

Shropshire Rural Housing Association



MANAGING UNACCEPTABLE BEHAVIOUR POLICY

(January 2021 – Review - January 2024)



MANAGING UNACCEPTABLE BEHAVIOUR POLICY

AIMS AND OBJECTIVES

The aim of this policy is to set our Shropshire Rural Housing Association's (SRHA) approach to managing customers who present unacceptable behaviours. This policy will make customers aware of actions to be taken depending on the type and extent of behaviour.

SRHA will not discriminate against any of our customers and all will be dealt with fairly, honestly, consistently and appropriately, including those whose actions are considered unacceptable. SRHA will recognise that all customers have a right to be heard, understood and respected. SRHA also has a duty to protect its employees, as well as its customers. For example, where there are counter allegations against an employee, these will be investigated properly using our Complaints procedure.

EQUALITY, DIVERSITY AND REASONABLE ADJUSTMENTS

SRHA will adhere to the requirements of the Equalities Act 2010 and will show due regard for an individual's medical condition and vulnerability such as mental health issues and learning disabilities.

REPRESENTATION AND MULTI-AGENCY APPROACH

SRHA will consider if there are other individuals that may be able to represent the customer in the handling of their complaint, for example a family member, friend or support worker. SRHA will also consider if a multi-agency approach is necessary when the individual is receiving support from other bodies such as social services.

CONFIDENTIALITY

SRHA will maintain confidentiality at all times and ensure that data is kept in line with the General Data Protection Regulations (GDPR) 2018. More information on how data is collected, processed and stored can be found in our Privacy Policy.

WHAT CONSTITUTES UNACCEPTABLE BEHAVIOUR?

SRHA will recognise that behaviour is not unacceptable just because a person is assertive or determined. SRHA will understand that there may have been distressing circumstances leading up to a customer contacting the Association and they may be acting out of character. Behaviour may become unacceptable however, if it is so demanding or persistent that it places unreasonable demands on SRHA and impacts the level of service that can be offered to others. Types of unacceptable behaviour may include (but not limited to):

- **AGGRESSIVE OR ABUSIVE BEHAVIOUR**

SRHA understands that many customers may be angry about the issues they have raised. If that anger escalates into aggression toward SRHA staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.

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.

We will judge each situation individually and appreciate individuals who come to us may be upset.

Language which is designed to:

- Insult or degrade,
- Is racist,
- Sexist or homophobic; or
- Which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence is unacceptable.

We may decide that comments aimed not at us but at third parties are unacceptable because of the effect of listening or reading them may have on our staff.

- **UNREASONABLE DEMANDS**

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

Examples of this behaviour include:

- Repeatedly demanding a response within an unreasonable timescale
- Requesting large volumes of information
- Insisting on seeing or speaking to a particular member of staff, when that is not possible, or refusing to speak to an individual
- Repeatedly changing the substance of a complaint or raising unrelated concerns.

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.

- **UNREASONABLE LEVELS OF CONTACT**

Sometimes the volume and duration of contact made to our Association by an individual causes problems. This can occur over a short period of time, for example, a number of calls in one day or hour. Overload of letters, calls emails or contact via social media (this could include the frequency of contact as well as the volume of contact or the frequency and length of the communications).

SRHA will 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 the level of service we can offer to others

- **UNREASONABLE REFUSAL TO CO-OPERATE**

When we are looking at an issue, we will need to ask the individual who has contacted us to work with us. The can include agreeing with us:

- The issue we will look at,

- To provide us with further information, evidence or comments on request, or
- Help us by summarising their concerns.

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.

However, we consider it is unreasonable to bring an issue to us and then not respond to reasonable requests.

- **UNREASONABLE USE OF THE COMPLAINTS PROCESS**

Individuals with complaints about SRHA have a right to pursue their concerns through a range of means. They also have the right to complain more than once to SRHA if subsequent incidents occur.

This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent the Association from pursuing a legitimate aim or implementing a legitimate decision.

We consider access to our complaints policy to be important and it will only be in exceptional circumstances that we would consider that such repeated use is unacceptable – but we reserve the right to do so in such cases.

- **UNREASONABLE PERSISTENCE**

This may include: refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing new evidence, continuously adding to or changing the subject matter of the complaint

HOW WILL THE BEHAVIOUR BE MANAGED?

SRHA will try and reach a voluntary or informal arrangement with the customer before taking any formal action. This is to allow the individual time to consider and adjust their behaviour. Mediation or advocacy through third parties can be considered to try and improve the situation.

If this informal approach fails, SRHA may feel it is appropriate to issue a warning to the customer prior to taking any formal steps. The warning will include examples of where the individual's behaviour has been considered unacceptable with reference to what formal steps may be taken if the behaviour continues.

WHAT FORMAL ACTIONS CAN BE TAKEN?

If the informal arrangements that SRHA put in place do not succeed in the individual changing their behaviour the following restrictions may be implemented:

- Providing a single point of contact
- Limiting contact to a single form, for example, writing, email or telephone
- 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 is provided
- Only considering a certain number of issues in a specific period.

In extreme cases such a physical violence or harassment towards an employee, actions could include involving the police or taking legal action.

HOW LONG SHOULD RESTRICTIONS REMAIN IN FORCE?

Customers with restrictions place on them have the right to appeal that decision. Any restrictions imposed will not be set out indefinitely and a review period will be agreed at the outset.

If the individuals behaviour has improved at the point of review consideration will be given to lifting the restriction. If it has not improved an explanation will be provided as to why the restrictions will remain in force for a further period pending the next agreed review date.

REASONABLE ADJUSTMENTS

SRHA understands that some customers have disabilities which make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset.

We also recognise that some disabilities might make it difficult for customers to assess the impact of their behaviour might have on other people.

We will also consider making reasonable adjustments for a disabled customer if we are asked to do so. For example

- We could consider using different methods of communication
- Agree to give clear warnings when we feel that a customer's behaviour is unacceptable so that they have the opportunity to change it.

However, we would not consider it to be reasonable to expect our staff to accept being subject to aggressive, offensive or abusive actions, language or behaviour. We may still use the policy if there are any actions or behaviours which are having a negative effect on our staff or work.