

Unacceptable Behaviour Policy

1 Introduction

- 1.1 We are proud of the open and honest relationship we have with our customers and work very hard to be proactive and responsive to customers' queries and/or complaints. However, there are times, where customers behave or act in ways that make it very difficult for us to provide an effective service. When this happens, we will take action to protect the health and wellbeing of our staff who have a right to do their job without fear of being abused or harassed. We will not accept violent, aggressive, or intimidating behaviour towards our staff, board members, contractors and representatives, from individuals and groups using our service
- 1.2 This policy applies to all our customers. A 'customer' is anyone that lives in or visit one of our homes and/or receives a service from us, including residents, clients of our community services and members of the public.
- 1.3 This policy means we can manage unacceptable customer behaviour consistently and fairly. It sets out clearly what we consider to be unacceptable and the steps we may take to deal with such behaviour
- 1.4 Examples of behaviour that is considered unacceptable includes, but is not limited to:
 - Using abusive or foul language directed at staff
 - Using language or behaviours directed at staff that are discriminatory
 - Physical, psychological, or verbal threats towards staff
 - Making continued, unsubstantiated allegations against staff
 - Harassment of staff using any method of communication
 - Making excessive or unreasonable demands on staff
 - Excessive communication, via any method
 - Refusing to accept an answer and making repetitive demands
 - Contacting our staff through their personal social media accounts
 - Recording phone calls or meetings with staff without consent and/or publishing the information online on social media channels
- 1.5 This policy sets out our approach to those customers whose actions or behaviour we consider to be unacceptable.

- 1.6 Where a customer feels that a member of staff or contractor working on our behalf has shown unreasonable behaviour as described in this policy, they can raise this by using our complaints process.
- 1.7 We understand that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to someone's contact with us and they might be (rightly or wrongly) angry with us. We do not view behaviour as unacceptable just because someone is angry, forceful, determined or challenging.
- 1.8 However, the actions of customers who are persistently angry, demanding, aggressive or intimidating may result in unreasonable demands on, or unacceptable behaviour towards, our staff and contractors. It is these actions which we consider unacceptable and aim to manage under this policy. These actions have been grouped under three broad headings:

2 Aggressive or abusive behaviour

- 2.1 Violence and aggression at work is defined by the Health and Safety Executive as any incident in which an employee is abused, threatened, or assaulted in circumstances arising out of the course of their employment. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff and contractors to feel afraid, threatened or abused.
- 2.2 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.
- 2.3 We understand the difference between anger and aggression. The anger felt by some complainants for example, involves the subject matter of the complaint. However, it is not acceptable when anger escalates into aggression directed towards our staff or contractors.

3 Unreasonable demands

- 3.1 Customers may make what we consider unreasonable demands because of the amount of information they seek, the nature or scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised.
- 3.2 Examples of actions grouped under this heading include; demanding responses in an unreasonable timescale; insisting on seeing or speaking to a particular member of staff; continual phone calls, emails or letters; repeatedly changing the substance of the complaint/query or raising unrelated concerns.
- 3.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on our work, such as taking up an excessive amount of staff time to the

disadvantage of other customers or functions. This can be difficult to manage as it often falls to an individual member of staff where the impact can be significant.

4 Unreasonable persistence

- 4.1 We recognise that some customers will not, or cannot, accept that we are unable to assist them further or provide a level of service other than that provided already. They may persist in disagreeing with the action or decision taken in relation to their case or contact us persistently about the same issue.
- 4.2 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a request or complaint, persistent refusal to accept explanations relating to what we can or cannot do and continuing to pursue a case without presenting any new information. The way in which these residents and other customers approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- 4.3 We consider the actions of persistent complainers to be unreasonable when they take up what is a disproportionate amount of time and resource.

5 Managing unacceptable behaviour

- 5.1 How we aim to manage the actions of customers which are deemed unacceptable will depend on their nature and extent. If they adversely affect our ability to do our work and provide a service to others, we may need to restrict a person's contact with our staff to manage the unacceptable behaviour. We aim to do this in a way, wherever possible, which will still allow a customer's right to process everyday issues, such as reporting repairs.
- 5.2 We may restrict contact in person, by telephone, letter, or electronically or by any combination of these. We will try to maintain at least one form of contact.
- 5.3 The threat or use of physical violence, verbal abuse, or harassment towards our staff is likely to result in the ending of all direct contact with the customer. Incidents may be reported to the police. This will always be the case if physical violence is threatened or used. Tenancy enforcement action will be robustly pursued in these cases.
- 5.4 We do not deal with any communication that is abusive to staff. When this happens, we will tell the customer that we consider their language offensive, unnecessary and unhelpful. We will ask them to stop using such language and state that we will not respond to them if they do not stop. We may require future contact to be through a third party, and if they do not agree we will no longer deal with them.
- 5.5 Our staff will end telephone calls if the caller is considered aggressive, abusive, or offensive. We understand the difference between anger and aggression and staff are trained to deal with these calls. The staff member taking the call has the right to make this decision, tell the customer that the behaviour is unacceptable, and end the call if the behaviour does not stop. Additionally, there may be occasions when a member of staff needs to end a call without the agreement of the customer, for example if they are not listening and/or the call is going round in circles. However, in any case where we

end a call, we will always warn the customer at least twice.

