

## Managing Unacceptable Behaviour Policy

**Date written:** October 2013

**Date(s) reviewed:** Oct 2016 / Apr 2018 / Oct 2019 / **December 2020**

**Purpose:** To set out our approach to the very few customers whose actions or behaviour we consider unacceptable. This includes anyone making a complaint under our complaints process.

**Scope:** This policy is relevant to unacceptable behaviour by any customer or any individual that comes into contact with the organisation or its contractors.

### **Definitions:**

Unacceptable Behaviour, may involve actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort.

### **Associated documents:**

Complaints Procedure  
Zero Tolerance Policy  
Customer Care Policy  
Equality and Diversity Policy

**Date for review:** March 2022

**Responsibility:** Head of Tenant Engagement

## 1. Introduction

1. We do not view behaviour as unacceptable just because someone is assertive or determined. There may have been upsetting or distressing circumstances that led to the customer behaving that way that may be out of character. However, the actions of some customers who are angry or persistent may result in unreasonable demands on services, or behaviour towards our staff and we will take appropriate action to manage such behaviour.
- 1.1 This policy will identify what we consider as unacceptable behaviour and how we will manage this.

## 2. Policy statements

- 2.1 We consider the actions of any customer to be unacceptable when they take up a disproportionate amount of Bernicia's time and resources to manage. If a customer (and/or anyone acting on their behalf) acts in an unreasonable manner their behaviour may be classed as unacceptable if they meet any of the following criteria:
  - Demanding a response in an unreasonable timescale
  - Making an excessive number of contacts with Bernicia which is placing an unreasonable demand on staff
  - Denying receiving an adequate response despite correspondence specifically answering their questions
  - Pursuing a complaint where the issue is not within the remit of Bernicia to investigate
  - Demanding a disproportionate amount of compensation
  - Changing the substance of the complaint or continually raising new issues, which are significantly different from the original complaint
  - Unwillingness to accept documented evidence or denying receipt of correspondence, particularly when it has been hand-delivered
  - Persistently refuses to accept explanations about what Bernicia can and cannot do
  - Continuing to pursue a matter when they have exhausted Bernicia's complaint process and have also exhausted other routes of appeal
  - Continually refusing to deal with specific members of staff without a valid reason or grounds for doing so.
- 2.2 Where a customer's behaviour has been identified as unacceptable in accordance with the above criteria, we will bring it to their attention explaining what it is that they are doing that is unacceptable.
- 2.3 Some complainants may have a mental health or learning disability which affects their understanding of issues or the way in which they respond. If we are aware of the disability we will ensure it is taken into consideration when dealing with the complainant. However, this will not necessarily prevent their behaviour being considered as unacceptable.

2.4 Where the customer continues to display unreasonable behaviour we may manage this by restricting their access with us in the following ways:

- Preventing the customer telephoning or visiting any of Bernicia's Offices without a prior appointment.
- Arranging contact with a named member of staff.
- If necessary only allowing the customer contact through a third party.
- Explaining any further correspondence relating to the issue or complaint will be added to the file but will not be responded to.

Restrictions will be made on a case by case basis dependent upon the nature and extent of the behaviour.

2.5 The Team Leader must agree any decision to restrict a customers' access to Bernicia with the relevant Head of Service or Manager. The Director must also be notified of this action.

2.6 When a decision is made to restrict contact with a customer, Bernicia will explain this in writing and fully explain the reasons for the restriction.

2.7 A decision to restrict contact can be reconsidered if the customer demonstrates a more acceptable approach.

### **3. Responsibility for implementation**

3.1 The Director will be responsible for ensuring that this policy is successfully implemented, and all staff members are responsible for upholding the policy when dealing with unacceptable behaviour.

### **4. Actioning the policy**

4.1 Heads of Services, Managers and Team Leaders will make a decision as to when this policy needs to be enforced.

### **5. Monitoring the policy**

5.1 The relevant Heads of Service and Retirement Housing Manager will monitor this policy to ensure it is used correctly.

### **6. Resources**

6.1 There will be no extra resources required to implement this policy as it will be able to be implemented using existing resources.

### **7. Equality and Diversity**

7.1 An equality and diversity impact assessment has been undertaken on this policy.

7.2 In carrying out its services, we are committed to:

- Treating all customers and employees positively regardless of any personal characteristics including gender, age, ethnicity, disability, sexuality, gender reassignment or religion.
- Taking seriously all complaints and investigating and responding accordingly.
- Using plain language and providing information in other languages, large print, audio and Braille on request.

7.3 We understand that there may be reasons people act in certain ways and we will always aim to ensure that any action we take does not discriminate.

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