

1. Background and objectives

- 1.1. We aim to provide a service which is accessible to everyone where our customers are heard, understood, and respected however, at times where we consider actions to be unacceptable, we will look at restricting this access.
- 1.2. We understand that people may act out of character in times of distress or when they are frustrated but in a number of cases the actions of individuals become unacceptable because they involve abuse of our colleagues or our processes by taking up an unreasonable amount of time and resources.
- 1.3. All customers will be dealt with fairly, honestly, consistently, and appropriately including those whose actions are considered unacceptable.
- 1.4. This policy applies to all customers of Alliance Homes including Brighter Places customers to whom we offer services.
- 1.5. Whilst there are no statutory or regulatory obligations that require a policy to manage unacceptable behaviour it is regarded as good practice by the Housing Ombudsman to have a policy which covers these matters in place. This policy has been developed following the 'managing unacceptable behaviour' guidelines of the Housing Ombudsman Service.
- 1.6. The Customer Experience Manager will be the owner of the Unacceptable Behaviour Policy.

2. Policy detail

2.1. What do we mean by unacceptable behaviour?

Behaviour is not regarded as unacceptable just because a person is assertive or determined in their approach to their case or complaint and it is accepted that people may act out of character when making contact about the distressing or frustrating circumstances that they have experienced.

Behaviour becomes unacceptable when it becomes so demanding or persistent that it places unreasonable demands on colleagues and impacts the level of service provision to our customers.

Examples of what may be considered to be unacceptable behaviour include but are not limited to:

- Unreasonable demands such as requesting large volumes of information, asking for responses in a short space of time, refusing to speak to an individual or insisting on speaking only to a certain person
- Unreasonable persistence such as refusing to accept that the answer has been provided, continuing to raise the same subject matter without providing new evidence, continuously adding to, or changing the subject matter of a complaint
- Refusal to allow a resolution to be put in place e.g., Not allowing access for a repair
- Verbal abuse, aggression or violence not just limited to physical or verbal abuse but includes derogatory remarks, patronising behaviour, rudeness and inflammatory allegations or threats

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- Overload of letters, calls e-mails or contact via social media which includes frequency and length of contact as well as the volume of correspondence received.

2.2. How will such behaviour be managed?

We will always seek to have a conversation with the customer and resolve the issue in an informal way. If this doesn't succeed, we will look at a range of options to manage the customer's communication with us which will take an individual's needs into account and may include:

- Providing a single point of contact
- Asking the customer if they would like to nominate a family member, friend, or support worker to advocate for them
- Limiting contact to a single form – in writing, by e-mail or telephone
- Limiting contact to certain times or to a limited number of times per week or per month
- Declining to further consider, investigate or escalate an issue or complaint unless additional information or evidence can be provided
- Preventing the customer from attending community events where there has been abusive behaviour or threats have been made
- Where verbal abuse, threats, or violence is involved this will be passed to the Anti-Social Behaviour Team to manage under the Anti-Social Behaviour Policy.

Any action taken will be time limited, subject to review and communicated in writing to the customer.

2.3. What actions will we take?

We will always seek to resolve instances of unacceptable behaviour informally or making use of the various options set out in 2.2 above and if appropriate make a support referral as a means of seeking a resolution.

In extreme cases we will consider ending direct contact with the customer, taking legal action against a customer's tenancy, or involving the Police if it becomes a criminal matter e.g., in cases of extreme threats, physical violence or harassment in line with our Anti-Social Behaviour Policy.

2.4. Right to appeal and review

Any customer who has restrictions place on their contact has a right to appeal to the Head of Customer Experience (Housing Services) who will review the restrictions place on the customer and the length of time they have been imposed for.

All cases where restrictions have been put in place will be reviewed on a quarterly basis by the Customer Experience Manager and if the behaviour has improved, consideration will be given to lifting the restrictions on contact.

If behaviour has not improved at the point of review an explanation will be provided as to why the restriction will remain in place and for how long.

2.5. How long will any restrictions remain in place?

The length of time restrictions remain in place will be determined on a case-by-case basis in line with the individual circumstances of the case but will not exceed a period of three months after which it will be subject to review as set out in 2.4 above.

3. Monitoring, consultation, and review

- 3.1. We monitor our performance in delivering the objectives of this policy by reporting the number of cases where this policy has applied annually to our leadership team.
- 3.2. The Customer Experience Manager is responsible for the implementation and review of this policy.
- 3.3. Customers, colleagues, and service users may be involved in giving feedback on this policy, leading to amendments where appropriate.
- 3.4. This policy will be reviewed within two years of its approval date or earlier if required by regulatory, statutory, or other requirements.

