



UNACCEPTABLE BEHAVIOUR POLICY

Originator:	Policy and Strategy Team
Approval date:	5 th July 2022
Review date:	July 2023

1	Introduction
1.1	Pine Court Housing Association (PCHA) is committed to delivering excellent customer services. It trains all of its staff to treat customers with respect and to deal with any enquiries efficiently and effectively at the first point of contact, if possible.
1.2	In most cases PCHA staff enjoy an excellent working relationship with customers and are able to deal with all enquiries without problems. Occasionally, however, there may be incidents where customers may, for whatever reason, behave unreasonably when contacting PCHA, which makes it difficult for staff to provide the standards of service that are expected.
1.3	This Policy sets out the ways in which PCHA will seek to deal with customers whose behaviour causes upset, prevents PCHA staff from doing their jobs effectively and would not be expected in any normal working relationship in the delivery of services.
1.4	The Policy sets out the provisions PCHA will put in place to deal with customers who display unacceptable behaviour in their contacts and requests for service from PCHA (in person, via telephone and in written form, including electronic forms of communication).
1.5	The Policy aims to address low level incidents and / or those of a repeated nature but is not in place to deal with acts of anti-social behaviour or where more serious incidents may be involved, for example, threats to staff or harassment.
1.6	Where these incidents occur, PCHA will take a zero tolerance approach and will take appropriate tenancy enforcement or civil actions as required (see the PCHA Anti-Social Behaviour Policy for full details).
1.7	The Policy also aims to ensure that PCHA identifies and meets individual customer's needs. Part of the approach and measures that PCHA will consider on a case by case basis is the provision of additional support, referral to outside agencies or use of other advocates. This will be done to ensure contacts with PCHA are managed with no loss of essential services.
1.8	The operation of this Policy ensures compliance with the Regulatory Framework for Social Housing, adopted by the Regulator for Social Housing (RSH), as outlined below: <ul style="list-style-type: none"> o Registered providers shall:

	<ul style="list-style-type: none"> • Provide choices, information and communication that is appropriate to the diverse needs of their tenants in the delivery of all standards • Have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly
1.9	Access and Communication
1.9.1	PCHA is committed to ensuring that its services are accessible to everyone. PCHA will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for PCHA or use its services.
1.10	Equality, Diversity and Human Rights
1.10.1	PCHA is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Gender Identity /Gender Expression, Sexual Orientation, Religion and/or Belief, Marriage and Civil Partnership, Pregnancy and Maternity.
1.10.2	PCHA also recognises that some people experience disadvantage due to their socio economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.
1.10.3	PCHA will also ensure that all services and actions are delivered within the context of current Human Rights legislation. PCHA will ensure its staff and others with whom we work, will adhere to the central principles of the Human Rights Act (1998).
1.11	This Policy should be read in conjunction with: <ul style="list-style-type: none"> • The PCHA Complaints, Appeals and Feedback Policy • The PCHA Anti-Social Behaviour, Domestic Abuse and Harassment Policy
2	Statement of intent
2.1	PCHA will seek to foster a good working environment where all staff feel comfortable in their roles and can achieve high levels of job satisfaction. PCHA believes that where staff feel they can work effectively and develop good working relations with customers, they are more likely to meet the organisations goals of providing excellent, easily accessible services.
2.2	PCHA is committed to maintaining high levels of customer satisfaction and will seek to find the best ways of managing customer contacts, even where problems have been identified in the nature or frequency of the contact that does not meet the levels expected in normal service delivery relationships.
2.3	Where problems in the nature of contact have been identified, PCHA will seek to provide a flexible and tailored approach to ensure individual needs are met and services can continue to be delivered effectively, for the benefit of all customers.

