

# Customer Services Policies & Procedures



## Persistent or Unreasonable Behaviour Policy

<b>1.</b>	<b>Policy objectives</b>
1.1	This Policy sets out our approach to the few customers whose actions or behaviour we consider unacceptable. We adopt a similar approach to that of the Housing Ombudsman Service, applicable from 1st November 2012.
1.2	<p>The aims of this Policy are to:</p> <ul style="list-style-type: none"> <li>• Make clear to customers in all their dealings with us, what we can and cannot do in relation to their case. In doing so, we aim to be open and avoid raising expectations we can't meet;</li> <li>• Deal fairly, honestly and consistently with all customers, including those whose actions we consider unacceptable. 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;</li> <li>• Provide a service that's accessible to everyone who's entitled to it. We do however reserve the right, where we consider customers' actions to be unacceptable, to restrict or change access to our services; and</li> <li>• Ensure that staff and other customers don't suffer detriment as a result of customers who act in an unacceptable way.</li> </ul>
<b>2.</b>	<b>Legislative or regulatory requirement</b>
2.1	<p><u>Legislative</u></p> <p>Equality Act 2010</p>
2.2	<p><u>Regulatory</u></p>
2.2.1	<p>Tenant Involvement and Empowerment Standards 2017</p> <p>1.3.1 Registered providers shall:</p> <p>a. treat all tenants with fairness and respect</p> <p>b. demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs.</p>
2.2.2	This Policy accords with guidance from the Housing Ombudsman's " <i>Managing Unacceptable Behaviour Policy</i> ".
<b>3.</b>	<b>Scope and definitions</b>

3.1	<p><u>Scope</u></p> <p>This Policy applies to all WCH staff and WCH contractors who have contact with our customers.</p>
3.2	<p><u>Definitions</u></p> <p><b>3.2.1 Unacceptable Behaviour</b></p> <p>People may act out of character in times of stress, and we recognise that there may have been distressing circumstances leading up to a customer interaction. We do not view behaviour as unacceptable just because someone is forceful or determined but where customers behave in an unacceptable way towards our staff, or a way which places unreasonable demands on them. We have grouped this kind of behaviour into three broad categories:</p> <p><b>3.2.1.1 <u>Aggressive or abusive behaviour</u></b></p> <p>Refers to any behaviour (verbal or physical) which makes staff feel afraid, threatened or abused. Examples could include: physical violence, verbal abuse, swearing, derogatory remarks, rudeness, inflammatory statements and malicious allegations.</p> <p>We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. We staff understand the difference between anger and aggression. Anger may accompany a complaint but when it escalates into aggression towards our staff it is unacceptable.</p> <p><b>3.2.1.2 <u>Unreasonable demands</u></b></p> <p>Refers to customers making demands on us through the amount of information they request or provide, the level of service they expect, or the number of approaches they make. We consider these demands unreasonable if they start to impact disproportionately on our work or take up an excessive amount of time to the detriment of other customers. What amounts to unreasonable demands will always depend on the individual circumstances of the case.</p> <p>Examples could include: demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, disproportionate phone calls, emails, or letters, repeatedly changing the substance of a complaint or raising unrelated concerns.</p> <p><b>3.2.1.3 <u>Unreasonable persistence</u></b></p> <p>Refers to customers persistently disagreeing with an action or decision taken in relation to their case or contact us persistently about the same issue. Again, we consider this persistence unreasonable when it starts to impact disproportionately on our work or take up an excessive amount of time to the detriment of other customers.</p> <p>Examples could include: persistent refusal to accept a decision made in relation to a complaint or an explanation about what we can and cannot do and continuing to pursue a complaint without providing any new information.</p>
<b>4.</b>	<b>Roles and responsibilities</b>
4.1	Customer Experience Manager and Caution Leads are;

