



Bespoke Supportive Tenancies

UNACCEPTABLE & UNREASONABLE BEHAVIOUR POLICY

Version: 01

Review

Date of This Review	Date of Last Review	Policy Author	Next Review Date
30 th March 2024	N/A	Richard Lowthian	30 th March 2026

Details of Amendments

Version	Date	Update Amendment	Resulting From
V1	30 th March 2024	N/A	HOS Guidance

Approved by

Executive Team	3 July 2024
Board	N/A

UNACCEPTABLE & UNREASONABLE BEHAVIOUR POLICY

1. BACKGROUND AND POLICY OBJECTIVES

1.1 At BeST HA we aim to provide a service which is accessible to everyone where our customers are heard, understood, and respected. However, at times where we consider actions to be unacceptable and unreasonable, we will look at restricting this access.

1.2 We understand that people may act out of character in times of distress or when they are frustrated but in several cases the actions of individuals become unacceptable because they involve abuse of our colleagues or our processes by taking up an unreasonable amount of time and resources.

1.3 All our customers will be dealt with fairly, honestly, consistently, and appropriately, including those whose actions are considered unacceptable. This policy applies to all customers of BeST HA, customers to whom we offer services.

1.4 It should be noted that whilst there are no statutory or regulatory obligations that require a policy to manage unacceptable behaviour it is regarded as good practice by the Housing Ombudsman Service to have a policy which covers these matters in place. This policy has been developed following the 'managing unacceptable behaviour' guidelines produced by the Housing Ombudsman Service.

1.5 The Head of Housing Operations will be the owner of the Unacceptable Behaviour Policy

2. POLICY PRINCIPLES

2.1 What do we mean by unacceptable behaviour?

2.2 BeST HA believes that behaviour is not regarded as unacceptable just because a person is 'assertive or determined' in their approach to their case or complaint. We accept that people may act out of character when making contact about the 'distressing or frustrating' circumstances that they have experienced. Behaviour becomes unacceptable when it becomes so demanding or persistent that it places unreasonable demands on BeST HA staff and colleagues and impacts the level of service provision to our customers. Examples of what may be unacceptable behaviour include but are not limited to:

- Unreasonable demands such as requesting large volumes of information, asking for responses in a short space of time, refusing to speak to an individual or insisting on speaking only to a certain person.
- Unreasonable persistence such as refusing to accept that the answer has been provided, continuing to raise the same subject matter without providing new evidence, continuously adding to, or changing the subject matter of a complaint.
- Refusal to allow a resolution to be put in place e.g., Not allowing access for a repair.
- Verbal abuse, aggression or violence is not just limited to physical or verbal abuse but includes derogatory remarks, patronising behaviour, rudeness and inflammatory allegations or threats.
- Overload of letters, calls e-mails or contact via social media which includes frequency and length of contact as well as the volume of correspondence received.

2.3. Related Policy Documents

External

- [The Housing Ombudsman's Complaint Handling Code](#)
- [The Housing Ombudsman's Service Remedies Policy](#)

- [The Housing Ombudsman's Dispute Resolution Principles](#)
- [The Charter for Social Housing Residents](#)
- [Regulator of Social Housing Consumer Standards](#)

Internal

- Complaints and Compliments Procedure
- SASSHA Complaints Recording Guidance
- Repairs, Planned Cyclical Maintenance and Recharge Policy
- Tenancy Management Policy
- Tenant Empowerment and Engagement Policy
- Allocations and Referral Policy
- Anti-Social Behaviour Policy
- Safeguarding Policy
- Reasonable Adjustments Policy
- Equality and Diversity Policy
- Disciplinary Policy
- Whistleblowing Policy
- GDPR Policy
- Compensation Policy

Key Legislation

England

- [The Social Housing Regulation Act 2023](#)
- [The Housing Act 1996 \(schedule 2\)](#)
- [The Care Act 2014](#)
- [Data Protection Act 2018](#)
- [The Equality Act 2010](#)
- [Localism Act 2011](#)

Wales

- [Regulation and Inspection of Social Care \(Wales\) Act 2016](#)
- [Social Services and Well-being \(Wales\) Act 2014](#)

2.4 How will such behaviors be managed?

2.5 BeST HA will always seek to have a conversation with the customer and resolve the issue in an informal way. If this fails, we will look at a range of options to manage the customer's communication with us which will take an individual's needs into account and may include:

- Providing a single point of contact

- Asking the customer if they would like to nominate a family member, friend, or support worker to advocate for them.
- Limiting contact to a single form – in writing, by e-mail or telephone
- Limiting contact to certain times or to a limited number of times per week or per month
- Declining to further consider, investigate or escalate an issue or complaint unless additional information or evidence can be provided.
- Preventing the customer from attending events where there has been abusive behaviour or threats have been made.
- Where verbal abuse, threats, or violence is involved this will be passed to the Regional Housing Teams to manage under the Anti-Social Behaviour Policy.

2.6 Any action taken will be time limited, subject to review and communicated in writing to the customer.

3.0. What actions will we take?

3.1 BeST HA will always seek to resolve instances of unacceptable behaviour informally or make use of the distinct options set out above and if appropriate make a support referral as a means of seeking a resolution.

3.2 In extreme cases we will consider ending direct contact with the customer, taking legal action against a customer's tenancy, or involving the Police if it becomes a criminal matter e.g., in cases of extreme threats, physical violence or harassment in line with our Anti-Social Behaviour Policy.

4.0 Right to appeal and review.

4.1 Any customer who has restrictions placed on their contact has a right to appeal to the Managing Director who will review the restrictions placed on the customer and the length of time they have been imposed for.

4.2 All cases where restrictions have been put in place will be reviewed on a quarterly basis by the Head of Housing and if the behaviour has improved, consideration will be given to lifting the restrictions on contact.

4.3 If behaviour has not improved to the point of review an explanation will be provided as to why the restriction will remain in place and for how long.

5.0 How long will any restrictions remain in place?

5.1 The length of time restrictions remaining in place will be determined on a case-by-case basis in line with the individual circumstances of the case but will not exceed a period of three months after which it will be subject to review as set out in 2.4 above.

6.0 Monitoring, consultation, and review

6.1 We monitor our performance in delivering the objectives of this policy by reporting the number of cases where this policy has been applied annually to our Executive Team and to our Board as part of the complaints monitoring process.

6.2 The Head of Housing Operations is responsible for the implementation and review of this policy.

6.3 Customers, colleagues, and service users may be involved in giving feedback on this policy, leading to amendments where appropriate.

6.4 This policy will be reviewed within two years of its approval date or earlier if required by regulatory, statutory, or other requirements.

7.0 Equality and Diversity

7.1 When making decisions under this policy we will always show due regard for an individual's medical condition, support needs or individual circumstances. Any restrictions placed on the customer's contact will always recognise their needs and be tailored to their individual circumstances. This will include:

- Considering if there is anyone else who can represent the customer in their handling of their complaint (e.g., family member, friend, or support worker)
- Consideration of whether a multi-agency approach is needed where the customer is receiving support from other organisations such as social care.

7.2 This policy is subject to a periodic Equality Impact Assessment (EIA).

7.3 The purpose of such an assessment is to consider the effect of the policy regarding the recognised protected characteristics of equality and ensure that it does not unfairly impact any individual or group. The protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity or other grounds set out in our Equality and Diversity. Remedial action will be undertaken if a detrimental effect is identified.

7.4 The EIA also requires the policy author to consider whether the policy is likely to negatively impact on a person's Human Rights

7.5 This policy and any other related Alliance Homes publications can be provided in other formats for those with visual, literacy or language difficulties.