

# Unacceptable Behaviour Policy

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INSPIRING PEOPLE TO BUILD SUSTAINABLE COMMUNITIES

## Document Information

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<b>Scope of Document</b>	Procedure on unacceptable and unreasonable behaviour.	
<b>Objective</b>	To outline Blackpool Coastal Housing's (BCH) procedure in responding to and dealing with unacceptable behaviour from customers	
<b>Who needs to know?</b>	Customers and prospective customers, Stakeholders, BCH Personnel	
<b>Documentation</b>		
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## Amendment Record

Date	Issue No.	Section/Page	Details of Change	Authorised By:

### Amendment Notes

- Documents at draft status are to use letter designations to denote issue status: a, b, c etc.
- Documents at full issue status are to use number designations to denote issue status after full revision: 1.0, 2.0, 3.0, etc.
- For an amendment to a full issue document you are to use number designation to denote issue status: 1.1, 1.2, 2.1, etc.
- On full issue the draft amendment record should be deleted from the above table.
- Notification of the amendment must be sent to the person maintaining the Central Register.

## Introduction

Blackpool Coastal Housing (BCH) is committed to ensuring that our customers feel heard, understood and respected. We aim to be open and accessible to everyone. Occasionally, however, the behaviour or actions of individuals using our service makes it very difficult for us to deal with their issues. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our process.

When this happens, we have to take action to protect the health and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed. We also consider the impact of the behaviour on our ability to do our work and provide a service to others.

## Statement

BCH will have a 'Zero Tolerance' approach to any unreasonable or unacceptable behaviour.

"BCH staff and partners should be able to come to work without fear of violence, abuse or harassment from customers or the general public".

## Policy

This policy sets out BCH's approach to dealing with customers whose actions or behaviour we consider unacceptable or unreasonable. The term "customer" includes tenants, visitors and household members, anyone acting on behalf of a tenant, or persons dealing with BCH to access services, for example housing applicants, leaseholders & those occupying temporary accommodation.

There are a number of requirements associated with behaviour and breaches set out within our:

- Tenancy Agreements
- Leasehold Agreements
- Licences to Occupy
- ASB Policy
- Communication Strategy
- Access & Customer Care Strategy
- Customer Feedback Policy
- Involvement Code of Conduct

Unreasonable behaviour can impact on the organisation; customers who act unreasonably can require a disproportionate amount of resources and in turn the organisation's ability to deliver equal services to all customers.

BCH has a duty of care to ensure staff and partners we work with recognise their options to deal with such behaviour and that customers are clear in relation to our expectations.

BCH staff and partners involved in incidents of unacceptable and unreasonable behaviour will record these events by using a variety of methods such as reporting incidents to the police, where appropriate and submitting an incident report (She Assure Form) for Line or Contract Manager investigation. The Line Manager will complete the investigation, speaking to both victim and alleged perpetrator. The Line Manager will decide the next course of action, this could be a verbal warning or Zero Tolerance Letter. The ASB Team are available to give advice but not to conduct the investigation.

In addition a risk alert (User Defined Characteristic) can be placed on the tenant's record, subject to discussion with the ASB or Neighbourhoods Team Leaders. This will also establish whether any enforcement action is required by the ASB & Neighbourhoods Team against the tenancy agreement due to the behaviour. If there is not an existing case one will be opened.

Where there is cause for concern about a person's welfare we will proactively work with appropriate third parties and support services. This will either be the responsibility of the staff member involved, or their Line Manager. Early Warning forms are also used to accompany this process with trades operatives and contractors.

BCH will make the use of CCTV footage as evidence, in accordance with the current legislation

## Aims

- To have a consistent approach with all customers, both at initial contact and throughout their dealings with us, as to what BCH considers unacceptable or unreasonable behaviour.
- To set out the actions we may take to ensure that BCH deals fairly, honestly and consistently with customers who behave in an unacceptable or unreasonable manner.
- To ensure BCH staff feel safe not to tolerate behaviour by customers which is deemed unacceptable, unreasonable or aggressive.
- To clarify the steps to be undertaken and confirm the responsibilities for Line Managers in conjunction with health and safety, GDPR and data access procedures.
- To ensure BCH provides a service that is accessible to all customers, retaining the right to restrict or change access to our service, in particular when there is disproportionate service provision.
- To recognise that under the Equality Act 2010 BCH have a responsibility to identify where possible any protected characteristics that may impact on a customer's ability to communicate with us effectively.

## Unreasonable and Unacceptable Behaviour

BCH recognises that behaviour is not unacceptable just because a person is assertive or determined. There may have been distressing circumstances leading up to a customer contacting us and people may act out of character.

However, behaviour may become unacceptable if it is so demanding or persistent that it places unreasonable demands on BCH and impacts the level of service that can be offered to others.

Examples may include but not limited to:

- 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)
- Overload of letters, calls, emails or contact via social media (this could include the frequency of contact, threatening and malicious comments as well as the volume of correspondence received as well as the frequency and length of telephone calls).
- Malicious or otherwise inflammatory statements, or unsubstantiated allegations e.g. about our employees, other customers or about the service they have received from us.

## Aggressive or Abusive Behaviour

BCH understands that customers can become upset and angry about the issues they have raised. If that anger escalates into aggression towards BCH staff and contractors, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

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.

BCH will judge each situation individually and appreciate individuals who come to us may be upset. While BCH accepts that those who contact us may feel angry, it is not acceptable to shout or swear at staff and contractors.

Unacceptable language is that which:

- is offensive, derogatory or patronising,
- is discriminatory in any way, including racist, sexist, homophobic or transphobic comments; or
- makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence.

