

Unacceptable Behaviour Policy

1. Policy statement

- 1.1 The Unacceptable Behaviour Policy is necessary for the efficient management and administration of Hornsey Housing Trust (HHT) now and in the future and has been designed to define behaviour which the Trust deems to be unacceptable and to put safeguards in place should staff encounter such behaviour
- 1.2 We set out to provide a high-quality service and satisfaction to our customers. We recognise that sometimes things go wrong, and we need to respond quickly to put them right
- 1.3 However, there are a small number of customers who, because of their behaviour, hinder us in delivering the service we provide to them or others. We refer to such behaviour as unreasonable or vexatious.
- 1.4 The Head of Housing will decide when a customer is being unreasonable or vexatious and the customer will be advised.
- 1.5 We will make appropriate adjustments for any equality and diversity issues, such as culture, language and disability.

2. Policy Aims

- 2.1 To define what behaviour from residents and other customers we consider to be unacceptable.
- 2.2 To make every effort to ensure that our staff, contractors and agents working on behalf of the Trust are able to carry out their duties safely without disadvantage, fear of discrimination or distress caused by unacceptable behaviour.
- 2.3 To give a commitment to our staff and make it clear to tenants, residents and other customers that unacceptable behaviour, by them will not be tolerated and will be dealt with robustly.
- 2.4 To provide guidance when particular circumstances would mean that we would consider a decision to restrict or change access to our service.

3. Scope

- 3.1 The Unacceptable Behaviour Policy extends beyond our staff to Board members, contractors, consultants and other agents working on behalf of the Trust. Our view is very clear that no one should be subjected to unacceptable behaviour when representing or working with or for the Trust.

4. Links to Relevant Legislation

4.1 The Unacceptable Behaviour Policy is framed within the context of and complies with relevant legislation, which includes:

The Equalities Act (2010)
The Human Rights Act (1998)

4.2 This Policy also complies with the Trust's various tenancy agreements

5. Links to internal policies and procedures

5.1 This Policy should be used in conjunction with other relevant HHT policies and procedure, which include:

Anti-social behaviour Policy and Procedure
Complaints Policy and Procedure
Equality & Diversity policy
Health & Safety at Work policy
Lone Working Policy and Procedure

6. Definitions

6.1 For the purposes of this Policy, there are five main categories of unacceptable behaviour. These are:

Unreasonable behaviour
Aggressive or abusive behaviour
Unreasonable demands
Unreasonable persistence
Vexatious behaviour

6.2 We will not deem behaviour to be unacceptable just because a customer is determined or forceful when making reasonable requests or complaints. We also appreciate that there may be circumstances where a customer is angry or upset and this will be taken into account when considering whether or not their actions are unacceptable.

7. Equality & Diversity

7.1 The Trust will comply with the terms of our Equality and Diversity policy when dealing with incidents of unacceptable behaviour. We will take into account the individual circumstances of the staff member and the customer involved when investigating an incident and determine the most appropriate course of action.

7.2 No one will be unlawfully discriminated against because of their race, colour, ethnic or national origin, language, religion, belief, age, gender, sexual orientation, marital status, family circumstances, employment status, physical ability or mental health.

8. Definitions of Unacceptable Behaviour

Unreasonable Behaviour:

8.1 Customers in some instances pursue requests for information or make complaints that are unreasonable.

8.2 Examples of this type of behaviour include:

- Refusing to specify the details of a complaint, despite offers of assistance.
- Changing the basis of a complaint/request as the matter proceeds.
- Denying or changing statements made at an earlier stage.
- Making unjustified complaints about staff who are trying to deal with an issue and requesting to have them replaced.
- Covertly recording meetings and conversations.
- Submitting falsified documents from themselves or others.
- Refusing to accept a decision; repeatedly arguing points with no new evidence.
- Persistently seeking an outcome which the Trust has already explained is unrealistic for policy, legal or other valid reasons.

Aggressive or abusive behaviour:

8.3 This type of behaviour includes physical, verbal or written behaviour which may cause staff to suffer harm, or to feel afraid, intimidated, threatened or abused.

