



**PEAKS & PLAINS**  
Housing Trust

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# The Trust

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## Unacceptable Behaviour Policy

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2022

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## 1. SCOPE

- 1.1. This policy outlines how Peaks & Plains (the Trust) will manage unacceptable behaviour, at all times ensuring that customers are dealt with fairly and consistently. The policy describes how we identify unacceptable behaviour, the actions we will take to deal with customers who behave unacceptably and how we record and report upon unacceptable behaviour management to our customers and Board.
- 1.2. This policy provides protection to colleagues who might be subject to unacceptable behaviour from a minority of customers. It also gives colleagues clear guidelines upon when to refer unacceptable behaviour to managers for their support.

## 2. INTRODUCTION

- 2.1. The Trust is committed to dealing with customers fairly, honestly, consistently and appropriately including those whose actions are considered unacceptable. However, there are a minority of cases where a person behaves in a way that is unacceptable.
- 2.2. The Trust does not believe that a customer raising legitimate queries, criticisms of our services (or officers), being assertive or determined should in itself lead to being regarded as displaying unacceptable behaviour.
- 2.3. However, behaviour may become unacceptable if it is so demanding or persistent that it places unreasonable demands on the Trust and impacts the level of service that can be offered to others.

## 3. ACTION THAT THE TRUST CONSIDERS UNACCEPTABLE

- 3.1. The Trust defines unacceptable behaviour as behaviour or actions that result in unacceptable or excessive demands on our service in that it prevents staff from carrying out their duties effectively.

## 4. EXAMPLES OF UNACCEPTABLE BEHAVIOUR

### 4.1. Aggressive or abusive behaviour

- 4.1.1. We understand that customers may become upset and angry about the issues they have raised with the Trust. If that anger escalates into aggression towards the Peaks & Plains staff, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.
- 4.1.2. 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.

4.1.3. We will judge each situation individually and appreciate individuals who come to us may be upset. While we accept that those who contact us may feel angry, it is not acceptable to shout or swear at Peaks & Plains staff.

4.1.4. 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.

4.1.5. We may decide that comments aimed not at us but at third parties are unacceptable because of the effect that listening or reading them may have on our staff. Examples include rudeness, offensive comments, derogatory remarks, making inflammatory statements, or raising unsubstantiated allegations towards these third parties.

4.1.6. 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.

## 4.2. **Unreasonable levels of contact**

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

4.2.2. It may occur over the life-span of an issue 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 to the matter.

4.2.3. We consider 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 complaint, or with other customers' complaints.

4.2.4. Unacceptable or unreasonable 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,
- Lengthy telephone calls repeating the same points of discussion,
- High volumes of information provided by email or post referencing the same issues,
- unnecessarily or excessive copying us into emails to other parties.

### 4.3. Harassment

4.3.1. 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 Peaks & Plains and therefore this may not reflect their own views or preferences.

### 4.4. Unacceptable or excessive demands

4.4.1. A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the Trust.

4.4.2. 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 the course of us dealing with a service request or complaint,
- Refusing to accept a decision where explanations for the decision have been provided.

4.4.3. 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.

### 4.5. Refusal to co-operate

4.5.1. When we are looking at a complaint, we will need to ask the individual who has complained to work with us. This can include agreeing with us:

- the complaint we will look at,
- to provide us with further information, evidence or comments on request, or
- help us by summarising their concerns.

4.5.2. Sometimes, an individual repeatedly refuses to co-operate and this makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request.

4.5.3. However, we consider it is unacceptable to bring a complaint to us and then not respond to clear and appropriate requests by staff.

## 5. IMPOSING SANCTIONS ON CUSTOMERS WHO DISPLAY UNACCEPTABLE BEHAVIOUR

5.1. Colleagues should refer unacceptable behaviour to service managers for support on how to deal with the customer. Where the service manager considers the customer's behaviour unacceptable they will follow these guidelines:

- a) The service manager will contact the customer to explain why their actions are causing concern and request that they change their behaviour. The service manager will explain the actions that the Trust may take if the behaviour does not change. There may be occasions where the unacceptable behaviour is so serious that a warning is not appropriate and part b) (below) is triggered immediately.
- b) If the unacceptable behaviour continues, a senior manager (Head of Service or equivalent) will write to the customer advising them that the way in which they will be allowed to contact the Trust will be restricted and any other action that may be considered appropriate<sup>1</sup>. The letter will contain information about the procedures that have been put in place to deal with the customer. The customer will be informed of their right to appeal this decision and right to refer to the Ombudsman if they wish to seek external review of the decision.

