| POLICY: | APPROVAL DATE: | August 2024 |
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| Unacceptable Behaviour Policy | REVIEW DATE: | August 2027 |
| | REVIEW CYCLE: | 3 years |

# Unacceptable Behaviour Policy

## 1. Purpose of the policy

1.1. This policy describes Teachers Housing Association (THA) approach to being responsive in dealing with customer behaviours that become unacceptable. THA believes that everyone has the right to be heard, understood, and respected.

1.2. Occasionally the behaviour of customers who receive a service from us impacts our ability to deliver services effectively and to a high standard and may therefore be deemed unacceptable. It can also adversely impact the physical or mental wellbeing of our staff. This could involve abuse of our staff, contractors and other third parties working on behalf of THA.

1.3. Under this policy we will treat customers fairly, honestly, consistently, and appropriately and have due regard for an individual's medical conditions and vulnerabilities such as mental health issues and learning disabilities recognising the impact that these can have on behaviours.

1.4. THA appreciate that customers may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances that lead to a customer's behaviour becoming unacceptable. We appreciate this can also include as a result of poor service received from THA.

1.5. We will not deem behaviour to be unacceptable without seeking to understand any relevant circumstances involved.

1.6. THA will not tolerate any form of violence or abuse towards our staff or unacceptable behaviour or actions that result in unreasonable or excessive demands on our service that may prevent our staff and representatives from carrying out their duties effectively.

1.7. This policy applies to all areas of our work and to all methods of contact including telephone, face-to-face, letters, e-mails, social media and website communications.

1.8. This policy applies to all THA staff members and any representatives or contractors working on behalf of THA.

## 2. Policy objective and scope

2.1. In respect of this policy, a customer means:

- Current or former THA customers
- Applicants for THA properties
- Visitors to THA properties
- Friends, relatives, carers and advocates acting on behalf of current or former customers
- Members of the general public enquiring about THA services

2.2. This policy is there to ensure we can provide high levels of customer service and protect the physical and mental wellbeing of our staff members and any third parties working on THA's behalf, caused any unacceptable behaviour from customers.

## 3. Legal / Regulatory Framework

3.1. This policy incorporates the key requirements of the following:

- Housing Ombudsman Scheme and its Complaints Handling Code
- Equality Act 2010
- Data Protection Act 2018

## 4. Responsibility

4.1. Compliance with this policy is the responsibility of the Operations Director.

## 5. Behaviour that is deemed unacceptable

5.1. Aggressive or abuse behaviour

Any violence or abuse towards staff will not be tolerated. We consider anger that escalates into aggression towards staff, and any instances where staff suffer harm unacceptable.

Violence is not restricted to acts of aggression that may result in physical harm, it includes behaviour or language (written or verbal) that may cause staff to feel intimidated, offended, afraid, intimidated, threatened or abused.

THA will judge each situation individually and appreciate the circumstances surrounding individuals who we come into contact with who may be upset. While we accept our customers may at times feel angry, it is not acceptable to shout or swear or interfere with THA staff and their representatives.

Examples of unacceptable behaviour include:

- Offensive, derogatory or patronising remarks
- Physical violence against a person
- Physical violence against objects, such as kicking, defacing or destroying property
- Persistent shouting
- Persistent swearing
- Offensive or rude gestures
- Threats made to a person
- Any discriminatory remarks or actions
- Allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence

5.2. Unreasonable demands

THA consider demands to be unreasonable when they impact substantially on the work of staff, for example by taking up an excessive amount of time which is disproportionate to the issue. This is likely to disadvantage other customers as it can impact on the service that can be provided to them.

Examples of this behaviour include:

- Repeatedly demanding responses 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

5.3. Unreasonable, unacceptable and persistent levels of contact

Sometimes the volume and duration of contact made to our services by a customer can be problematic. This can occur over a short period of time, for example, a number of calls in any one day or hour.

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

We consider that the level of contact has become unacceptable when the amount of time spent engaging with a customer on the telephone, or responding to, reviewing and filing emails or written correspondence, impacts on our ability to deal with their or another customer's concerns or requests.

5.4. Harassment

THA staff and their representatives have the right to carry out their duties free from harassment or threats of harassment. We expect all customers to respect staff that are delivering our services and who communicate information on behalf of THA.

Examples of behaviours we consider to be harassment include:

- Recording telephone discussions and publishing the information online
- Contacting staff or THA representatives using their personal details or social media presence such as Facebook, Twitter or LinkedIn
- Publishing personal, sensitive or private information about staff or THA representatives online or other public domains such as noticeboards or newsletters
- Using intimidating behaviour against staff or THA representatives

5.5. Unacceptable or excessive demands

A demand becomes unacceptable to THA when it starts to (or when complying with the demand would) impact substantially on the work of THA. An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own complaint from being dealt with quickly.