4. Equality and diversity

- 4.1. When making decisions under this policy we will always show due regard for an individual's medical condition, support needs or individual circumstances. Any restrictions placed on the customer's contact will always recognise their needs and be tailored to their individual circumstances. This will include:
 - Considering if there is anyone else who can represent the customer in their handling of their complaint (e.g., family member, friend, or support worker)
 - Consideration of whether a multi-agency approach is needed where the customer is receiving support from other organisations such as social care.
- 4.2. This policy is subject to a periodic Equality Impact Assessment (EIA).
- 4.3. The purpose of such an assessment is to consider the effect of the policy regarding the recognised protected characteristics of equality and ensure that it does not unfairly impact any individual or group. The protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity or other grounds set out in our Equality and Diversity Strategy and Single Equality Scheme. Remedial action will be undertaken if a detrimental effect is identified.
- 4.4. The EIA also requires the policy author to consider whether the policy is likely to negatively impact on a person's Human Rights.

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4.5. This policy and any other related Alliance Homes publications can be provided in other formats for those with visual, literacy or language difficulties.

5. Associated documents

5.1. Complaints Policy

5.2. Complaint Handling Procedure

6. Version control and approval dates

Approval stage	Date completed
Equality Impact Assessment completed	29 December 2022
EIA reviewed by Equality & Diversity Manager	18 January 2023
SLT review / approval	31 May 2023
Board or Committee approval	n/a
Next review date	31 May 2025

7. Appendices

Appendix 1 – Equality Impact Assessment

Appendix 1

Equality Impact Assessment

An Equalities Impact Assessment must be conducted alongside the review of an existing policy or the creation of a new one.

1. Name the Strategy, Policy, Procedure or Function (SPPF) being assessed and name of author.

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2. Aims of the SPPF being assessed.

- *Whose need is it designed to meet?*
- *Are there any measurable elements such as time limits or age limits?*

It is designed to meet the needs of colleagues and customers with a focus on having a transparent, customer centred approach to dealing with instances of unacceptable behaviour from customers which impacts both colleague well-being and the ability to deliver an efficient, consistent level of service to all of our customers

3. Who has been consulted in developing the SPPF?

- *Make reference or links to consultation/evidence documents*

The policy will be shared through HIVE and with the Customer Panel to enable their views to feed into the final approved version

4. Does the SPPF promote equality of opportunity?

The policy promotes equality of opportunity across the protected characteristics as follows:

There is recognition that there may be individual circumstances which may contribute to behaviour being perceived as being unacceptable and these will be fully considered when putting any restrictions in place which will always be tailored to individual need.

This policy states clearly that being forthright and determined in making your case is not regarded as unacceptable behaviour so does not impact a customer's ability to make a legitimate complaint.

5. Identify potential impact on each of the diversity "groups" by considering the following questions (the list is not exhaustive but an indication of the sort of questions assessors should think about):

- *Might some groups find it harder to access the service?*
- *Do some groups have particular needs that are not well met by the current SPPF?*

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- What evidence do you have for your judgement (e.g. monitoring data, information from consultation/research/feedback)?
- Have staff/residents raised concerns/complaints?
- Is there local or national research to suggest there could be a problem?

Protected Characteristic	No impact	Negative impact	Positive impact	Information source/s **	Comments/evidence
Race	x				We will ensure that language is not a barrier to open and effective communication about a complaint or service failure. We have access to Language Line to assist where needed
Disability	x				We will ensure that the needs of an individual are fully considered when putting any restrictions in contact in place taking everything into account including physical and mental health as well as disability.
Gender	x				
Transgender	x				
Sexual orientation	x				
Religion or belief	x				
Age	x				If anyone would like a family member or advocate to support them this will always be encouraged
Marriage & Civil Partnership	x				
Pregnancy and Maternity	x				
Rural issue	x				
Social mobility	x				

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Was there a negative impact identified in question 5? If yes go to question 6. if not go to question 7.

6. If “negative impact” identified in table (4) above is it?

Legal -

What is the level of impact? -

YES	NO
HIGH	LOW

If it is not legal and/or high impact – (i.e.: if you have highlighted NO to legal and HIGH to impact, then the document should be referred to Head of HR)

7. If positive impact has been identified in table 4 above, how can it be improved upon or maximised, either in this SPPF or others?

Formal action will only be taken under the Unacceptable Behaviour Policy when all informal avenues have been exhausted. Any restrictions on contact will be tailored to individual need and regularly reviewed with no restriction being in place for longer than 3 months without review.

8. Full EIA (or if you decide full EIA is not necessary but some changes should be considered)

- Are there changes you could introduce which would make this SPPF work better for this group of people?
- Is further research or consultation required?

9. Does this proposal have any potential Human Rights implications?

If yes, please describe (if necessary, please refer to the Alliance Homes Group Human Rights Policy)

Not Applicable