



Appendix A

POLICY DOCUMENT

Unacceptable Behaviour

POLICY TITLE:	Unacceptable Behaviour
LEAD OFFICER:	Head of Customer Services
DATE APPROVED:	April 2025
APPROVED BY:	Board
IMPLEMENTATION DATE:	April 2025
DATE FOR NEXT REVIEW:	April 2029
ADDITIONAL GUIDANCE:	
ASSOCIATED CUSTOMER PUBLICATIONS:	Tenancy Agreement Corporate Plan 2024-2028 Compliments, Comments and Complaints Policy Equality, Diversity and Inclusion Policy Housing Management Policy ASB Policy Vulnerable Persons Policy
TEAMS AFFECTED:	All Staff and Board Members and the Member Responsible for Complaints
THIS POLICY REPLACES WITH IMMEDIATE EFFECT:	N/A as this is a new Policy

DOCUMENT CONTROL

For guidance on completing this section please refer to the document version control guidance notes

Revision History

Date of this revision:	January 2025
Date of next review:	
Responsible Officer:	Head of Customer Services

Version Number	Version Date	Author/Group commenting	Summary of Changes
1	March 2025		New Policy

Policy Creation and Review Checklist

ACTION	RESPONSIBLE OFFICER	DATE COMPLETED
Best practice researched (HouseMark, HQN, NFA, RSH, general websites)	Head of Customer Services	December 2024
Review current practices from similar organisations (NFA)	Head of Customer Services	December 2024
Review customer satisfaction / complaints data from the area the policy relates to	Head of Customer Services	January 2025
Undertake customer consultation if applicable	Head of Customer Services	January 2025
Staff consultation through Trade Unions if applicable	Head of Customer Services	January 2025.
Trade Union consultation if applicable	Head of Customer Services	N/A
Other stakeholder consultation if applicable	Head of Customer Services	N/A
Equality analysis carried out through the intranet for all new policies or fundamental changes	Head of Customer Services	March 2025

NB. The above table must be completed on all occasions. The policy will not be accepted or approved by EMT without this information completed.



Policy Document

Unacceptable behaviour

1. Background

- 1.1 While most interactions with tenants are reasonable and respectful, there are instances where, when requesting or receiving services or making a complaint, they are not. This can be regardless of whether the service is being delivered face to face by employees, over the phone or digitally.
- 1.2 Occasionally, the behaviour or actions of individuals makes it difficult for us to handle their complaint and to deliver and respond to requests for service, and the behaviour becomes unacceptable. In a small number of cases, these actions become unacceptable because they involve abuse of our staff or our processes.
- 1.3 When this happens, we take action to protect the health and wellbeing of our staff, who have a right to do their jobs without fear of abuse or harassment.
- 1.4 With regard to unacceptable behaviour linked to the handling of a formal complaint the Housing Ombudsman's Complaints Code states that *"Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review. Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010"*

2. Purpose

- 2.1 This Policy outlines the way in which customers who are demonstrating unacceptable behaviour or making excessive demands on the services of SLHD, resulting in staff being prevented from carrying out their duties effectively, will be managed.
- 2.2 The Policy refers to any tenant or/and customer, or their representative, who is making a complaint or who is requesting or receiving a service. Where the policy is applied during part of the complaint investigating process the Customer Relations Team will contact the customer, where it is applied as part of requesting or receiving a service the Policy will be applied by the relevant service area.

- 2.3 Unacceptable behaviour can be described as acting in a way that is unreasonable, regardless of the level of a customer's stress, frustration or anger. This includes actions, words, or physical gestures that may cause distress or discomfort to others or which impact on our ability to deliver our services effectively. It includes abusive, offensive, threatening behaviour, or being unreasonably persistent in contacting us about the same issues in relation to a complaint or a service request. This policy explains how we handle such behaviour.
- 2.4 When this happens, we take action to protect the health and wellbeing of our staff, who have a right to do their jobs without fear of abuse or harassment. We also consider the impact of such behaviour on our ability to work and provided services to others.
- 2.5 For the purposes of this policy, unacceptable and persistent behaviour are considered interchangeable. Examples are set out at section 3. below.

3. Unacceptable and Persistent behaviour

- 3.1 Behaviour will be deemed as unacceptable if it is so demanding or persistent that it places unreasonable demands on the organisation or impacts the level of service that can be offered to others. This can occur over a short period or over the lifespan of a service request, complaint, or enquiry.
- 3.2 Examples of unacceptable and persistent behaviour includes:

Unacceptable behaviour

- behaviour or language (verbal or written) that may cause employees to feel offended, afraid, threatened, or abused
- derogatory or discriminatory remarks; including racist, sexist, disablist, homophobic, or transphobic comments
- using insulting or degrading language, including body language;
- making serious allegations against us or others without any evidence
- publishing information about employees online including social media
- recording and publishing telephone discussions with employees that are taken without their consent
- contacting employees using their personal details or social media presence such as Facebook, Instagram, X or LinkedIn

To illustrate this scenario, an example of a customer displaying unacceptable behaviour could include making derogatory comments about a visiting employee or sending emails with insulting comments included in them. In this scenario the relevant Service area would apply the policy.

