

# Acceptable Behaviour Policy

October 2024

<b>Date</b>	October 2024
<b>Planned Review Date</b>	October 2027
<b>Reactive Review Date &amp; Reason</b>	
<b>Revised Review Date</b>	
<b>Author (Job Title)</b>	Director of Customer Experience
<b>Service Director (Job Title)</b>	Director of Customer Experience
<b>Directorate</b>	Customer Service

### Policy Review History

<b>Version</b>	<b>Action &amp; Changes</b>	<b>Author</b>	<b>Date</b>
1	3 year review and reformat – Policy renamed from unacceptable behaviour to acceptable behaviour.	MY	Oct 2024

### Governance Information

<b>Equality and Diversity</b>	Initial Screening has identified no adverse impact on the protected characteristics on the application of this policy.
<b>Customer Involvement and Consultation</b>	The policy was shared with the policy consultation database who gave positive feedback and found the policy clear and easy to read.
<b>Environmental Sustainability</b>	No environmental impacts
<b>Monitoring and Review</b>	The policy will be monitored and reviewed when due for review or on change of regulation or legislation.
<b>Responsibility</b>	Director of Customer Experience

## Relevant Regulations

Regulation / Consumer Standard	Code of Practice	Policy section
<b>Regulator of Social Housing Transparency, Influence and Accountability Standard</b>	Registered providers are expected to consider the diverse needs of their tenants across all landlord services and housing. It should be integral to the culture of the organisation.	Section 5
	Registered providers are expected to have robust information about their tenants and keep this information up to date. This should include, but not be limited to, in relation to the protected characteristics, and their support and communication needs. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they make use of the data to improve and tailor services.	Section 5
	Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, providers should consider how they can adapt their services and communications to meet individual tenants' needs	Section 5
	Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.	Section 3 & 5
	Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.	
	Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service.	Section 3 & 5
	Registered providers should regularly assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services.	Section 3 & 5
	Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs.	Section 5
	Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services	Section 5
	Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered, as part of their decision-making about their organisation's landlord services. In addition, consideration of how to improve and tailor landlord service delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service deliver.	Section 5
	Registered providers should make clear any potential material impacts, positive and negative, of the proposed	Section 3 & 5

	changes. They should also set out clearly the main reasons for the changes being proposed to affected tenants.	
	Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.	Section 5
	Registered providers' housing and neighbourhood policies must be fair, reasonable, accessible and transparent. Where relevant, policies should set out decision-making criteria and appeals processes.	Section 5

## **1 REFERENCE MATERIAL**

1.1 The following were used as reference material and to guide the development of this policy:

- Housing Ombudsman Guidance
- Equality Act 2010
- Data Protection Act 2010
- Consumer standards
- Compliments and complaints
- Tenancy agreement

## **2 WHY WE NEED THIS POLICY**

2.1 This document sets out Thirteen's policy with regards to acceptable behaviour. The document explains what customers and colleagues (including third party contractors) can expect from any interaction and what the potential consequences may be for customers should their behaviour become unacceptable.

2.2 In relation to this policy we consider a customer to be anyone engaging in any form of contact with Thirteen.

2.3 To deliver customer service in a fair and proportionate manner, in consideration of the diverse needs of our customers. Thirteen understands that some customers and members of the public may have complex or challenging needs which may influence their behaviour and consequently, how we manage their enquiries, but we will always treat them fairly and with respect.

2.4 Thirteen colleagues treat customers with respect, listen to them, show empathy and patience. In return we expect the same from our customers when they are speaking to anyone working for or on behalf of Thirteen.

- 2.5 This policy ensures that Thirteen has a consistent, effective, robust, and clear approach towards the management of unacceptable behaviour of customers.
- 2.6 Thirteen's priority is the safety of its customers and colleagues. If a person's behaviour, for whatever reason, is putting others at risk then Thirteen will act quickly to prevent any harm from occurring.
- 2.7 This policy is underpinned by a number of underlying principles, specifically but not limited to ensuring that:
- Our procedures and processes reflect good practice, legislative and regulatory requirements
  - Persistent or vexatious customers can be quickly identified and managed appropriately
  - Managers are empowered to respond accordingly where persistent and vexatious customers have been identified
  - We can deal with all customers and deliver customer service in ways which are demonstrably consistent, fair and reasonable
  - We do not spend disproportionate resources where this is unjustifiable, potentially to the detriment of others requiring services.

### **3 HOW WE DO THIS**

- 3.1 The Acceptable Behaviour Procedure which accompanies this policy should be implemented in the case of a customer becoming unacceptably persistent, vexatious (e.g. harassing, argumentative), and unreasonable.