2.4	PCHA will ensure that any alterations in the way services are normally delivered are reasonable and proportionate to the circumstances involved and are subject to regular review.
2.5	Where any alterations are made to the way services are delivered as a result of this Policy they will be reviewed at regular intervals or sooner depending on the circumstances of the individual concerned.
3	Policy
3.1	Reasons for enactment and immediate response
3.1.1	PCHA will consider using the provisions set out in this Policy where staff believe the behaviour of customers, when contacting the organisation prevents them from delivering excellent services and would not be expected in the course of normal working relations.
3.1.2	<p>This can include but is not exclusive of the following types of behaviour in face to face, telephone or written contacts, (including electronic forms of contact):</p> <ul style="list-style-type: none"> • Abusive, offensive or intimidating language or behaviour • Persistent contacts about the same issues, where PCHA have informed the customer(s) of pending actions to remedy an issue or where an issue has been acted on • Where customers are making contacts about issues that are outside of PCHA's remit of responsibility and control • Where it has been reported that a customer is making abuse/ threats to staff • Where customers make unreasonable requests of staff time and resources • Where customers refuse to deal with individual staff members, even when they are the most appropriate person (in terms of role and experience) to respond to a query or complaint
3.1.3	As an immediate response in face-to-face or telephone contacts, in particular where customers are abusive, offensive or intimidating, PCHA staff will inform the customer that their behaviour is unacceptable and outline the reasons why.
3.1.4	In any situation where there is immediate response given to the customer, the PCHA staff member will advise that unless the behavior, which is unacceptable changes then they will terminate the contact.
3.1.5	This may involve walking away from a meeting where this happens outside of PCHA office locations or politely asking a customer to leave, where this occurs on PCHA premises or terminating a telephone call.
3.1.6	In order to provide a tailored service for individual needs, PCHA endeavours to record all contacts with customers where their details are known. Whenever, a PCHA staff member has had to terminate a contact with a customer, the details of what happened and when will be recorded in the customer contact management system.
3.2	Decisions and actions
3.2.1	Where the staff member believes the incident requires further action, they will bring the matter to the attention of their immediate line manager. The line manager will then carry out enquiries including reviewing the customer contact management system and phone records,

speaking to other members of staff who may have dealt with the customer(s) concerned and checking known customer profile information.

3.2.2 If the line manager is of the opinion based on the findings that further action is required, they will arrange for an assessment of the customers individual circumstances to take place by appropriate PCHA staff. This will include checking for any known reasons why the customer may be classed as being vulnerable in any way.

3.2.3 Where vulnerabilities are identified and these contribute to the unacceptable behaviours in terms of their contacts with PCHA they will in the first instance look to provide additional support, if none is already in place. This may include, as appropriate:

- Referral to external support and advocacy agencies, including where necessary medical referrals

3.2.4 Where no vulnerability is established or the provision of additional support does not make any difference to the nature of the contacts, PCHA will convene a case conference group, which will consist of the Director of Operations and Senior Housing Officer and other outside agencies as appropriate to determine the best approach for managing future contacts.

3.2.5 This may include any or a combination of the following actions:

- Limits may be placed on the amount of time PCHA staff spend on telephone conversations and personal contact with customers or only accepting calls at specified times
- Placing restrictions on the means of communicating with customers e.g. in writing or via telephone only
- Only communicating through an agreed third party or advocate agency
- Requiring personal contacts to take place in the presence of a witness or at PCHA office facilities
- Refusing to re-investigate issues that have previously been resolved
- Where it is reported that customers are making abuse/ threats to staff, PCHA will not involve panels, however, it will open the 'case management file', commence the investigation and initiate the relevant action

3.2.6 Where PCHA intends to place any restrictions on the means by which it will manage any customer contacts, the customer will be informed in their preferred communication method, and this will always be backed up with a letter outlining the same information.

3.3 **Customer Call Recording**

3.3.1 In line with the provisions set out in the Privacy Notice (available at <https://ovh.org.uk>) the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 ('LBP Regulations'), the Regulation of Investigatory Powers Act (RIPA) 2000 and any relevant telecoms class licences, OVH may record inbound and outbound calls with customers for the purposes of:

- Training and quality management
- Fact verification
- Evidence of a business transaction

- Any other legitimate public task in the discharge of its business operations e.g. evidence gathering for breaches of a tenancy agreement such as anti-social behaviour

3.3.2 Customers contacting OVH may also choose to record telephone conversations as long as they request consent to do so, this consent is confirmed by the OVH staff member, and the recording is for personal use only i.e. not shared in any way with third parties.

3.3.3 If customers have a legitimate reason for wanting to record a telephone conversation with OVH e.g. they have a condition which impacts on memory, they should advise the OVH staff member at the start of the telephone conversation and before starting any recording device.

3.3.4 If an OVH staff member has good reason to believe that a telephone conversation is being recorded and they have not been advised by the caller, and / or they have not consented to the recording, then they are able to challenge the caller.

3.3.5 The member of staff can advise the caller that they do not give their consent for the call to be recorded and may terminate the call. The call can be terminated, once the intention to do so, has been made clear to the caller.

3.3.6 In these circumstances the staff member should also advise the customer of other methods of communication e.g. via letter or email.

