

Midlands Rural Housing

**Acceptable Behaviour Policy
Policy**

1. Introduction

- 1.1 The Association aims to provide a first-class service to all our residents and customers but we acknowledge that there may be occasions when people are dissatisfied and make complaints. Our Complaints Policy gives clear details of the process to be followed if a customer is unhappy with any aspect of the services we provide. *This policy* sets out our approach to those customers whose actions or behaviour becomes unacceptable.
- 1.2 The Association has a duty to provide a safe and secure working environment. Violent and abusive behaviour will not be tolerated, and decisive action will be taken to protect our staff, those working on our behalf (i.e. a Contractor), our involved residents and other residents visiting or involved in other activities on our premises.
- 1.3 The aim of this policy is to detail behaviour which is unacceptable and the sanctions available in the face of such behaviour.

2. Definitions and Scope

- 2.1 To make it clear to customers we will deal with any complaint sympathetically and in line with our complaints policy, making every effort to resolve issues in the minimum of time. We will provide customers with clear and simple information on the course of action they can take if still dissatisfied with our service.
- 2.2 We will treat our customers with dignity and respect, and we will deal with all customers in a fair, honest, consistent and appropriate manner including those whose actions we consider are unacceptable.
- 2.3 We recognise that there are relatively few customers whose actions are considered unacceptable. How we deal with this unacceptable behaviour depends on its nature and extent and we will ensure our actions are proportionate.
- 2.4 To provide a service that is accessible to all customers. We retain the right, however, to restrict or change access to our services where we consider a customer's actions or behaviour to be unacceptable.
- 2.5 To ensure so far as reasonably practicable, the health, safety and welfare at work of all employees in conjunction with the Health & Safety at Work Act 1974 and the Management of Health & Safety at Work Regulations 1999.

- 2.6 To ensure that all reasonable care is taken to provide support to staff and to mitigate the risk of harassment towards them in the course of their duties and to ensure that they are treated with dignity and respect by our customers.
- 2.7 To ensure other customers and staff do not suffer any disadvantage from those who act in an unacceptable manner.

3. Specifics of the Policy

- 3.1 We understand that people may act out of character in times of trouble or distress. There may have been upsetting circumstances leading up to making a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined. However, we do when the actions of customers who become very angry, demanding, unreasonable or persistent may result in unacceptable behaviour towards our staff.
- 3.2 These actions can be grouped under the following four broad headings:
 - 3.2.1. **Aggressive or Abusive Behaviour** - Violence is not restricted to acts of aggression that may result in physical harm. It also includes threats, personal abuse, derogatory remarks, rudeness and behaviour or language (including oral, written or online through social media) that may cause staff to feel afraid, threatened or abused. In addition, inflammatory statements and unsubstantiated allegations can also be considered abusive behaviour. Staff should always be treated courteously and with respect. Customers may feel anger which involves the subject of their complaint, but it is not acceptable when anger escalates into aggression directed towards staff.
 - 3.2.2. **Unreasonable Demands** - What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and/or the sensitivity of the issues raised by the customer. Examples of action include demanding responses within an unreasonable timescale, continuous phone calls, e-mails or letters, making demands which do not comply with our policies or legislation, repeatedly changing the substance of the complaint or raising unrelated concerns. Demands which place staff members under duress or stress, impact substantially on the work of the office staff and/or take up an excessive amount of staff time to the disadvantage of other customers, or functions are unreasonable and unacceptable.
 - 3.2.3. **Harassment** - We will take reasonable care to provide support to staff, protect them from harassment in the course of their duties and to ensure as far as reasonably practicable the health, safety, welfare and wellbeing for all employees. Examples of harassment include making defamatory allegations,

unwarranted criticism, issuing inappropriate information and insulting and abusing staff (oral, written and through social media).