Examples of this behaviour include:

- Repeatedly demanding a response within a timescale outside of service level agreements
- Insisting on, or refusing to, speak to a particular member of staff, when that is not possible
- Repeatedly changing the substance of a complaint or raising unrelated concerns
- Making repeated and unnecessary contact during us dealing with a complaint or carrying out an investigation
- Refusing to accept a decision where an explanation for the decision has been provided and THA have explained further escalation routes which may be available

5.6. Refusal to cooperate

When we are looking at a complaint or service issue, we will need to ask the customer who has raised their concerns to work with us in order for us to investigate their concerns fully.

This can include:

- Agreeing the specific nature of the complaint we will look at
- Providing us with further information, evidence or comments
- Summarising their concerns

Occasionally, customers can repeatedly refuse to co-operate, and this makes it difficult for us to investigate their complaints or issues effectively. We will always seek to assist a customer if they have a specific, genuine difficulty in complying with a request. However, we consider it as unacceptable to bring a complaint to us and then not respond to clear and appropriate requests by staff for us to investigate the complaint.

## 6. Reasonable adjustments

6.1. We understand that some of our customers may find it difficult to express themselves or communicate clearly, especially when they are anxious or upset. THA will seek to understand any reasonable adjustments that would make it easier to access THA services. In order to do this, we may ask individuals to explain what adjustments they need and how this will ensure they can access THA services.

6.2. We will always consider making reasonable adjustments for customers if we are asked to do so.

6.3. Examples of adjustments that we can consider are:

- Using different methods of communication
- Communicating in different languages using the support of a translator
- Providing written communication in large print, easy read, coloured text, or in translated text
- Giving clear warnings if conversations become unproductive and allowing customers the opportunity to modify their behaviour before ending a call
- Identifying alternate representation for a customer such as a family member, carer, advocate, support worker or other professional that can communicate in the best interest of the customer

6.4. However, we do not expect our staff to be subjected to aggressive, offensive, threatening or abusive actions, language or behaviour.

6.5. We may still use this policy even where a reasonable adjustment has been made if the actions or behaviours of an individual have a negative effect on our staff, our representatives or our work.

6.6. We also have a reasonable adjustment policy in place.

## 7. How will we deal with unacceptable behaviour?

7.1. When we experience behaviour or demands which are unacceptable, we may consider taking more formal action.

7.2. Prior to any formal action being taken, THA will endeavour to take steps to allow a customer the opportunity to correct their behaviour. This could include THA taking a multi-agency approach, liaising with appropriate professionals e.g., support staff, social workers etc. who could mediate between THA and the customer and work towards producing an acceptable behaviour agreement. In cases where informal agreements cannot be reached, THA will escalate to formal actions such as:

- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us
- Appointing a specific THA employee as a point of contact for the customer
- Communicating only in writing or via a representative
- Limiting customer contact with THA to certain times of the day

- Limiting the number of times per week or month the customer can contact THA
- Deciding not to investigate a complaint on the basis that it has been pursued in a way that is unacceptable
- Stop all direct communication with a customer

7.3. In any cases of physical violence or harassment towards our staff and representatives, THA may involve the police and take legal action that could result in THA ending contact with the customer.

7.4. When it is decided that formal action must be taken to manage a customer's behaviour, we will inform them of the decision in writing. Notes will also be placed on our housing management system along with any relevant warning markers to safeguard our employees.

7.5. The Director of Operations will approve the use of this policy to
- manage an identified customer's unreasonable behaviour; and
- any formal action(s) to be taken against a customer; and
- the appropriate review periods.

## 8. Review of unacceptable behaviour

8.1. THA will not set restrictions to service indefinitely; a reasonable review period will be set based on the individual customer's circumstances and levels of unacceptable behaviour.

8.2. Review periods will be discussed with the Operations Director to ensure the review period is balanced, appropriate and without bias.

## 9. Right to appeal

9.1. Customers have the right to appeal against the decision of any formal action taken in relation to this policy. Any appeal should be made in writing within 3 weeks of the decision and will be heard by the Chief Executive Officer.

## 10. Key controls and reporting

10.1. We will monitor performance against this policy and report to the Senior Management Team on a quarterly basis.

## 11. Associated documents

11.1. This policy is supported by the following policies and supporting procedures:
- Complaints policy
- Complaints procedure
- Equality and Diversity Policy

## 12. Equality and Diversity

12.1. Actions under this policy will ensure that all customers will be treated fairly, dignity and respect and in a proportionate manner.

12.2. THA is committed to valuing and promoting equality and diversity, working to create a culture that celebrates and welcomes individuality, disability, gender reassignment, race, religious or political beliefs, sexual orientation, gender, pregnancy or maternity status, irrespective of age.

## 13. Review period

13.1. This policy will be reviewed every 3 years and approved by the Senior Management Team.