



Unacceptable Behaviour Policy

Approved by the Board on 9 December 2020

Reviewed 08.03.23 by G&C Committee – no amendments required

In this policy you are our tenant if you pay your rent to us on a weekly or shared ownership basis. If you pay your rent to another housing association you are not our tenant.

We do not want anyone who lives in a property we own to have any problems. We are willing to help put anything right where we are in a position to do so. If you have a problem with a property that we own and let us know we will respond, so far as we can, in accordance with this policy and let you know what we are doing and why.

This document is available in alternative format, for example easy-read, on request.

1. Introduction

- 1.1. This policy sets out how Funding Affordable Homes Housing Association Limited (**FAHHA**) will approach any customer whose actions or behaviour we consider unacceptable. For the purpose of this policy, a customer includes anyone who contacts FAHHA, but is most likely to be one of our tenants. You are a tenant of FAHHA if you pay your rent to us on a weekly or shared ownership basis. If you pay your rent to another housing association you are not our tenant.
- 1.2. This policy covers all types of communication, for example: contact in person; by telephone; by email or letter.
- 1.3. Where the actions of a customer results in unreasonable demands on, or behaviour towards our staff or agents or impacts on our ability to deliver our services, we will take appropriate action to manage such behaviour.

2. What is unacceptable behaviour?

2.1. FAHHA understand that sometimes customers may be dissatisfied with the service provided and that customers may seek to assert their rights. FAHHA also understand that on occasion a customer may feel angry or upset. This policy is not intended to cover these situations but instead to address where a customer is aggressive, abusive, makes unreasonable demands or makes unacceptable persistent contact.

2.2. Unacceptable behaviour includes:

2.2.1. Abusive or aggressive behaviour towards staff, agents or contractors – aggression may include behaviour or language that may cause staff to feel afraid, threatened or abused. Examples of aggressive behaviour include but are not limited to: physical violence; threats; harassment; personal abuse (including remarks that may be derogatory); making unsubstantiated allegations; making aggressive or inappropriate gestures; rudeness and making inflammatory statements.

2.2.2. Unreasonable demands or persistent behaviour – these are demands that impact substantially on FAHHA's work through the amount of information a customer requests or provides or the nature and scale of the service they expect. Where FAHHA make reasonable attempts to resolve the matter and a customer makes repeated contact about the same issue or makes contact or complaints that we consider spurious or vexatious or where the actions take up disproportionate time and resources. Examples of this type of behaviour include but are not limited to asking for responses within an unreasonable timeframe; making unfounded complaints, allegations or repair requests; persistently refusing to accept responses provided to queries or complaints; repeated contact by way of telephone calls, letters, emails or visits in person; demanding to only deal with a particular member of staff or unreasonably refusing to deal with a particular member of staff.

3. How will FAHHA deal with unacceptable behaviour?

3.1. This will depend on the nature and extent of the incident(s). In the first instance we will explain to a customer why we find their behaviour unacceptable and, in most circumstances, will allow them the chance to change the behaviour.

- 3.2. If FAHHA consider that a customer is disabled or if a request for reasonable adjustments is made we will undertake an Equality Assessment before taking any formal action to understand if there are any other needs and if these needs could be met in any other way. We will make sure the appropriate support is provided to the customer including sign posting to the relevant organisations, such as to mental health services. We may also undertake an assessment where we believe the customer may be vulnerable for a reason other than disability.
- 3.3. Where a customer is either unacceptably demanding or persistent, we will first send a written warning before any further action and where possible, we will try to come to a voluntary agreement with the customer.
- 3.4. Depending on the nature of the conduct, FAHHA may also take the some or all of the following steps in order to deal with unreasonable behaviour:
 - 3.4.1. restrict the way a customer contacts us for a specified period of time, for example by providing a designated point of contact or designated method of communication, such as by email, save for in emergencies where telephone contact may be permissible;
 - 3.4.2. restrict the frequency of contact, e.g. by no more than 1 letter or email per week, save for in emergencies.
- 3.5. Where any type of restriction has been put in place as part of managing the unacceptable behaviour, the customer will be informed by us in writing of the restrictions imposed, how long they will be in place and when these will be reviewed.
- 3.6. If a customer's behaviour becomes unacceptable or abusive during a telephone call, a warning will be given to advise that the call may be terminated. The call will be terminated if the customer continues to behave unacceptably.
- 3.7. In the most serious cases FAHHA may take legal action, which includes but is not limited to:
 - 3.7.1. applying for an injunction;
 - 3.7.2. taking possession proceedings;
 - 3.7.3. where the behaviours also constitute a criminal offence we will support our staff who choose to make a formal complaint to the police and will assist the police with their enquiries.

4. Appeals against a decision taken under this policy

- 4.1. A customer has the right to appeal any formal restriction of contact that we have put in place or any other action take under this policy. FAHHA may refer the applicant 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 customer feels the decision is not justified in accordance with this policy. A manager not involved in the original decision will review the decision and will only uphold the appeal if they find that the original decision did not follow this policy.

5. Review of Decisions under this policy

5.1. FAHHA recognises that, notwithstanding any unacceptable behaviour, a customer may have a legitimate reason to contact us and to seek to assert their rights. We will regularly review the decisions that have been made as a result of this policy to ensure that no customer's contact with us is restricted unfairly.

5.2. Any type of restriction that has been put in place as part of managing a customer's unacceptable behaviour will be reviewed on a monthly basis unless it is decided that more frequent review is required, for example if the initial restriction has been put in place for a short time period.

6. Legislation/Regulation

- Regulator of Social Housing – Tenancy Standard

7. Linked Policies

- Reasonable Adjustments
- Tenancy Management