Unreasonable demands

- repeatedly demanding a response within a timescale outside of normal timescale agreements
- insisting on, or refusing to speak to employees when that is not possible

- repeatedly changing the substance of a complaint or raising unrelated concerns
- refusing to accept a decision where explanations for the decision have been given
- refusing to co-operate by not providing information we request to allow us to help resolve the issue
- requesting large volumes of information;

To illustrate this scenario, an example of a customer making unreasonable demands could include a customer who repeatedly contacts the organisation regarding the priority of a repair, continuously requesting for it to be carried out sooner. In this instance the Customer Access Team would apply the Policy.

Unreasonable persistence:

- refusing to accept the answer that has been provided;
- continuing to raise the same subject matter without providing any new evidence;
- continuously adding to or changing the subject matter of the complaint;
- repeated contact over a short period of time or lengthy phone calls repeating the same points of discussion;
- unnecessarily or excessively copying us into email to other parties or sending 'scatter gun' emails to numerous staff and stakeholders;
- repeatedly contacting us about issues/events that have already been dealt with;
- overload of contact, including by phone, letter, email or contact via social media or digitally. This includes the frequency of contact as well as the volume.
- repeated contact whilst a complaint is being progressed or after it is closed
- lengthy telephone calls repeating the same points for discussion
- high volumes of information provided by email, webform, or post where the information repeats what has already been given
- copying our employees into emails with other parties where this is not necessary

To illustrate this scenario, an example of unreasonable persistence would include customers who have made a formal complaint about the services we provide and how we have delivered them, and who are persistent in continuing to make complaints without any substance, even though we have properly responded to their concern. In this example the Customer Relations Team would apply the Policy.

Verbal abuse, aggression, violence - this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations, and threats of violence;

Harassment:

- recording telephone or face to face discussions and publishing the information on any digital or public platform;
- contacting staff using their personal details or social media channels;
- publishing personal, sensitive or private information about SLHD employees or our representatives in the public domain.

Refusal to co-operate with reasonable requests:

- not responding to clear and appropriate requests by staff;
- refusing to speak to us to discuss a complaint or services where we need to seek clarification or need further information to be able to deliver a service;
- providing evidence to help properly investigate a complaint.

4. Managing Unacceptable Behaviour

4.1 Our approach to dealing with unacceptable behaviour involves 3 phases.

Informal

- We will aim to reach an informal voluntary arrangement with the complainant to modify their behaviour;
- We will monitor this over a 1-month period if there is no improvement we will issue a warning to the complainant as set out below.

Warning

- We will write to the complainant to advise that their behaviour is deemed to be unacceptable, providing examples, and advising on what steps will be taken if the behaviour continues – this could include referring the matter as a potential breach of tenancy;
- We will monitor this over a one-month period, if there is no improvement we will advise we will be taking restrictive action.

Restrictive action

- Should behaviour not change following the written warning, we will write to the customer to advise what action we will take until their behaviour improves. Depending on the circumstances, this could include issuing a breach of tenancy notification letter. Where this is the case, the specific matter will be dealt with under our tenancy agreement and procedures and will therefore sit outside this Policy.
- Where the behaviour is not deemed to be a breach of tenancy, the customer will be advised of their right to ask for restrictive action to be reconsidered. They must do so within 1 week of receiving the letter. All restrictions will remain in place until a decision has been made by the Director as to whether they are confirmed or withdrawn;
- A customer can ask for restrictive action to be reconsidered in any of the following circumstances:

- where there is a change in circumstances which mean the restriction is no longer appropriate;
 - where there is evidence, the restriction impacts the customer's ability to access our service;
 - a factual error was made by our service when making the decision to apply the restriction
- Where the restriction is linked to a formal complaint the customer has made, the complainant will be informed of their right to contact the Housing Ombudsman about the fact that their access has been restricted;
 - The action taken will be recorded in our housing system, so all staff are aware of the restrictions. Once the contact restriction expires, we will remove the information relating to the restriction in line with data protection rules;
 - Restrictive action will be in place for 12 months.

If behaviour threatens the immediate safety of our employees, other individuals, or an organisation, we will report the matter to the police. We will aim to let the customer know that we have reported their behaviour to police but there may be some circumstances where this is not possible such as a call being terminated before we have the opportunity to inform the person, or where informing the person could impact a criminal investigation.

Restrictions will be tailored to deal with the individual circumstances and may include any or all the actions listed below. This list is not exhaustive, and other measures appropriate to the circumstances may also be taken:

- Limiting contact to a single form i.e., to writing, email or telephone only;
- Visits to the office by appointment only;
- Requiring any contacts to take place face-to-face in the presence of a third party;
- Limiting contact to certain times or to a limited number of times per week or month;
- Personal contact to take place in the presence of an appropriate witness;
- 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;
- Appointing a single point of contact, or contacts if a job is shared, within the relevant service area;
- Requesting that the complainant only communicates with us via a representative;
- Deciding not to investigate a complaint on the basis that it has been pursued in a way that is unacceptable;
- Stopping all communication with a customer concerning a specific issue;
- Terminating all telephone calls from the customer to the council, after requesting they email a single point of contact (SPOC) with their enquiry;
- Where appropriate, ceasing repair work if the unacceptable behaviour is linked to the delivery of our repairs service by ourselves or our contractors;
- Where appropriate notifying relevant public authorities.