#### **Acceptable Behaviour**

- 3.2 As set out within Thirteen's Tenancy Agreement, customers are obliged to refrain from committing unfavourable conduct such as using, or threatening to use, violence or abusive or insulting words or behaviour towards employees, agents or contractors.
- 3.3 In accordance with the Tenancy Agreement, customers are also obliged to refrain from doing anything or allowing anything to be done which causes or is likely to cause, a nuisance, annoyance, disturbance or damage. This includes visitor and/or family member to a customer's home.
- 3.4 For customers who are not subject to a Tenancy Agreement the same terms are implied in their dealings with Thirteen.
- 3.5 Unacceptable behaviour is any behaviour that either prevents Thirteen colleagues from performing their duties or adversely affects Thirteen as a business from providing a service.

Examples of behaviours that are unacceptable include but are not limited to:

- Violent or threatening behaviour
- Verbal abuse
- Trivial and persistent complaints
- Malicious or personal harassment complaints
- Audio or video recording of a Thirteen colleague or contractor without consent

### **Fairness and Objectiveness**

- 3.6 When identifying whether a customer's behaviour can be defined as unacceptable, and subsequently whether Thirteen's Management of the Acceptable Behaviour Procedure applies to the behaviour, staff must demonstrate fairness and objectiveness. Bias and prejudice will be avoided at all times during the decision-making process.

### **Record Management**

- 3.7 All staff are expected to maintain a detailed audit trail of contact with customers, for example, actions and/or notes added to IT systems, case notes, emails, etc. This information will form an evidence base of communication between staff and customers and is essential to identifying and reviewing whether a customer's behaviour can be considered to be unacceptable.

### **Aggressive, threatening, abusive or offensive language or behaviour**

- 3.8 All staff employed by Thirteen and customer have the right not to be subjected to aggressive, abusive or offensive language or behaviour, by customers accessing services regardless of the circumstances.
- 3.9 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (written or spoken) that may cause staff to feel distressed, threatened or abused themselves.
- 3.10 Where this behaviour is experienced in relation to complaints, staff should refer to the Employee Protection Register procedure. However, even if a customer is noted on the Employee Protection Register a service request, complaint or feedback will still be dealt with and an appropriate response will be provided.
- 3.11 Colleagues are held accountable via 'how we act' and customers can use complainants' procedure to report unacceptable behaviour that they experience or see from a Thirteen colleague or person acting on Thirteens behalf.

### **Available Restrictions**

- 3.12 Where a customer continues to communicate in an unreasonable manner, we exercise the right to restrict contact. The precise nature and action will be appropriate and proportionate to the nature of the unacceptable behaviour and the circumstances.
- 3.13 Where communication is restricted, if the customer requires access to a service the relevant timescales still apply, for example repairs. Restricted contact is for customers that are communicating with us excessively and making unacceptable demands on a service and/ or the customer is revisiting concluded requests. Another example would be a customer contacting a range of services and/or colleagues across the business with the same repeated requests.
- 3.14 Those authorised to make a decision to restrict contact are detailed in the Management of Acceptable Behaviour Procedure.
- 3.15 A number of actions will be considered when looking to restrict access including;
- Providing a single point of contact.
  - Limiting contact to a single form ie to writing, email or telephone only.
  - Limiting contact and or responses 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 is provided.
  - Only considering a certain number of issues in a specific period.

### **Notifying the Customer**

- 3.16 Where any action/restriction, or proposed action/restriction is implemented the customer will be informed of the decision in writing.
- 3.17 The notification will include, the period the restriction will be applied for, in line with Data Protection this will not exceed twelve months.
- 3.18 The restriction and customer's behaviour will be reviewed within this period to ensure it remains relevant and appropriate.
- 3.19 The restriction will be removed if the customer's unacceptable behaviour is considered to have improved.

### **Customer's Right to Appeal**

- 3.20 A customer may appeal any decision to restrict contact. For full details of conditions, refer to the Acceptable Behaviour Procedure.

## **Approach to Subsequent Requests or Complaints**

- 3.21 We still consider complaints or requests from customers who have been advised that requests have been classed as unacceptable, however, due regard will be given to the original decision and any time limit applied. If a response has already been provided to the customer and no new information has been given to Thirteen, we will inform the customer that we will not be re-investigating the complaint or request. The customer will then be referred back to the original response.
- 3.22 The customer will be notified of a final decision on whether or not to process a new request or if continued restricted contact will be provided.

