Housing & Communities Directorate	bdht

1. Unacceptable Customer Actions and Behaviour Policy

2. Version 1.5

3. Statement of intent including cross-reference to bdht's Corporate and Directorate objectives

3.1 The purpose of this Policy is to ensure that bdht staff have clear guidance in relation to unacceptable customer behaviour and how to manage such behaviour. It sets out the types of behaviours we consider unacceptable and/or unreasonable. It will give clarity on how unacceptable or unreasonable behaviour will be assessed, managed and communicated to customers.

3.2 bdht aims to provide excellent accessible services to all bdht customers.

3.3 At bdht we believe that everyone who approaches us has the right to be heard, understood and respected. We also consider that our staff have the same rights.

3.4 Regrettably, in a minority of cases, customer behaviour towards bdht staff can become unacceptable and access to staff and services will be restricted or varied. We will do this to ensure that other customers and staff do not suffer any disadvantage from customers who act in such a manner.

3.5 bdht will make it clear to all customers, both at initial contact and throughout their dealings with our staff,

- what bdht can or cannot do in relation to their enquiry;
- the behaviour that they can expect from bdht staff;
- the behaviour we expect from customers engaging with our staff.

3.6 We will be open with customers and not raise hopes or expectations that we cannot meet. We will deal fairly, honestly, consistently and appropriately with all customers, including those whose actions we consider unacceptable.

4. Legal and Regulatory Requirements

4.1 Public Order Act 1986
4.2 Equality Act 2010

5. Policy Statement

5.1 **Reasonable Adjustments**

5.2 Some people that contact us have a mental or physical impairment which has substantial and long-term adverse effect on their ability to carry out normal day to day activities. Where this applies, we may put in place reasonable adjustments to change the way we interact with the customer.

To ensure customers receive the help they need to access our services, we will check whether a reasonable adjustment is required when you first contact us. At any stage where it is determined that that a reasonable adjustment is required, it will be recorded on our housing management system. Further information on reasonable adjustments can be found in our Customer Care and Access to Services Policy.

We will always consider how any restrictions may impact a reasonable adjustment that has been put in place for a particular customer.

Sometimes we may put a contact restriction in place which impacts a reasonable adjustment. This is because the behaviour we are experiencing means the adjustment is no longer reasonable where the person has shown unacceptable or unreasonable behaviour towards our employees. This could be because that adjustment is no longer effective or practical. Where possible, we will prioritise selecting contact restriction(s) that provide an alternative way to access to our service.

We will consider contact restrictions on a case-by-case basis and will always let the customer know of a decision to impose a contact restriction in writing.

The policy below sets out what types of behaviour we consider unacceptable or unreasonable, how this will be managed, and what customers can do if they believe a restriction should be reconsidered.

5.3 **Defining unacceptable actions**

5.4 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to approaching bdht. We do not view behaviour as unacceptable just because someone is forceful or determined. In fact, we accept that being

persistent can sometimes be a positive advantage when pursuing a complaint.

5.5 The actions of customers who are angry, demanding, or persistent may result in unreasonable demands on, or unacceptable behaviour towards, staff. It is these actions that we consider unacceptable and aim to manage under this policy.

5.6 We have grouped these actions under three broad headings:

5.7 **Aggressive or abusive behaviour**

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

5.7.2 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks, sexual harassment and rudeness. Derogatory or discriminatory remarks; including racist, sexist, disablist, homophobic or transphobic comments will be dealt with under our Hate Crime Policy. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

5.7.3 We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. bdht staff understand the difference between anger and aggression, such as the anger felt by customers, about the subject matter of a complaint. However, it is not acceptable when anger escalates into aggression directed towards staff.

5.7.4 Any aggressive or abusive behaviour could result in us reporting this to the police or relevant authority, it might also constitute a breach of tenancy.

5.8 **Unreasonable demands**

5.8.1 Customers may make what we consider unreasonable demands on bdht through the amount of information they seek or provide, the nature and scale of service they expect, or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer.

5.8.2 Examples of actions grouped under this heading include demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual phone calls, emails, or letters, repeatedly changing the substance of a complaint or raising unrelated concerns.

5.8.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on our work, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions.

