following will be considered:

- How it affects staff
- How it affects the customer (including a customer's personal circumstances and any reasonable adjustments)
- The extent to which the complaint or enquiry has been exhausted.

In instances where a customer's behaviour is classed as unacceptable or unreasonable, the details will be recorded.

The customer's details and the reasons why their behaviour has been classed as unacceptable will be provided to all relevant ECBHA staff and a warning marker will be placed on the housing management system to alert staff to the behaviour.

The customer will be informed of the restriction by letter.

This process may be reconsidered if the customer commits to behaving with courtesy, respect, and fairness and:

- Some time has passed
- There is a more suitable alternative course of action available
- ECBHA receive evidence that there were exceptional reasons for the behaviour

3. Appeal Process

Customers will be able to appeal any formal restrictions of contact within 28 days of being informed of the restriction being implemented. The customer appealing the decision to restrict contact should make the request via email or letter, setting out the reasons why they feel the action is unfair.

A senior manager who was not involved in the original decision will consider the appeal subject to any pending or over-riding legal action. Their decision whether to remove; amend or to continue with the restriction will be made within 21 days of receiving the request for a review of the decision.

The decision made by the Senior Manager considering the appeal is final and cannot be appealed against. In cases where the resident is still dissatisfied, it is for the Housing Ombudsman to consider and review the case.

4. Legislative or other Guidelines

This policy is guided by the approach of the Housing Ombudsman Service -Our Approach to Unacceptable Behaviour.

The 'Regulatory Framework for Social Housing in England' sets out that Registered Providers¹ shall:

'Have an approach to complaints that is clear, simple and accessible and that ensures complaints are resolved promptly, politely and fairly'. The Policy is designed to allow complaints to be investigated whilst providing tools to manage situations where customers exhibit unreasonable behaviours.

...accept complaints made by advocates authorised to act on a customer's behalf'. The Policy contains provisions that encourage customers to use an advocacy service where they are unable to present their issues clearly or where they are exhibiting unreasonable behaviours.

5. Links to the ECBHA Corporate Plan

5.1 The Policy operates alongside the Customer Complaints and Feedback Policy, which provides a framework for dealing with complaints.

5.2 The Policy should be used in conjunction with other relevant ECBHA policies and procedure, which include:

- Anti-social Behaviour Policy and Procedure
- Equality & Diversity Policy
- Health & Safety at Work Policy
- Lone Working Policy and Procedure
- Whistleblowing Policy

6. Monitoring

6.1 ECBHA will record, monitor and report on the following KPIs in relation to this Policy:

The number of reports of unacceptable behaviour
The number of reports of unreasonable demands
The Number of sanctions in place
The number of court actions