- 3.2.4. ***Unreasonable Persistent or Vexatious Behaviour*** - Customers may persist in disagreeing with actions or decisions taken in relation to their complaint or may persistently contact the office about the same issue. Such actions can be unacceptable when they take up a disproportionate amount of time.
- 3.3. In all of the above categories The Association supports the understanding that the best judge of the seriousness of an incident must be the victim and therefore each person covered by this policy is able to determine what is and what is not considered acceptable within the categories outlined above in the sections 3.2.1 to 3.2.4.
- 3.4. Because individuals are permitted to make up their own minds about what is and is not acceptable behaviour, they should be able to feel that their decisions will be fully supported by The Association. Therefore, perpetrators only have the right to appeal against specific sanctions that could be taken against them outlined in the Managing Unacceptable Behaviour Procedure. As a rule, there are enough stages in the process for perpetrators to question their actions before the sanctions are applied.
- 3.5. The Association will not tolerate the threat or use of physical violence, verbal abuse or harassment towards staff, extreme instances of this nature will always be reported to the police and may be subject to legal action. In addition, in accordance with the Allocations Policy, housing applications will be suspended in conjunction with the process outlined in Acceptable Behaviour Procedure if customers use threatening or violent behaviour towards staff.
- 3.6. If unacceptable behaviour adversely affects our ability to do our work and provide a service to others, we may need to restrict the customer's contact with our offices in order to manage the unacceptable action. We may restrict contact in person, by telephone, letter, electronically or by any combination of these. In extreme situations the customer may be restricted to contact the office only by either written communication or through a third party as covered in the Managing Unacceptable Behaviour Procedure.

4. Implementation

4.1 Managing Unacceptable Behaviour

- 4.1.1 All staff should follow guidance set out in the Managing Unacceptable Behaviour Procedure. This includes setting out acceptable behaviour in a letter format, enter into a contact agreement, if applicable, and/or in severe cases will prompt tenancy enforcement action.
- 4.1.2 The steps that our staff will take to manage unacceptable behaviour will depend on the nature and extent of the behaviour.
- 4.1.3 A Contact Agreement will be established with the customer detailing the way in which the Association and the customer will communicate, including restricting contact.
- 4.1.4 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include for example only dealing with the complainant by telephone through a third party or other advocate or friend acting on their behalf
- 4.1.5 For regular or serious cases of unacceptable behaviour, tenancy enforcement action will commence.

4.2 The Right to Appeal a Decision to Restrict Contact

- 4.2.1 Customers have the right to appeal a decision to restrict contact and will be informed how to do this as part of the contact agreement.
- 4.2.2 A senior member of staff who was not involved in the original decision will consider the appeal. He/she will advise the customer in writing that either the restricted contact arrangements still apply, or a different course of action has been agreed.

5. Responsibilities

- 5.1 Responsibility for monitoring the application of this policy is divided into the following three areas;
 1. Where threats or harassment risk is high or actual and action is taken the responsibility sits with the Housing Manager.
 2. Where complainants are returning or vexatious contact is made, responsibility sits with the Customer and Business Support Manager.

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 3. Where near miss incidents occur including verbal abuse and threatened physical harm, responsibility sits with the line manager and Health & Safety Committees. (All near miss incidents should be recorded on Assessnet.)
- 5.2 This Policy will be reviewed every three years or earlier in line with legislative or business requirements with amendments being made, consultation as appropriate and communicated to staff and relevant stakeholders.
- 5.3 The Association Group will treat personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how customer data will be used and the basis for processing customer data is provided in the Association's Privacy Notice.

6. Associated Documents

- Allocations Policy
- Anti-Social Behaviour Policy and Procedure
- Complaints Policy and Procedure
- Lone Worker Policy and Procedure
- Equality, Diversity and Inclusion Strategy
- Equal Opportunity Policy
- Health & Safety Policy
- Visiting Safely Policy

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| Document Title | Acceptable Behaviour Policy |
| Version number | 2 |
| Version date | February 2022 |
| Author Title & Issuing Department | Housing Services Manager Housing Team |
| Target Audience | All operating areas within MRH: LRHA, NRHA, PDRHA, WRHA |

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| Approved By | Management Team Resident Focus Group |
| Date Approved | February 2022 |
| Review Date | February 2025 |

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| Links to Regulatory Standards – Economic/ Consumer Standards | Social Housing White Paper Chapter 3 and 4 The Regulator of Social Housing: Tenancy Standard and Tenant Involvement & Empowerment Standard. |
| Outcomes for Customers | Provide transparency in what behaviour is acceptable. |
| How were tenants, residents and service users involved in the review/development of this document | Consultation with residents, who are interested in policy reviews, via an online survey. Published Policy in newsletter |
| Training Provision | Department managers will be responsible for cascading the policy to their teams. The Maintenance Team will be responsible for cascading the policy to the contractors working on our behalf. |
| Links to the Business Plan | Provide high quality housing management services Engage effectively with our residents |
| Links to Key Values | Openness: This policy sets out our approach to those customers whose actions or behaviour becomes unacceptable. Accountability: The policy sets out the responsibilities of the teams across The Association who are involved in administering our approach. Clarity: The policy defines what is deemed unacceptable behaviour and staff will respond it. |

Version Control

| Version | Revision Date | Author: Job Title | Change Description |
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