

Unacceptable Behaviour Policy

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Approved by	Managing Director (Triathlon Homes)
Responsible officer	Head of Housing (Triathlon Homes) (Responsibility for proposing final draft, implementation and review)
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1. Introduction

- 1.1 This Policy sets out our approach to managing unacceptable behaviour from residents and customers towards Triathlon Homes colleagues. This includes employees, contractors, and any third parties providing services on our behalf.
- 1.2 For the purpose of this Policy, a customer includes anyone who contacts Triathlon Homes. This includes non-residents, for example an applicant or anyone affected directly or indirectly by our services.
- 1.3 Any reference to 'we', 'our' or 'us' means Triathlon Homes.
- 1.4 We believe our residents and customers have a right to be heard, understood and respected. We will not view behaviour as unacceptable just because someone is assertive or determined. We understand residents and customers may act out of character in times of distress or worry; this doesn't mean their behaviour should automatically be considered unacceptable.
- 1.5 Sometimes the actions of a resident or customer result in unreasonable demands on, or behaviour towards our colleagues. We'll take appropriate action to manage such behaviour and ensure the safety and wellbeing of our colleagues.
- 1.6 We'll treat all residents and customers fairly, honestly, consistently, and appropriately including those whose actions we consider unacceptable.
- 1.7 Colleagues have a right to do their jobs without fear of being abused or harassed. We won't tolerate any violence or abuse towards colleagues.
- 1.8 We'll investigate any counter-allegations residents or customers make against colleagues fully.
- 1.9 This Policy covers behaviour exhibited on all types of communication including:
 - Letter
 - Telephone
 - Email
 - In person.
- 1.10 We manage incidents of unacceptable behaviour between residents or their visitors through our anti-social behaviour process.

2. How we define unacceptable behaviour

- 2.1 Unacceptable behaviour includes:
 - Abusive or aggressive behaviour towards colleagues or contractors
 - Unreasonable demands or expectations
 - Unreasonable persistence.

We have grouped the behaviour under two broad headings.

2.2 Aggressive or abusive behaviour

We understand a resident or customer may feel angry about the circumstances that resulted in them contacting us. However, it's not acceptable when anger escalates into aggression towards our colleagues.

Aggression is not limited to acts that may result in physical harm. It also includes behaviour or language that may cause colleagues to feel afraid, threatened, or abused. Our colleagues understand the difference between anger and aggression.

Examples of aggressive behaviour include but are not limited to:

- Threats
- Shouting
- Physical violence
- Personal abuse
- Derogatory or discriminatory remarks including racist, sexist, homophobic, or transphobic comments
- Rudeness
- Inflammatory statements and unsubstantiated allegations against colleagues.

2.3 Unreasonable demands or persistence

We consider unreasonable demands to be those that impact substantially on our work. This may be because of the amount of information a resident or customer requests or provides, or the nature and scale of the service they expect.

Unreasonable persistent behaviour is where despite our reasonable attempts to resolve a matter, the resident or customer:

- Continues to make repeated contact about the same issue and/or
- Persistently refuses to accept the outcome of a decision, or is seeking an outcome which we're unable to give for policy, legal or other valid reasons.

The way in which these customers approach us may be entirely reasonable, but their persistent behaviour in continuing to do so is not.

Examples of this type of behaviour include but are not limited to:

- Demanding to only deal with, or unreasonably refusing to deal with, a particular colleague
- Asking for responses within an unreasonable time period
- Making unfounded complaints or requests for repairs
- Persistently refusing to accept some issues are not within our power to investigate
- Continual phone calls, letters, or emails to colleagues (or any other type of communication)

- Persistently approaching us through different routes, and to different colleagues, about the same issue.

3. What happens if a customer behaves unacceptably?

- 3.1 How we respond to a resident or customer behaving unacceptably will depend on the nature and extent of the incident(s).
- 3.2 In the first instance we will explain to the resident or customer why we find their behaviour unacceptable and allow them the chance to change the behaviour.
- 3.3 If a resident or customer's behaviour becomes unacceptable or abusive during a telephone call, we'll warn them we may terminate the call. We'll terminate the call if they continue to behave unacceptably.
- 3.4 We recognise a resident or customer's actions may be affected by a vulnerability, including mental health issues, substance misuse, or other factors. Before we take any formal action, we'll carry out an Equality Impact Assessment to:
 - Identify any protected characteristics
 - Understand how best to manage the resident or customer's particular needs
 - Decide if these needs could be met in any other way.

We will make sure the appropriate support is provided to the resident or customer including sign posting to the relevant organisations, such as mental health services or the local authority safeguarding team.

- 3.5 Where we have permission to do so, we'll consider corresponding with a representative of the resident or customer, including a family member, friend, or support worker.
- 3.6 We'll take a multi-agency approach where the resident or customer is receiving support from external agencies such as social services.
- 3.7 Where possible, we'll try to come to a voluntary agreement with the resident or customer to allow them time to consider and adjust their behaviour. We may consider mediation or advocacy through third parties to try and improve the situation.
- 3.8 If the unacceptable behaviour continues we'll send them a written warning including specific examples of the behaviour and what formal steps we may take if it continues.
- 3.9 Formal action we may take includes, but is not limited to:
 - Restricting the way and/or how often a resident or customer contacts us, for a specified period of time
 - Colleagues, contractors, and those acting on our behalf visiting in pairs
 - Restricting contact to be with a specific colleague for a specified period of time
 - Declining to give any further consideration to an issue unless the resident or customer provides any additional evidence or information
 - Only considering a certain number of issues in a specific period of time

- Referrals to other agencies.

In the most serious cases we may take legal action including, but not limited to:

- Applying for an injunction
- Taking action to end the tenancy
- Contacting the police.

3.10 Some of the behaviours covered by this Policy could constitute a criminal offence. This may include physical assault, harassment, and incidents of hate crime. We will support our colleagues who choose to make a formal complaint to the police.

3.11 Where we've applied any type of restriction to manage a resident or customer's unacceptable behaviour, we'll inform them in writing.

3.12 Any type of restriction will be appropriate to the resident or customer's individual needs identified during the Equality Impact Assessment.

3.13 We'll keep detailed records of any incident(s) of behaviour we deem to be unacceptable.

4. Appeals against a decision to restrict contact

4.1 A resident or customer has the right to appeal any formal restriction of contact we've put in place or any other action we've taken under this Policy. We may refer them for support from an external agency to put forward the basis of their appeal.

4.2 The appeal must set out in writing why the resident or customer feels the decision is not justified in accordance with this Policy. It must be within 20 working days of receiving notification of the restriction. A manager not involved in the original decision will review the appeal and respond within 10 working days.

5. How we will review our decision to restrict contact

5.1 We won't set restrictions indefinitely. We'll regularly review any type of restriction put in place to manage a resident or customer's unacceptable behaviour. We'll write to the resident or customer advising how often we'll review the restriction. The review will always be conducted within a 12-month period.

5.2 If the resident or customer's behaviour has improved at the point of review, we may consider lifting the restriction. If it has not improved, we'll provide an explanation explaining why the restriction will remain in place for a further period pending the next agreed review date.

6. What have we done to make sure this Policy is fair?

6.1 We've carried out an Equality Impact Assessment to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#).

7. Confidentiality and Information Sharing

7.1 We will comply with collection, storage, access to, provision and disclosure of data in accordance with the [Data Protection Act 2018](#).

8. Review

8.1 We'll review this Policy to address legislative, regulatory, best practice or operational issues.

Policy controls

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