5.2. Any restriction that is imposed on the customer's contact with the Trust will be appropriate and proportionate. Restrictions will be tailored to deal with the individual circumstances of the complainant and will be time bound and subject to review.

## 6. AUDIT AND GOVERNANCE

### 6.1. Recording and reporting upon unacceptable behaviour

6.1.1. Comprehensive records will be retained by the appropriate service manager of the details of the case and the action that has been taken and will include:

- Number and details of customers who are deemed subject to the unacceptable behaviour policy including the protected characteristics of customers who are sanctioned through this policy
- The duration of sanctions
- What restrictions are applied

6.1.2. An annual anonymised summary of the above will be reported to Board and customers, for example Challenge Group.

## 7. EQUALITY AND DIVERSITY IMPLICATIONS

7.1. Our customers, regardless of background or ability, deserve to have the same opportunity to benefit from the services we provide. We will ensure that customers with particular needs are able to communicate with us and will be treated by our staff in a manner that takes their needs into account.

7.2. The Trust will ensure:

- all customers receive equal access to services irrespective of age, race, sex, disability, faith or sexual orientation;
- all staff are trained on equality and diversity issues and are equipped to deal with our customers' specific needs.

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<sup>1</sup> other action may include tenancy enforcement, injunction or other legal action, altering service response times, restricting which officers will deal with the customer, specifying the method with which we will communicate with the customer.

- 7.3. People with learning disabilities and mental health problems may not be aware that their behaviour is considered unreasonably persistent or vexatious. This may also be the case if English is not the customer's first language. The Trust's staff will take extra care when writing to the customer to ensure they understand any action we are taking because of their behaviour. Alternative formats for correspondence will be used if needed.
- 7.4. We will always consider making reasonable adjustments wherever appropriate. 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 to opportunity to modify their behaviour before ending a call.

## **8. DATA PROTECTION**

- 8.1. The Trust recognises that confidentiality is important to customers and will ensure all performance reporting information is anonymised and are compliant with GDPR good practice.

## **9. RESPONSIBILITIES**

- 9.1. All members of staff will receive training on this policy and will be expected to recognise unacceptable behaviour and differentiate this from a customer who is merely upset and angry. They will report unacceptable behaviour promptly to their manager, and when appropriate use the Trust's E20 Health & Safety reporting system.
- 9.2. Service Managers will be expected to investigate reports of unacceptable behaviour, and decide if it has taken place. Service Managers will contact customers who have behaved unacceptably to warn them about their conduct and record this contact in writing. Where appropriate, service managers will recommend further sanctions to their Head of Service.
- 9.3. Heads of Service will decide upon and apply sanctions to prevent and control further unacceptable behaviour towards the Trust's staff. They will write to customers to inform them of these sanctions, the term that they will apply for and an opportunity to appeal this decision.
- 9.4. The Trust's Customer Experience Manager will record and monitor, and report upon incidence of unacceptable behaviour. The CX manager will implement restrictions on contact with the Trust, e.g. control of contact. The CX Manager will manage the review process at the end of the initial term of sanctions that have been applied.
- 9.5. The Trust's Anti-social behaviour team will take appropriate tenancy and legal enforcement action against perpetrators of unacceptable behaviour.

## 10. FUTURE REVIEWS

10.1. This policy will be reviewed every 3 years.

## 11. ASSOCIATED DOCUMENTS

- 11.1.
- Complaints Policy
  - Compensation Policy
  - Health and Safety Policy
  - Equality, Diversity and Inclusion Policy
  - Data Protection Policy

## POLICY INFORMATION

Policy Name:	Unacceptable Behaviour Policy
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