<p>4.2</p> <p>4.2.1</p>	<ul style="list-style-type: none"> <li>• Housing Operations Manager (HOM);</li> <li>• Area Housing Manager;</li> <li>• Senior Scheme Officer;</li> <li>• Senior Temporary Accommodation Officer;</li> <li>• Customer Relations Team Leader;</li> <li>• Customer Service Team Leader</li> <li>• Community Safety Co-ordinator</li> <li>• Repairs Manager;</li> <li>• Asset Delivery Manager</li> <li>• Communities and Customer Engagement Manager</li> </ul> <p>The Caution Leads can be contacted regarding any UDC 'PB' by email at <a href="mailto:caution@wcht.org.uk">caution@wcht.org.uk</a>. If an officer wishes to make a referral this should be completed via docusign which will automatically come to the caution mailbox for review.</p> <p>Refer to our Person UDC Policy &amp; Procedure and UDC Referral Form See sections 5 – 7 for further details of the UDC ALERT referral process for additional guidance.</p>
<p>4.3</p> <p>4.3.14.4</p>	<p>The Customer Experience Manger and Caution Leads are responsible for:</p> <ul style="list-style-type: none"> <li>• Whether a UDC 'Persistent Behaviour' should be applied and why</li> <li>• Whether the behaviour warrants a formal caution or a warning letter to address their conduct. If the report is escalated to a degree where it compromises an individual's safety then a caution should be applied.</li> <li>• Decide whether a period other than our standard 12-month review period should be applied.</li> <li>• Date the Form;</li> <li>• Set up the UDC 'PB' -Persistent Behaviour on the customer's data management system record.</li> <li>• Respond to Reporting Officer with outcome and advise whether letter should be sent to customer using the appropriate template on grapevine, Appendix 8, Template letter to customer on inappropriate behaviour.</li> </ul> <p>Once the form is completed by the Caution Leads in docusign, they will send a copy to the employee who raised it, who should then save the document to the customers Orchard account under 'tenancy details'</p> <p>Setting up a UDC PB – Persistent Behaviour</p> <p>The Service Caution Lead will set up a UDC 'PB' on the Person ID by: -</p> <ul style="list-style-type: none"> <li>✓ Selecting the customer on the account; the View Person screen will appear.</li> <li>✓ Selecting 'Person UDC' and 'Add'</li> <li>✓ Selecting 'UDC Type' 'PB'</li> <li>✓ Entering today's date in the 'Valid From' box</li> <li>✓ <b>Always leave the 'Valid To' box blank (in order to ensure the UDC Alert remains on the customer's record until it is formally reviewed)</b></li> </ul>
<p>5.</p>	<p><b>Managing unacceptable behaviour</b></p>

5.1	There are very few customers whose behaviour, demands or persistence WCH consider to be unacceptable. How we aim to manage these situations depends on their nature and extent. If they adversely affect our ability to operate and provide a service to others, we may need to restrict a person's contact with us in order to manage the situation appropriately. We'll aim to do this in a way which still allows a case to progress.
5.1.1	We may restrict contact in person, by telephone, email, letter or any combination of these. We will always seek to maintain at least one form of contact. In extreme situations, we'll inform the customer in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with us to written communication or communication through a third party i.e. a family member, friend or support worker.
5.2	The use or threat of physical violence, verbal abuse, or harassment towards our staff is likely to result in the termination of all direct contact with the person on a temporary/permanent basis. Verbal Incidents may be reported to the police in appropriate circumstances. Customers will always be reported where physical violence is used or threatened or discriminatory remarks made.
5.3	WCH will not accept communication (written or verbal) which is abusive to staff or which contain malicious allegations. In these circumstances we will tell the person concerned why we are taking this approach and, in the case of unacceptable language, ask them to stop the communication (e.g. a telephone call) in question. We may require future contact to be through a third party.
5.4	<p>Where someone repeatedly telephones or visits our premises without an appointment (including where personal contact has been restricted) or they send irrelevant / duplicative documents or raise the same issue repeatedly without cause we may decide to:</p> <ul style="list-style-type: none"> <li>• Restrict contact to telephone calls e.g. at set times or limit contact to a particular member of staff;</li> <li>• Restrict contact to pre-arranged appointments or written communication only;</li> <li>• Return irrelevant documents to the sender or, in exceptional cases, advise that documentation will be destroyed;</li> <li>• Restrict issues being raised to those which are clearly relevant; and</li> <li>• Take other action that we consider appropriate. We will, however, always say what action we are taking and why.</li> </ul>
5.5	Persistent customer requests or demands may be considered unreasonable where all internal review mechanisms have been exhausted (e.g. our Customer Complaints Procedure) and the customer continues to dispute the outcome. We will advise the customer that we are unable to enter into any further communication about the matter. If the customer's requests or demands persist, their communication will be read and filed, but responded to only where it provides new, relevant information