Threats against staff will be taken very seriously and if staff feel scared or threatened at any point during a conversation with a customer, the interaction may be ended at any time.

## Unreasonable Levels of Contact

Sometimes the volume and duration of contact made to us by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or hour.

It may occur over the lifespan of a tenancy when a customer repeatedly makes telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

BCH considers that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that issue, or with other customers.

Unacceptable or persistent levels of contact include:

- Continuous contact while we are in the process of considering a matter
- Repeated telephone calls over a short period, for example, a high number calls in one day or week
- telephone calls repeating the same points of discussion
- High volumes of information provided by email or post referencing the same issues
- excessively copying us into emails to other parties.

## Harassment

Staff have the right to carry out their duties free from harassment or threats of harassment. We ask all customers to respect that staff are delivering services and communicating decisions on behalf of BCH and therefore this may not reflect their own views or preferences.

Examples of behaviours we consider to be harassment against our staff include:

- recording telephone discussions and publishing the information online or any other social media platform
- contacting staff using their personal details or social media presence
- publishing personal, sensitive or private information about staff online or other public domains such as noticeboards or newsletters

### Handling customer contact and managing unacceptable or unreasonable behaviour

All BCH staff are supported to end interactions with customers where they feel behaviour is unreasonable or unacceptable. Staff members should use controls in place, as outlined in the BCH Personal Safety Policy. This will be followed by the staff member notifying their Line Manager and completing an incident report form (SheAssure).

BCH staff and partners should complete an incident report via the Health and Safety portal. This will be investigated by the individual's Line Manager. The Incident Report should not be forwarded to the ASB Team for them to investigate in the first instance. Once the Line Manager has carried out their initial investigation the ASB Team become involved where it has been shown that there has been a clear breach of Tenancy that requires further action.

The staff member dealing with the customer has the right to make the decision on ending contact. They will tell the customer that the behaviour is unacceptable and end the interaction if the behaviour does not stop. Where necessary, the Police may be contacted.

This includes:

- Ending telephone calls.
- Removing themselves from reception areas.
- Abandoning or cancelling visits.
- Leaving meetings, interviews and repair jobs (although the job would be left in a safe condition).

The Line Manager investigation should involve the following actions (these are examples and is not an exhaustive list):

- Speaking to the member of staff and discussing the details of the incident
  - What lead up to the incident?
  - Were appropriate precautions taken?
  - Could the member of staff done something differently to avoid what happened?
- Making contact with the customer, make them aware that an incident report has been completed.
  - What is their view of the incident?
  - Was our member of staff rude?
  - Are they apologetic regarding the incident?
  - If they are unapologetic or their behaviour is severe advise that their case will be referred to the ASB Team and they can expect to be contacted by them in the coming days.

If the customer is apologetic, advise that their behaviour has been unacceptable and that a record of the incident will be kept on file. If there are no further issues that will be the end of the matter. There will be no need to involve the ASB Team in this situation.

If the customer fails to acknowledge or continues to behave inappropriately then a Teams call should be made to the ASB or Neighbourhoods Team Leaders and discussion take place to agree the next steps.

## Reasonable Adjustments

We understand that some customers may find it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset. In order to do this, we ask that residents explain what adjustments they're looking for and how this will ensure they can access our services.

We will always consider making reasonable adjustments for a resident if we are asked to do so. Examples of adjustments we can consider are:

- we could consider using different methods of communication
- providing written communication in large print, coloured text, or in translation
- giving clear warnings if conversations become unproductive and allowing customers the opportunity to modify their behaviour before ending a call

However, we do not expect BCH staff to accept being subjected to aggressive, offensive, threatening or abusive actions, language or behaviour.

## Actions we may take

When we experience behaviour or demands which are unacceptable, we may consider taking more formal action. The actions we will consider can include the following:

- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us
- Placing a risk marker on a customer or address with controls such as visits to be conducted in pairs, or with another professional body. These markers are shared with any partners who carry out functions on behalf of BCH.
- Providing a single point of contact
- Communicating in writing
- 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
- Requesting a third party contact who will act on a customer's behalf, details of which will be recorded on our systems
- Refusal to provide a non-statutory service
- Seeking advice or involvement from another professional body or making a referral to a support service if appropriate
- In some cases, if it is deemed necessary and appropriate then actions could include involving the police, taking legal action or ending direct contact with a customer
- Any other reasonable or proportionate measures to manage unreasonable or unacceptable behaviour may be considered on a case by case basis

BCH's ASB & Neighbourhoods Team will assist in an advisory capacity and support staff and managers to deal with the initial report of unacceptable behaviour. The ASB Team will take the lead should any legal action such as tenancy enforcement, possession proceedings, injunctions or Community Protection Warnings and Notices be required.

Wherever possible, customers are told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This will not take place if it is felt that it would result in an escalation of the customer's behaviour.

## **Customer appeals**

A customer can appeal a decision made around customer interaction controls. BCH's ASB & Neighbourhoods Manager will review the original decision subject to any pending or over-riding legal action. They will advise the customer in writing that either the control arrangements still apply or a different course of action has been agreed. If a customer is still unhappy with this decision they will be referred to the Complaints Procedure.

## **Recording and reviewing a decision to restrict contact**

BCH records all incidents of unacceptable and unreasonable actions by customers. Where it is decided to implement a control, an incident report is completed along with justification for the risk being logged on appropriate computer records.

We aim to review a decision around customer interaction controls routinely every 12 months, however a review may be completed sooner should it be necessary. The review will consider if a customer has demonstrated a more acceptable approach, further evidence in connection with a person's health or personal circumstances or there have been no further incidents or concerns noted within the review period that would warrant additional controls remaining in place.