3.3.7 The member of staff must add notes to the relevant records on the CRM system explaining the events once the call has been terminated. In all instances, the staff member's Team Leader or Line Manager should be informed.

3.4 **Appeals**

3.4.1 The customer will be informed of the nature of the restrictions on contact that will apply, how long they will be in place for (subject to on-going review) and how they may appeal any decisions or intended actions, through the provisions set out in detail in the PCHA Complaints, Appeals and Feedback Policy.

3.4.2 PCHA will refuse to hear repeated appeals about the same issue and may alter how appeals are handled in line with any restrictions that have been imposed through the Unacceptable Behaviour Policy.

3.5 **Continued access to essential services**

3.5.1 Where restrictions on contact are enacted this is not intended to prevent customers from accessing the repairs service, any form of periodic testing or property assessment e.g. annual gas servicing or from making genuine complaints about new issues.

3.5.2 When responding to these issues (as outlined above in 3.16) the conditions that have been imposed as part of the restricted contact will be taken into consideration and this may involve extending normal response targets.

3.6	Review
3.6.1	Whenever restrictions on the way PCHA manages contacts with customers are imposed under the provisions of this Policy, they will usually last for a period of Six months before review by the staff members making up the panel (as outlined in 3.2.1).
3.6.2	At the review, PCHA may lift restrictions, alter the ways in which contacts are managed going forward for a further Six month period or continue with the same restrictions for an additional six months, again subject to review.
3.6.3	The above conditions will apply unless the individual provides evidence to PCHA of a change of circumstances that impacts on the way their contacts should be managed or as a result of a successful appeal.
3.7	Actions specific to housing applicants
3.7.1	If PCHA encounters unacceptable behaviour from applicants for housing in any of the Choice Based Lettings schemes it is a member of, it has the option to impose 'ineligible status' on individuals. This would prevent them bidding for properties within the scheme for a 12 month period.
3.7.2	This status would apply unless the individual can demonstrate change of circumstances and / or successfully appeal the decision. Appeals regarding the imposition of Ineligible Status within Choice Based Lettings schemes are heard by Scheme Board and not PCHA.
4	Implementation
4.1	All PCHA staff have a responsibility to be aware of and abide by the provision set out in the PCHA Unacceptable Behaviour Policy.
5	Performance
5.1	There are no additional performance requirements as a result of the operation of this Policy.
5.2	Any restrictions placed on customer contacts as a result of this Policy will be reviewed on a cases by case basis at a minimum interval of every 6 months or sooner depending on the individual circumstances.
6	Consultation
6.1	All PCHA staff have been consulted in the development of this Policy. The PCHA's Customers Empowerment Panel will be consulted in the development of this Policy when the coronavirus restrictions are reduced.
7	Review
7.1	The Policy will be reviewed every 12 months from the date of the Operations Director's -PCHA approval or sooner if required by the introduction of new legislation / regulation affecting the Unacceptable Behaviour Policy or as result of system audits.

8				Equality Impact Assessment			
8.1		Was a full Equality Impact Assessment (EIA) required?		Yes			
8.2		When was EIA conducted and by who?		An EIA Relevance Test conducted by the Policy Writer and Policy and Strategy Manger in April 2022 is still valid for this Policy.			
8.3		Results of EIA		The Relevance Test did not reveal any adverse or differential impacts for any groups with protected characteristics.			
9				Scheme of delegation			
9.1		Responsible committee for approving and monitoring implementation of the Policy and any amendments to it		Operation Director-PCHA			
9.2		Responsible officer for formulating Policy and reporting to committee on its effective implementation		Operations Director-PCHA			
9.3		Responsible officer for formulating, reviewing and monitoring implementation of procedures		Operations Director-PCHA			
10				Amendment log			
Date of revision:		Reason for revision:		Consultation record:		Record of amendments:	
18 April 2018		In line with the Review Schedule		See Section 6		There are no significant changes to this Policy in this review.	
23 rd April 2020		In line with the Review Schedule		See Section 6		<ul style="list-style-type: none"> • A further clarification on the unacceptable behaviour that the Policy covers • Change at 3.3- Inclusion on how appeals can be conducted on restrictions on contact that will apply • Change at 3.5- Inclusion of giving customers a review on restrictions on contacts after a certain period. 	

5 th July 2022	In line with the Review Schedule	See Section 6	<ul style="list-style-type: none">• Inclusion of new clause at 3.3 on customer call recording• Change at 3.1.2 & 3.2.5 Inclusion of customers
---------------------------	----------------------------------	---------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------