	about the case. This decision will be made by the Group Director of Customer Services.
<b>6.</b>	<b>Deciding to restrict customer contact</b>
6.1	Staff who experience aggressive or abusive behaviour from a customer (or another person on their behalf) have authority to deal with that behaviour as it immediately arises in a way they consider appropriate having regard to this Policy.
6.2	Aside from these immediate situations, decisions to restrict contact with us are always taken after careful consideration by the Service Caution Lead and two Caution Leads.. Wherever possible, we will give the customer an opportunity to modify their behaviour or actions before contact is restricted. Customers will be informed in writing that a decision has been made to restrict their contact and why, the nature of the new contact arrangements and the timescales that will apply. They will also be informed of their right to appeal our decision.
6.3	A customer can appeal against a decision to restrict their contact with us. A manager more senior to the original decision-maker who has not previously been involved in the case will consider the appeal. They will consider the case carefully and, having done so, advise the customer in writing either that the restricted contact arrangements still apply or that a different course of action will be adopted.
6.4	We record all incidents of unacceptable actions or behaviour by customers and these will be stored on the data management system as a UDC 'PB' - Persistent Behaviour Alert or a copy of Appendix 8 – Letter to Customer on Inappropriate Behaviour will be stored on the data management system Documents.
6.5	Customer contact may be restored if the customer demonstrates acceptable behaviour over a sufficient period of time.
6.6	For further guidance, staff should refer to our Person UDC Policy & Procedure and UDC Referral Form. Use of Cautionary Database guidelines for full guidance. See the Data Protection Policy.
<b>7.</b>	<b>Adoption &amp; compliance monitoring</b>
7.1	The default position is that a UDC Persistent Behaviour marker will remain on the customers orchard record for one year from the date it is applied. In exceptional cases a longer period may be agreed by the Caution Leads e.g where the customer poses a more serious risk to our staff or contractors or another person. This decision will be taken by the Customer Experience Manager or Service Caution Lead. The period of the review is referred to be as the Review Period.  All caution leads will meet on a monthly basis to review the Power Bi reporting for any cases that are coming up for review and inform the relevant case officer of any decisions so the customer can be informed.
7.2	
<b>8.</b>	<b>Diversity and Inclusion Considerations</b>
8.1	WCH will act fairly and consistently in the application of this Policy and will not discriminate against any person on the grounds of their age, race, ethnicity/nationality, gender, religion, sexual orientation, marital/civil partnership status, pregnancy status or disability. Accordingly, any restrictions imposed on a

	customer's contact following section 6 above should recognise and be appropriate to their individual circumstances.
<b>9.</b>	<b>Related documents</b>
	Use of Cautionary Database – Appendix 2 Data Protection Policy Data Protection Policy Person UDC Policy and Procedure- Appendix 8
<b>10.</b>	<b>Approval</b>
	Approved by: Customer Experience Manager
	Date of approval: December 2022
	Review date: November 2023
	Policy 'owner': Customer Services Team Leader