

## Unacceptable Behaviour Policy

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Company	Thirteen Group
Lead Manager	Michelle Younger
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## **1 POLICY STATEMENT**

Thirteen Group aims to deliver customer service in a fair and proportionate manner, in consideration of the diverse needs of our customers. However, in a minority of circumstances, the actions of customers can become unreasonable. The aim of this policy is to identify situations in which a customer's behaviour could be considered unacceptable, consume an unwarranted amount of the Group's resources and detail how staff are expected to handle such situations.

- 1.1 This policy ensures that Thirteen has a consistent, effective, robust, and clear approach towards the management of unacceptable behaviour of customers.
- 1.2 The Management of Unacceptable Behaviour Procedure which accompanies this policy should be implemented in the case of a customer becoming unacceptably persistent, vexatious, and unreasonable.
- 1.3 While this policy does cover behaviour such as abusive or offensive language in the course of communications with Thirteen, such language can also be included with personal threats, physical intimidation or violence and should be referred to the Employee Protection Register procedure.
- 1.4 This policy is underpinned by a number of underlying principles, specifically but not limited to ensuring that:
  - Procedures and processes reflect good practice, legislative and regulatory requirements
  - Persistent or vexatious customers can be quickly identified and dealt with
  - Managers are empowered to respond accordingly where persistent and vexatious customers have been identified
  - We can deal with all customers and deliver customer service in ways which are demonstrably consistent, fair and reasonable
  - We do not spend disproportionate resources where this is unjustifiable, potentially to the detriment of others requiring services.

## **2 REFERENCE MATERIAL**

- 2.1 The following were used as reference material and to guide the development of this policy:
  - Employee Protection Register (EPR) procedure
  - Information Governance Framework
  - Equality and Diversity policy
  - Complaints, Compliments, and Feedback policy and procedure
  - Thirteen Group's Tenancy Agreement
  - Housing Ombudsman Guidance

### 3 DEFINITIONS AND EXAMPLES

3.1 The following terms are referred to, and / or are relevant to this policy:

3.1.1 **Unacceptable behaviour:** Thirteen regards unacceptable behaviour as behaviour which negatively impacts upon the its ability to deal effectively with a request, complaint or to deliver customer service. However, Thirteen also recognises that in some cases persistent behaviour may be justified and may not be considered as unacceptable.

### 4 POLICY CONTENTS

#### 4.1.1 Obligations of our Tenants

As set out within Thirteen's Tenancy Agreement, tenants are obliged to refrain from committing unfavourable conduct such as using, or threatening to use, violence or abusive or insulting words or behaviour towards the Group's employees, agents or contractors. In accordance with the Tenancy Agreement, tenants are also obliged to refrain from doing anything or allowing anything to be done which causes or is likely to cause, a nuisance, annoyance or disturbance.

These conditions set out within the Tenancy Agreement support the development and enforcement of this policy and the implementation of the Management of Unacceptable Behaviour procedure.

#### 4.1.2 Obligations of our Customers

For customers who are not subject to a Tenancy Agreement the same terms are implied in their dealings with Thirteen.

#### 4.1.3 Fairness and Objectiveness

When identifying whether a customer's behaviour can be defined as unacceptable, and subsequently whether Thirteen's Management of Unacceptable Behaviour procedure applies to the behaviour staff must demonstrate fairness and objectiveness. Bias and prejudice will be avoided at all times during the decision-making process.

#### 4.1.4 Equality and Diversity

Thirteen recognises that, in some circumstances, customers may have an illness or be experiencing particular difficulties or have a disability where it may be difficult for them to either express themselves or communicate clearly and/or appropriately. Where unacceptable behaviour is evidenced under these circumstances, Thirteen will consider the individual needs and circumstances of the customer and our staff before deciding on how best to manage the situation. In particular, all staff are expected to consider the prevalence of the protected characteristics as detailed within the Equality Act 2010.

#### 4.1.5 Record Management

All staff are expected to maintain a detailed audit trail of contact with customers, for example, actions / notes added to IT systems, case notes, emails, etc. This information

will form an evidence base of communication between staff and customers and is essential to identifying and reviewing whether a customer's behaviour can be considered to be unacceptable.

#### **4.1.6 Unacceptable Behaviour**

Thirteen accepts that customers will make contact to express dissatisfaction for a service failure and that they may be assertive or determined in doing so, or they may be distressed and acting out of character. However, behaviour becomes unacceptable if it is so demanding or persistent that it places unreasonable demands on services and impacts on the level of service to other customers.

Examples of unacceptable behaviour include;

- unacceptable demands (eg requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)
- unacceptable 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)
- 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)
- overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).

#### **4.1.7 Aggressive, threatening, abusive or offensive language or behaviour**

All staff employed by Thirteen have the right not to be subjected to aggressive, abusive or offensive language or behaviour, regardless of the circumstances.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (written or spoken) that may cause staff to feel distressed, threatened or abused.

Where this behaviour is experienced in relation to complaints, staff should refer to the Employee Protection Register procedure. However, even if a customer is noted on the Employee Protection Register a service request, complaint or feedback will still be dealt with and an appropriate response will be provided.

#### **4.1.8 Available Restrictions**

Where a customer continues to communicate in an unacceptable manner, Thirteen will exercise its right to restrict contact. The precise nature and action will be appropriate and proportionate to the nature of the unacceptable behaviour and the circumstances. Those authorised to make a decision to restrict contact are detailed in the Management of Unacceptable Behaviour procedure.

When making a decision to restrict contact, any special requirements of those affected by our decision will be taken into account. For example, where someone cannot read, we are unlikely to limit communications to writing only unless we are satisfied there are reasonable adjustments in place to enable the customer to read our response.

A number of actions will be considered when looking to restrict access including;

- providing a single point of contact
- limiting contact to a single form ie 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

#### **4.1.9 Notifying the Customer**

Where any action/restriction, or proposed action/restriction is implemented the customer will be informed of the decision in writing.

The notification will include the period the restriction will be applied for, in line with Data Protection this will not exceed twelve months.

The restriction and customer's behaviour will be reviewed within this period to ensure it remains relevant and appropriate.

The restriction will be removed if the customer's unacceptable behaviour is considered to have improved.

#### **4.1.10 Customer's Right to Appeal**

A customer may appeal any decision to restrict contact. For full details of conditions, refer to the Management of Unacceptable Behaviour procedure.

#### **4.1.11 Approach to Subsequent Requests or Complaints**

Thirteen will not ignore complaints from customers who have been advised that requests have been classed as unacceptable, however, due regard will be given to the original decision and any time limit applied.

The customer will be notified of a final decision on whether or not to process a new request or continue to restrict contact will be provided.

## 5 GOVERNANCE INFORMATION

<b>Equality and Diversity</b>	Initial Screening has identified no adverse impact on the protected characteristics on the application of this policy.
<b>Customer Involvement and</b>	The policy was shared with the policy consultation database who gave positive feedback and found the policy clear and easy to read.
<b>Monitoring and Review</b>	The policy will be monitored and reviewed when due for review or on change of regulation or legislation.
<b>Responsibility</b>	Director of Experience.