## **4 HOW WE MEASURE THE EXPECTATIONS AND OUTCOMES OF THIS POLICY.**

We will measure the policy by:

- 4.1 Monitoring the number of contacts by customers to understand where and why a disproportionate amount of resources are required
- 4.2 Monitoring our response to complaints and the impact.
- 4.3 Providing timely updates to complainants to build confidence and manage expectations.
- 4.5 Using customer feedback, from complaints, satisfaction surveys and customer involvement to inform change.
- 4.6 Using feedback from our colleges to inform procedures for better service delivery and the safety of colleagues.

## **5 CONSIDERATIONS FOR OUR CUSTOMERS AND COLLEAGUES.**

- 5.1 Thirteen Group endeavour to understand who our customers are and any specific needs they may have to underpin our service delivery and ensure our customers are treated fairly and with respect.
- 5.2 We have effective appeal processes in place as set out in our supporting documents and further supported by our complaint procedure.
- 5.3 We consider the expectations of the consumer standards when considering how we communicate; especially with regard to customers' diverse needs and how we inform them in an appropriate way that is clear, accessible, relevant and timely.



- 5.4 We take into account the diverse needs of customers recognising in some circumstances, customers may have an illness, be experiencing particular difficulties, have a disability or a specific need where it may be difficult for them to either express themselves or communicate clearly and/or appropriately and may wish to use a third party to support them.
- 5.5 We consider the individual needs and circumstances of the customer and our staff before deciding on how best to manage the situation. In particular, all staff are expected to consider the prevalence of the protected characteristics as detailed within the Equality Act 2010.
- 5.6 Customers can nominate a person to act on their behalf through a third-party authorisation form. This can be accessed via our contact team who will discuss the process with you.
- 5.7 When making a decision to restrict contact, any special requirements of those affected by our decision will be taken into account. For example, where someone cannot read, we are unlikely to limit communications to writing only unless we are satisfied there are reasonable adjustments in place to enable the customer to receive a form of communication detailing our response.
- 5.8 We ensure that all customers wanting to influence and scrutinise our strategies, policies and services have equitable opportunities to do this, using a range of different methods and contact styles, to support our customer and their diverse needs.
- 5.9 We use our involved customers to consider this policy from a customer's perspective to judge if our policies are fair, reasonable, transparent, and understandable and use their constructive feedback to inform us.
- 5.10 We listen and learn from our customers, through feedback and complaints to help inform further service improvements.
- 5.11 A group of our Involved Customers have reviewed and approved this policy to ensure it reflects our service standards and supports customers appropriately.

## **6 TRANSPARENCY ARRANGEMENTS ASSOCIATED WITH THIS POLICY.**

We will ensure transparency in relation to this policy by:

- 6.1 Publication of this policy and supporting documentation in all relevant forums and accessible formats
- 6.2 Publishing relevant performance information including those defined in how we measure.
- 6.3 By responding to any enquires in an appropriate and timely fashion.

6.4 For a copy of this policy in an alternative format, such as large print or a translation, please contact us.

## 7 SUPPORTING DOCUMENTS AND GUIDANCE.

Contents of supporting documentation	
1.	Definitions
2.	Unacceptable Behaviour Procedure
3.	Complaints Procedure
4.	EPR Procedure
5.	How Customers can contact us
6.	Policies Supported by this Policy

### 1. Definitions

#### Unacceptable behaviour:

Thirteen regards unacceptable behaviour as behaviour which negatively impacts upon its ability to deal effectively with a request, complaint or to deliver customer service. However, Thirteen also recognises that in some cases persistent behaviour may be justified and may not be considered as unacceptable.

Behaviour becomes unacceptable if it is so demanding or persistent that it places unreasonable demands on services and impacts on the level of service to other customers.

Examples of unacceptable behaviour include but are not limited to:

- Unacceptable/Unreasonable demands (eg requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)
- Unacceptable/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 to 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 include derogatory remarks, rudeness, inflammatory allegations and threats of violence)

- Overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).

**1. Acceptable Behaviour Procedure**

[Click Here](#)

**2. Complaints Procedure**

[Click Here](#)

**3. EPR Procedure**

[Click Here](#)

**4. How customers can contact us**

[Contact Us - Thirteen \(thirteengroup.co.uk\)](#)

**5. Policies and procedures supporting this policy**

- Employee Protection Register (EPR) procedure
- Acceptable behaviour procedure
- Information Governance Framework
- Equality and Diversity policy
- Complaints, Compliments, and Feedback policy and procedure
- Thirteen Group's Tenancy Agreement
- Health and Safety Framework
- Thirteen 'How we act'