5.9 Unreasonable persistence

5.9.1 We recognise that some customers will not or cannot accept that bdht are unable to assist them further or provide a level of service other than that provided already. Customers may persist in disagreeing with the action or decision taken in relation to their enquiry or contact bdht persistently about the same issue.

5.9.2 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to an enquiry or complaint, persistent refusal to accept explanations relating to what bdht can or cannot do, and continuing to pursue an issue without presenting any new information. The way in which these customers approach bdht may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

5.9.3 We consider the actions of persistent customers to be unacceptable when they take up what bdht regards as being a disproportionate amount of time and resources.

5.10 Managing unacceptable actions by customers

5.11 If we consider someone's behaviour is unreasonable (due to the demands made or levels of contact) or unacceptable, we will first try to fix the issue. We will explain why the behaviour is unreasonable or unacceptable and will give the person an opportunity to stop the behaviour so we can continue to progress the case.

5.12 If we are unable to resolve the issue and decide there is a need to manage behaviour in line with our policy, this decision will be made by a group of managers. The contact restriction conditions and reasons for the contact restriction will be communicated to the customer in writing.

5.13 There are very few customers whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict a person's contact with staff in order to manage the unacceptable action.

5.14 We aim to do this in a way, wherever possible, which will still allow a customer to access our services. We may restrict contact, in person, by telephone, fax, letter or electronically or by any combination of these. We

will try to maintain at least one form of contact. In extreme situations, we will tell the customer in writing how any further contact will be handled and the date the restriction will be reviewed.

5.15 The threat or use of physical violence, verbal abuse, or harassment towards staff is likely to result in the ending of all direct contact with the customer. Incidents may be reported to the Police. This will always be the case if physical violence is used or threatened.

5.16 We do not deal with correspondence or other forms of communication which is abusive to staff or contains allegations that lack substantive evidence. When this happens we will tell the sender that we consider their language offensive, unnecessary, and unhelpful. Whenever possible we will ask them to stop using such language and state that we will not respond to them if they do not stop.

5.17 We may require future contact to be through a third party, and if they do not agree we will no longer deal with them.

5.18 Staff will end telephone calls if the caller is considered aggressive, abusive, or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable, and end the call if the behaviour does not stop.

5.19 When someone repeatedly telephones, visits the office without appointment, sends irrelevant or duplicate documents, or raises the same issues already considered, we may decide to:

5.19.1 only take telephone calls from the user at set times on set days, or put an arrangement in place for only one member of staff to deal with calls or correspondence in the future;

5.19.2 require the person to make an appointment to see a named member of staff before visiting the office, or that the customer only contacts the office in writing;

5.19.3 return the documents to the person or, in extreme cases, advise them that further irrelevant documents will be destroyed;

5.19.4 take other action that we consider appropriate. We will, however, always say what action we are taking and why.

5.20 When a customer continues to correspond on a wide range of issues, and this action is considered excessive, then we will tell them that only a certain number of issues will be considered in a given period, and ask them to limit or focus their requests accordingly.

5.21 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted such as bdht's formal complaints process and the customer continues to dispute decisions we have made.

5.22 We will tell the customer that no future communications concerning the issue will be accepted. If the customer insists in contacting us about the same issue, their communication will be read and filed, but only acknowledged or responded to if it provides significant new information.

5.23 If the customer continues to be dissatisfied with bdht's response they will be encouraged to contact the Independent Housing Ombudsman Service if they wish to pursue a complaint further.

5.24 We may also decide that customers who require a visit will be accompanied by another member of staff.

5.25 **Deciding to restrict user contact**

5.26 Staff who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

5.27 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with bdht or apply an accompanied visit flag will only be taken after careful consideration of the situation by the AV panel. Wherever possible, we will give a user the opportunity to modify their behaviour or action before this decision is taken. Customers will be told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

5.28 A customer can appeal a decision to restrict contact. A member of EMT who was not involved in the original decision will consider the appeal in line with our appeals policy.

5.29 We record all incidents of unacceptable actions by customers. Where it is decided to restrict contact, an entry noting this is made in the house file and on CRM.