- 4.2 In all instances where restrictions have been applied contact for emergency repairs and requests can still be made through our usual contact channels.
- 4.3 Where action is being considered in relation to unacceptable behaviour concerning a formal complaint the matter must be initially discussed the Customer Experience Service Manager, or cover, who will consider the circumstances of the complaint and be satisfied that:
- the complaint has been investigated properly;
 - any decision that has been reached is the right one;
 - communications with the complainant have been appropriate; our view of the complainant has not been affected by the seriousness or nature of the complaint.

The decision to restrict access will not be taken lightly and will be authorised by the Head of Customer Services if linked to a complaint or other relevant Head of Service if a specific service area issue.

- 4.4 New complaints about issues not previously raised or related to the original complaint from people with restricted access will be treated on their merits. The Customer Experience Service Manager will decide whether the restrictions applied previously are still necessary and where appropriate we will continue to restrict access about the on-going complaint but process the new.

5. Reasonable Adjustments

- 5.1 In line with the Equalities Act 2010, we will always consider making reasonable adjustments for a complainant to ensure that any restrictions on unacceptable behaviour are proportionate and have regard to the Act, where we are aware adjustments are required. Sometimes we may put a contact restriction in place which impacts a reasonable adjustment. This is because the behaviour we are experiencing means the adjustment is longer reasonable where the person has shown unacceptable or unreasonable behaviour towards our employees.
- 5.2 Any restrictions imposed on a customer's contact will recognise and be appropriate to their individual circumstances, however, we do not expect our staff to accept being subjected to aggressive, offensive, threatening, or abusive actions, language, or behaviour.
- 5.3 Before agreeing an adjustment, we will consider factors which can include:
- what the disadvantage would be if the adjustment was not made
 - whether the adjustment will be effective in reducing the disadvantage
 - how practical it is to make it
 - whether it would disrupt our other activities unreasonably
 - the cost of making it and availability of resources, including external help and finance
 - any other relevant factors, information

We will try to agree a reasonable adjustment with minimal delay. In some cases, we may need to consider the request in more detail.

5.4 Examples of adjustments we may consider are:

- Showing due regard for an individual's medical conditions;
- Considering using different communication methods, examples include providing documents or correspondence in larger print, or with a specific colour contrast (which may help people with conditions such as dyslexia
- Considering if there are other individuals that may be able to represent the customer in the handling of their complaint, such as a family member, friend or support worker, if necessary, considering a multi-agency approach where we are aware the complainant is receiving support from bodies such as social services.
- Giving clear warning if conversations become unproductive to allow the customer to modify their behaviour before ending a call;
- Contact by telephone rather than written communication
- Translating documents or correspondence into Braille
- Arranging for a direct point of contact at the service
- Providing access to 'Easy Read' versions of key documents
- If you use British Sign Language (BSL) we might provide you with an interpreter
- Giving you more time than would usually be allowed to provide further information or comments on the complaint

6. **Safety Alerts**

- 6.1 There may be exceptional circumstances when we reserve the right not to notify a customer of the decision we have made and, based on our duty of care for colleagues, may add a safety alert to our records, for example advising colleagues not to visit the property at all, to only visit in pairs or with another agency or to only interview in person in the office. This will be captured within a Potentially Violent Persons Register and Privacy Notice as appropriate. Each individual will be assessed on the register on a case-by-case basis with periodic reviews to ensure accuracy. The lawful basis will continue to be valid until the data subject no longer poses a risk. The data subject does not need to be aware that they are on the register.

7. **Supporting Colleagues/Contractors/Partners**

- 7.1 We recognise that dealing with unacceptable behaviour or unreasonably persistent complainants can be stressful and challenging for our colleagues, contractors, and partners.
- 7.2 We will also ensure that our colleagues, contractors, and partners are aware of their rights and responsibilities under this policy and that they can report any incidents of unacceptable behaviour or harassment to their line manager
- 7.3 We will take any necessary steps to protect the health and wellbeing of our colleagues, contractors, and partners, until the behaviour meets acceptable standard. This can include applying any of the restrictions set out at 4.1, involving the police or taking legal action if appropriate.

8. Ownership and Responsibilities

- 8.1 The ownership and responsibility of managing unacceptable behaviour linked to a formal complaint rest with the Customer Relations Team, where it is a service request issue it rests with the relevant Service Area.

9. Monitoring, Compliance and Effectiveness

- 9.1 We will review this Policy at the same time as we carry out our self-assessment against the Housing Ombudsman's Complaint Code to ensure it is still fit for purpose.
- 9.2 We will publish this Policy on our website and make it available to anyone who requests it.
- 9.3 We will comply with collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 20XX

10. Performance Standards

- 10.1 We will monitor the number and nature of cases where we have applied this Policy and the outcomes of those cases.
- 10.2 We will also track feedback from customers and stakeholders to continuously improve the application of this Policy.