

Unacceptable Behaviour Policy

Date Reviewed	November 2023	Next Review Date	November 2026
Consultation	Completed	Reviewed By	Head of Housing
EIA	Completed	Responsible Officer	Head of Customer Voice
DPIA	N/A	Approval By	Executive Team

1. Purpose

BCHG is committed to investigating all complaints fairly, promptly, in line with the Complaints Policy and the Housing Ombudsman Complaint Handling Code. However there are instances where individuals submit complaints that hinder our colleague's ability to investigate them, demand a disproportionate number of resources or behave in a manner that we consider unacceptable.

When a complainant engages in unreasonably persistent or abusive behaviour, we will adhere to this policy. BCHG will hold the stance that our colleagues or contractors should not be subjected to unacceptable behaviour by complainants, customers, or any members of the public.

2. Policy Statement

The Housing Ombudsman Service encourages landlords to have a policy in place to help complainants who present unacceptable behaviours. This policy is written in line with the good practice provided by this service.

The policy sets definitions of unacceptable behaviour and BCHG's approach in responding to such instances.

BCHG is committed to providing high level of customer service in adherence to the value-based service standards. These standards outline the essential tasks and behaviours for our colleagues while delivering services. We anticipate that customers will reciprocate, and we also expect our colleagues and contractors will not encounter unacceptable behaviour while performing their duties.

The processing of personal data included in this policy is included in both the appropriate BCHG Privacy Notice(s) and the BCHG Data Asset Register.

3. Scope

This policy applies to all customers of landlord services of BCHG.

4. Definitions

Unacceptable behaviour refers to conduct that is excessively demanding or persistent, leading to unreasonable burdens on our resources and affecting that quality of services

we can provide to others. It also includes situations where undue pressure is used to force us to deliver something beyond our scope or control. Examples of such behaviour includes (but not limited to):

Unreasonable demands: - such as requesting large volumes of information asking for responses within a short space of time, refusing to speak to individual colleagues or insisting on speaking with another.

Unreasonable Persistence: - refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding, 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 also include derogatory remarks, rudeness, inflammatory allegations, and threats of violence.

Overload of communication; letters, calls, emails or contact via social media. This will include frequency of contact as well as the volume of correspondence received and the length of telephone calls.

5. Related Policy / Procedure and other Documents

The following policies and procedures are associated with this policy: -

Anti-Social behaviour
Complaints
Equality & Diversity
Data Protection
Lone working
Health & Safety

6. Roles and Responsibilities

The Deputy Chief Executive is responsible for overseeing implementation of this policy and will be implemented by the Head of Housing. Head of Customer Voice will be responsible for the overseeing the operation of the policy.

7. Policy Details

How will BCHG respond to unacceptable behaviour?

Where a customer's behaviour breaches what is acceptable, BCHG will in the first instance try to reach an informal arrangement with the customer including the use of independent mediation services or advocates. We will clearly outline specific examples of their actions that we cannot condone and offer the chance to rectify their behaviour. We will use this opportunity to rebuild the relationship and acknowledge any mitigating valid sources of frustration. Any revised agreements will be provided in a written format.

If BCHG's efforts to resolve the matter informally has not been successful and the situation continues, formal action will be taken and approved by the Deputy Chief Executive and a member of RSVP, as follows (but not limited to):

- Provide a single point of contact to the complainant.
- Limiting contact to a single form, i.e. 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 provided.
- Only considering a certain number of issues in a specific period
- Reserving the right to reply to abusive or threatening communication.
- Withdrawing attendance to meet the complainant.

Any formal action will be provided in written format and kept on file with details of the restrictions and timescales during which they will apply. Restrictions will be approved by the Deputy Chief Executive and reviewed every six months to ensure they remain appropriate.

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

In extreme cases such as physical violence or harassment towards any colleague or contractor, BCHG will act which can include involving the police, taking legal action, and ending direct contact with the customer.

Appeal Process

A customer has the right to appeal to challenge a decision to limit contact and can do so by contacting the Chief Executive within 10 working days of receiving the written notification. The Chief Executive will subsequently provide written guidance, either confirming the continuation of restricted contact arrangements or an alternative resolution.

At this stage we will advise the customer of their right to contact the Housing Ombudsman Service or other relevant independent organisation if they believe our decision to restrict contact is unjust.

7.1 Data Processing

Personal Data: Any personal data will be stored on the Housing Management system or securely on SharePoint. Data will be deleted in accordance with the Asset Data Retention and Disposal Policy.

Data Protection: BCHG recognised that cases can be particularly sensitive and will take extra measures to maintain confidence of information. Where required we will seek to establish information sharing agreements with relevant external agencies to help manage the cases.

Data Integrity: genuine documentation and evidence for consideration will be obtained as proof.

7.2 Legal and Regulatory Considerations

The policy is framed within the context of and complies with relevant legislation which includes: -

Equalities Act 2010

The Human Rights Act 1998

7.3 Equality Diversity & Inclusion

The policy will adhere to the requirements of the Equality Act 2010 and BCHG's Equality and Diversity Policy. A justification exercise will be undertaken and due regard and reasonable adjustments will be made for an individual's medical condition and vulnerability including mental health and learning disabilities. Any restrictions imposed on a customer's contact will be recognised and appropriate to their individual circumstances.

8. Customer Voice

BCHG received feedback from customers on the definitions of unacceptable behaviour and BCHG's response to such behaviour. Feedback was used to co-produce the policy.

9. Compliance, Monitoring & Reporting

If personal documents confirming health conditions are not securely saved or leaked in the public domain, the matter will be investigated as per the data Breach Policy and addressed through disciplinary procedures where necessary.

All hard copies of documents will be scanned and saved to secure locations. All hard copies will be destroyed.

Once a customer leaves BCHG any documents will be destroyed after the six years retention period.

All cases of unreasonable behaviour will be reported through the Customer Feedback Improvement Panel through to the Executive Team.

10. Review

This policy will be reviewed every three years.