5.30 A decision to restrict customer contact may be reconsidered if the customer demonstrates more acceptable behaviour. Bdht will review the status of all users with restricted contact arrangements as necessary or every 12 months.

5.31 When the behaviour of a customer continues to be unacceptable, a member of EMT may decide that bdht will withdraw all communication methods and no longer deal with the customer.

5.32 In extreme cases it may be appropriate to take action under the Public Order Act 1986, report to the police or relevant authority or constitute a breach of tenancy.

5.33 **Section 5 – Harassment, alarm or distress.**

A person is guilty of an offence if they:

- Use threatening, abusive or insulting words or behaviour, or disorderly behaviour or
- Display any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing, sight of a person likely to be caused harassment, alarm or distress by such action.

5.34 There is no requirement for the conduct to be directed towards any person

Section 4A – Intentionally causing harassment, alarm or distress.
As above but directed at an individual.

Section 4 – Fear or Provocation of violence
As section 4A but with the threat of violence.

6. Summary of Service Standards

6.1 Service Standards will be published in leaflet form to give easy-to-read information to tenants.

7 Priorities

7.1 It is essential for the effectiveness of this policy, that all stages of this policy are given equal priority.

8 Policy Implementation

8.1 **Staffing:** all staff will receive training on the aim of this policy and the implementation.

8.2 **Procedure:** The Unacceptable customer behaviour and actions procedure and guidance accompany this policy

8.3 **Monitoring of the Policy:** This policy will be updated and reviewed regularly

9 Link to associated internal Documents

Unacceptable customer behaviour procedure
Unacceptable customer behaviour guidance
Customer Care service standard

10 Consultation arrangements

Tenants were consulted and involved in the development of this policy through the Tenants Panel who will review this policy in line with bdht's monitoring arrangements.

11 Approval was gained

This policy has been reviewed and approved ay EMT and Board in March 2025

12 Review Date

This policy will be reviewed in March 2028

13 Responsibility for implementing the policy

Head of Customer Experience

VERSION CONTROL

Date Reviewed	Reviewed By	Approved By
07.08.15	B Green	Beverley Green & Tim Young
15.05.18	B Green	Beverley Green & Graeme Anderson
31.08.21	Barry Stevens	
20.3.25	Ashlea Green	John Whitwam

Date	Changed By	Details of Changes	Version Number	Approved By
07.08.15	**B Green**	5.10 Amended: We aim to do this in a way, wherever possible, which will still allow a customer to access our services. We may restrict contact, in person, by telephone, fax, letter or electronically or by any combination of these. We will try to maintain at least one form of contact. In extreme situations, we will tell the customer in writing what that their name is on a 'no personal contact' list. This means that they must restrict contact with our office to either written communication or through a third party.	**1.2**	**B Green**
07.08.15	**B Green**	Amended: 5.22 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with bdht will only be taken after careful consideration of the situation by 2 members of EMT.	**1.2**	**B Green**
07.08.15	**D Paul**	3.6 Replaced ' We will to be open' with 'We will be open' (simple grammar change)	**1.2**	**T Young**
07.08.15	**D Paul**	Removed '9 Links to associated external Documents This Policy is linked to the following external documents:'	**1.2**	**T Young**
15.05.18	**B Green**	**Changed no 13 from Business Improvement Manager to Director of Resources and IT Project Manager**	**1.3**	**B Green**
15.05.18	**B Green**	**Changed no 2 Version number from 1.2 to 1.3**	**1.3**	**B Green**
31/08/21	**B. Stevens**	**13** Review and amended.	**1.4**	**B. Stevens**
		Added It sets out the types of behavious we consider unacceptable and/or unreasonable. It will give clarity on how unacceptable or unreasonable behaviour will be assessed, managed and communicated to customers. To 3.1. Added 5.1 and 5.2 around reasonable adjustments. Numbers edited in section 5. Added 5.11, 5.12 and 5.24 Amended 5.28 to be in line with our appeals policy		

		Added Derogatory or discriminatory remarks; including racist, sexist, disablist, homophobic or transphobic comments will be dealt with under our Hate Crime Policy to 5.7.2 Added 5.7.4 Added ŕeport to the police or relevant authority or constitute a breach of tenancy. to 5.32		