

# Reasonable Behaviour Policy

<b>Board/EG Approval:</b>	September 2021	<b>Responsible Board:</b>	Ocean Housing Group Ltd
<b>Next Review:</b>	September 2023	<b>Responsible Executive:</b>	Managing Director of Ocean Housing Ltd

## 1.1 Policy Statement

- 1.2 We want to balance the needs of all of our customers appropriately, support them in challenging and complaining about services legitimately and provide clarity about the support and engagement that Ocean will provide.
- 1.3 Occasionally, the behaviour or actions of individuals makes it very difficult for us to deal with the issues that they have raised. In a small number of cases, the actions of individuals become unacceptable because they involve abuse of our staff or our process.
- 1.4 When this happens, we have to take action to protect the health and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed. We also have to consider the impact of the behaviour on our ability to do our work and provide a service to others.
- 1.5 This policy explains how we will approach these situations and applies to all areas of our work and to all methods of contact including telephone, face-to-face, letters, emails, social media and other digital channels.

## 2.1 Defining unreasonable actions by customers

- 2.2 This policy promotes reasonable behaviour by defining what is unreasonable and explaining how we will act when this is the case.
- 2.3 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a customer approaching Ocean Housing. We do not view behaviour as unreasonable just because someone is forceful or determined. In fact, we accept that being persistent can be a positive advantage when pursuing a complaint.
- 2.4 The actions of customers who are angry, demanding, or persistent may result in unreasonable demands on, or unreasonable behaviour towards Ocean Housing staff. It is these actions that we consider unacceptable and aim to manage under this guidance. The actions are grouped under four broad headings:

## 2.5 **Aggressive or Abusive Behaviour**

2.6 We understand that many customers are often upset and angry about the issues they have raised. If that anger escalates into aggression towards Ocean Housing staff, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

2.7 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused.

2.8 We will judge each situation individually and appreciate individuals who come to us may be upset. While we accept that those who contact us may feel angry, it is not acceptable to shout or swear at Ocean Housing staff.

2.9 Unacceptable language is that which:

- is offensive, derogatory or patronising,
- is discriminatory in any way, including racist, sexist, homophobic or transphobic comments; or
- makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence.

2.10 We may decide that comments aimed either at Ocean Housing or others are unacceptable because of the effect that listening or reading them may have on our staff. Examples include rudeness, offensive comments, derogatory remarks, making inflammatory statements, or raising unsubstantiated allegations about individuals or third parties.

2.11 Threats against staff will be taken very seriously and if staff feel scared or threatened at any point during a conversation with a customer, the interaction may be ended at any time.

2.12 Exactly what constitutes abuse, a threat of physical violence or harassment will be defined by the staff member at the time it takes place. They will be required to complete a Report of Violence and explain why they felt the behaviour was abusive to their Line Manager or Supervisor.

2.13 Any abuse or aggression that relates to any of the protected characteristics of staff, as defined in the Equality Act 2010 is explicitly within the scope of this policy.

## 2.14 **Unreasonable Demands**

2.15 A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of Ocean Housing.

2.16 Examples of this behaviour include:

- repeatedly demanding a response within a timescale outside of service level agreements,
- insisting on, or refusing to, speak to a particular member of staff, when that is not possible,
- repeatedly changing the substance of a complaint or raising unrelated concerns,
- Making repeated and unnecessary contact during the course of us dealing with a complaint or carrying out an investigation,
- Refusing to accept a decision where explanations for the decision have been provided.

2.17 An example of such impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents their own issues or complaint from being dealt with quickly.

## 2.18 Unreasonable Levels of Contact

2.19 Sometimes the volume and duration of contact made to Ocean Housing by an individual causes problems. This can occur over a short period, for example, a number of calls in one hour or a day.

2.20 It may occur over the life span of a complaint when a customer repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

2.21 We consider that the level of contact has become unacceptable when the amount of time spent talking to a customer, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other customers' complaints.

2.22 Unacceptable or persistent levels of contact include:

- Continuous contact whilst we are in the process of considering a matter
- Repeated telephone calls over a short period, for example, a high number of calls in one day or week,
- Lengthy telephone calls repeating the same points of discussion,
- High volumes of information provided by email or post referencing the same issues,
- Unnecessarily or excessive copying us into emails to other parties.

## 2.23 Harassment

2.24 Ocean staff have the right to carry out their duties free from harassment or threats of harassment. We ask all customers to respect that staff are delivering services on behalf of Ocean Housing.

2.25 Examples of behaviours we consider to be harassment against our staff include:

- recording telephone discussions and publishing the information online through websites, forums and social media channels
- contacting staff using their personal details or social media presence such as Facebook, Twitter or LinkedIn;
- publishing personal, sensitive or private information about staff online or in other public domains such as noticeboards or newsletters.

### **3.1 Reasonable Adjustments**

3.2 We will consider making reasonable adjustments for a customer if we are asked to do so in accordance with our Reasonable Behaviour Policy. Examples of adjustments we may consider are:

- using different methods of communication;
- providing written communication in large print, coloured text, or in translation;

3.3 We do not expect our staff to accept being subjected to aggressive, offensive, threatening or abusive actions, language or behaviour.

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

### **4.1 Managing unreasonable actions by users**

4.2 When we experience behaviour or demands which are unacceptable, we may consider taking more formal action. The actions we will consider can include the following:

- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us.
- Appointing a specific single point of contact for the customer
- Restricting or limiting contact
- Communicating only in writing or via a representative
- Deciding not to investigate a complaint or concerns on the basis that it has been pursued in a way that is unacceptable.
- Stopping all communication with a customer
- In exceptional circumstances, notifying relevant public authorities
- Taking legal action against the tenancy

- 4.3 After careful consideration and determination by the Head of Customer Experience, where it is decided that formal action must be taken to manage someone's behaviour, we will inform them of the decision in writing. A flag will be placed on our system to highlight the restrictions in place for a determined period of time.
- 4.4 Customers have the right to appeal the decision and they will be informed how to do this in the formal letter.

## **5.0 Appeals and reconsideration**

- 5.1 A customer can appeal a decision to restrict contact. A senior member of staff who was not involved in the original decision will consider the appeal within 10 working days of receipt. They will advise the customer in writing either that restricted contact arrangements still apply or that a different course of action will be taken.
- 5.2 A decision to restrict customer contact may be reconsidered if the customer demonstrates more acceptable behaviour. The Head of Neighbourhood Services will review the status of all customers with restricted contact arrangements as necessary, but as a minimum annually.
- 5.3 If a decision has been reconsidered, the customer will be receive confirmation that the restriction has been lifted in writing and the flag will be removed from our IT housing management system.

## **6.1 Responsibilities and Monitoring**

- 6.2 All members of staff have a responsibility to familiarise themselves with this policy, follow it and ensure any member of staff who reports to them does the same.
- 6.3 Ocean will review this policy annually to ensure that it remains relevant and in line with best practice.

## **7.1 Equality and Diversity**

- 7.2 We will apply the Reasonable Behaviour Policy consistently and fairly, and will not discriminate against anyone regardless of their age, gender, gender reassignment, disability, religion or belief, sexual orientation, race or ethnicity, marital status or with regards to pregnancy or maternity.