8.4 Examples of this type of behaviour include:

- Physical violence against a person
- Physical violence against objects such as kicking, defacing or destroying property
- Threats
- Personal verbal abuse
- Derogatory or insulting remarks
- Persistent shouting
- Persistent swearing
- Unwelcome or rude gestures
- Statements intended to or likely to cause offence
- Unsubstantiated allegations
- Sexist, racist, homophobic or any other discriminatory comments/abuse

8.5 We consider the use of social networking sites and the internet to perpetrate or encourage aggression and/or abuse including any of the above types of behaviour towards our staff to be unacceptable behaviour. (The Trust will consider any messages posted via social media or other internet-based media, including email, in the same light as any written or spoken communication.)

Unreasonable Demands:

8.6 Customers may make what can be considered as unreasonable demands on our staff through the amount of information they seek, the scale of the service they expect or the number of approaches or complaints that they make regarding the same issue.

8.7 We consider demands to be unreasonable when they impact substantially on the work of staff, for example by taking up an excessive amount of time which is disproportionate to the

issue. This is likely to disadvantage other customers as it can impact on the service that can be provided to them.

8.8 Examples of this type of behaviour include:

- Demanding responses within an unreasonable timescale.
- Insisting on meeting with or speaking only to a particular member of staff.
- Making persistent phone calls or persistently contacting HHT by other means.
- Repeatedly changing the substance of a complaint or raising unrelated issues.

Unreasonable Persistence:

8.9 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. Customers may persist in disagreeing with the action or decision taken in relation to their concern or contact our office persistently about the same issue. We consider the actions of persistent customers to be unacceptable when they take up a disproportionate amount of time and resources. Customers who feel frustrated when they believe that they are not receiving appropriate satisfaction from the Trust can pursue a complaint, ultimately to the Ombudsman or other relevant independent organisation.

8.10 Examples of this type of behaviour include:

- Persistent refusal to accept a decision made in relation to a complaint.
- Refusal to accept explanations relating to what can and what cannot be done.
- Continuing to pursue a complaint without presenting any new information, although this does not preclude customers from pursuing a complaint through the HHT complaints process.
- Unwillingness to accept the terms of a tenancy agreement or title conditions where these terms are clear and unambiguous.

Vexatious Behaviour:

8.11 We consider vexatious behaviour to be when customers complain to cause unnecessary aggravation, frustration or inconvenience rather than to resolve a genuine issue. Their complaint may be based on fictitious events or extreme exaggerations of very minor service issues.

8.12 Examples of this type of behaviour include:

- Where the requester states the request is actually meant to cause significant inconvenience, disruption or annoyance.
- Requests for information the customer has already seen or demonstrates a clear intention to reopen issues that have already been considered.
- Customers who have developed an opportunity to complain by their own actions, or lack of actions, creating or making a situation worse, and then complaining about it.

9. The options for dealing with unacceptable behaviour complainants

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is on-going or completed.

- 9.1 Notify the complainant, in writing, that the Trust has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified in writing that the correspondence is at an end, advising the complainant that they are being treated as a unacceptable complainant and as such the Trust does not intend to engage in further correspondence dealing with the complaint. We will therefore consider our internal complaints procedure to have been exhausted. The complainant will need to be advised of the option to refer their complaint to the Housing Ombudsman Service.
- 9.2 A letter to the complainant setting out responsibilities for the parties involved if the Trust is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.
- 9.3 Decline contact with the complainant, either in person, by telephone, by letter, by email, on social media or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of this person.
- 9.4 Inform the complainant that in extreme circumstances the Trust will seek legal advice on vexatious complaints with consideration given to legal remedies to address the complainants vexatious.
- 9.5 Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered unacceptable, while seeking advice or guidance from its solicitor or other relevant agencies, such as the Housing Ombudsman Service

10. REVIEW

The Policy will be reviewed as a minimum every three years, from the date it is approved by the Hornsey Housing Trust Board, to ensure its suitability, adequacy and effectiveness or as required by issues that may come to light through operation of the Policy and its supporting procedures.

Approved by:	Hornsey Housing Trust Board of Management
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Review date:	September 2025
Policy developed by:	Phil Johnson, Head of Housing