- 5.6 When someone repeatedly telephones, visits the office without appointment, sends irrelevant or duplicate documents, or raises the same issues already considered, we may decide to:
- Only take telephone calls from the customer at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in the future
 - Require the customer to make an appointment to see a named member of staff before visiting the office
 - Insist on 'no in person contact' – that the customer only contacts the office in writing (via letter or email)
 - We may remove the option of contacting a specific staff member directly via text message or calls to their work mobile if persistent contact continues. We will ask the customer to contact us in other ways instead
 - Take other action that we consider appropriate. We will, however, always say what action we are taking and why
- 5.7 We may place an indicator on a customer record to enable staff and contractors to manage potential risks to their safety or wellbeing when engaging with customers and/or visiting them in their homes. If necessary, we may send two staff members when visiting a customer's home, including for repairs. Our staff will leave if they feel threatened by abusive language or any other form of unacceptable behaviour.
- 5.8 We will write to the customer to explain that an indicator has been applied to their customer record and the reasons for this. We will be open and transparent about what information we have used to come to this decision.
- 5.9 When a customer continues to correspond on a wide range of issues, and this action is considered excessive, then we will tell them that only a certain number of issues will be considered in a given period and/or responded to in a specific timescale. We will ask them to limit or focus their requests accordingly.
- 5.10 Any customer who contacts a member of staff through their personal social media accounts will not receive a response and will be blocked.

6 Restricting customer contact

- 6.1 If we have taken action to manage unacceptable behaviour we will:

Inform the customer of the action we have taken and why their behaviour is considered challenging and/or unacceptable. We will ask the customer to adjust their behaviour and provide an opportunity to discuss this so any reasonable adjustments can be considered.

If the customer's behaviour doesn't change then we may consider formal action which includes:

- limiting contact to a specific contact method for all non-urgent enquiries, such as emails or letters only
- arranging for a named member of staff to act as a single point of contact for the customer
- responding to correspondence in a specified timescale, for example weekly or fortnightly emails responding to non-urgent enquiries

6.2 We will tell the customer in writing if formal action is taken and explain why a decision has been made to restrict future contact, the contact arrangement, and the length of time these restrictions will be in place for. The decision to restrict customer contact may be reconsidered if they demonstrate more acceptable behaviour. We may inform the police, take legal action or action against the tenancy if there is extreme and persistent unreasonable behaviour.

6.3 Customers can appeal formal action if we restrict contact or place an indicator on their record by telling us in writing why they disagree, and this will be reviewed by a Head of Service.

7 Reasonable Adjustments

7.1 We respect and value the differences of our customers and staff and we will treat everyone we work with fairly, and with respect. This policy has been considered in light of our equality and diversity policy and is compliant with its principles. We recognise that some disabilities and health issues may make it difficult for customers to appreciate the impact that their behaviour may have on themselves, staff and other customers. Where we are aware that a customer is vulnerable, disabled or has particular needs, staff will make reasonable adjustment to meet their needs. Examples of adjustments that may be made include (but are not limited to):

- using different ways to communicate
- providing written communication in large print, coloured text, or in translation
- signposting the customer to other support services
- arranging for a particular member of staff to act as a single point of contact

7.2 However, we do not expect our staff to accept being subjected to aggressive, offensive, threatening, or abusive actions, language, or behaviour.

7.3 We may still use the policy if there are actions or behaviours which have a negative effect on our staff or our work even where a reasonable adjustment has been made.

8 Monitoring

8.1 We will record and monitor all incidence of what we deem unacceptable behaviour from customers and document how we managed the behaviour. The status of all customers with restricted contact arrangements will be reviewed every six months and other indicators we have placed on a customer record, will be reviewed every 12 months

8.2 This policy will be reviewed and adapted as required and in accordance with legislation

and guidance.

9 **Related policies**

9.1 This policy should be used in conjunction with other relevant West Kent policies which include:

- a) Community Safety Policy
- b) Complaints Policy
- c) Vulnerability Policy