



Unreasonable Behaviour Policy



1.0 POLICY STATEMENT

- 1.1 Community Gateway Association (CGA) recognise the value that the provision of quality services has on our tenants' lives and their health and well-being. We are committed to providing a customer service that is accessible, respectful, fair and consistent. One which listens to hear our tenants, acts with empathy and understanding and makes reasonable adjustments to meet the needs of individuals with individual circumstances.
- 1.2 It is important to acknowledge that in the delivery of CGA services there are occasionally a small number of incidences where our customers behaviour is not proportionate to the situation, presents as a concern to colleagues and/or is not respectful.
- 1.3 The purpose of this policy is to provide customers with clear expectations about their behaviour and to also give CGA colleagues a framework that enables them to feel confident and supported when deciding on the appropriate course of action if they experience unreasonable behaviour in their day-to-day work.
- 1.4 By adopting this policy, we aim to deliver on these commitments and ensure:
- We meet the high standards expected of us by our tenants;
 - We deliver a consistent, fair, honest and respectful service;
 - That our actions are proportionate and show regard for individual circumstance;
 - No one is disadvantaged;
 - CGA colleagues are able to deliver services with reasonable adjustments, with the understanding that action will be taken when behaviour is unacceptable.

2.0 Who does this policy apply to:

2.1 This policy applies to applicants, tenants, non-tenants, leaseholders, advocates acting on behalf of others and any other persons who may have contact with CGA colleagues or third parties acting on behalf of a CGA such as contractors, suppliers or managing agents.

3.0 Reasonable Adjustments:

3.1 CGA has a Vulnerability and Reasonable Adjustments Policy in place which details how CGA will make reasonable adjustments to how we deliver services and respond to enquiries to ensure customers are not disadvantaged in any way. This may be applied in some circumstances to support the delivery of this policy if we feel it is appropriate to do so.

3.2 Unreasonable behaviour does not mean that the customer does not have a valid point, each case should be reviewed on its individual circumstances ensuring that the customer is heard.

3.3 Being assertive or determined in the pursuit of an answer or service is not unreasonable or unacceptable neither is raising queries and/or criticisms that relate to a request, service, or complaint.

3.4 The act of being emotional, upset, or angry is not in itself unreasonable and customers may act out of character due to upsetting circumstances leading them to contact the landlord.

3.5 CGA will review the need for reasonable adjustments on an individual basis, assessing if the distress is in reasonable proportion to the loss/wrong perceived, does the customer for example have a health condition, a vulnerability such as a mental health issue or a learning disability that is driving the behaviour.

Further information can be found in our Vulnerability and Reasonable Adjustments Policy on our website.

4.0 Unreasonable Behaviour

4.1 Behaviour may become unreasonable and or unacceptable if it is so demanding or persistent that it places unreasonable demands on CGA and impacts the level of service that can be offered to others. This may include:

- **Unreasonable demands** – this may include asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another;
- **Unreasonable persistence** – may include refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint;
- **Verbal abuse, aggression, violence** - this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations and threats of violence;
- **Refusal to co-operate** – this can include refusing to provide further details, evidence, clarity or a summary of the concerns raised, or not co-operating with normal procedures;
- **Overload of letters, calls, emails or contact via social media** - this can include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls;
- **Abuse of social media** – this can include contacting staff using their personal details or personal social media accounts and publishing personal and private information about CGA employees.

5.0 How CGA will manage unreasonable behaviour

5.1 Whilst this policy sets out a staged process of following an informal and then formal arrangement it is recognised that on occasions there could be instances where it is deemed necessary to adopt a more formal arrangement

at the outset. On these occasions the issues raised and actions to be taken will be discussed and agreed with the CGA Head of Housing Services.

5.2 Voluntary (informal) Arrangement

5.3 To allow time for the customer or individual to consider and/or adjust their behaviour the CGA team receiving the service request or providing the service will first and foremost adopt an informal approach providing examples to the individual of where the behaviour has been considered to be unacceptable and the impact on the service.

5.4 The CGA team receiving the service request or providing the service will look to reach an informal arrangement with the individual, seek to understand the reason for the behaviour and review with the individual how they will modify their behaviour to enable usual service delivery to continue.

5.5 The CGA team responsible for the service will consider at this stage if mediation with a family friend or support worker is appropriate or assess if a multi-agency approach is necessary if the individual is receiving support from other agencies.

5.6 The informal arrangements that will be considered are:

- Agreeing to call at a particular time;
- Setting a limit on the length of telephone calls;
- Agreeing to correspond once a week or fortnight;
- Mediation or advocacy through a third person could also be offered that will help facilitate an ongoing positive relationship.

5.7 The individual will be advised at this stage of the next formal steps that will be taken if the informal approach is unsuccessful. All informal arrangements will be reported to the CGA colleague's Line Manager to support ongoing service management.

5.8 The CGA team responsible for delivery of the service will record the action being taken on the Housing Management System, CX, and send written correspondence to the individual, recording the informal arrangement that has been agreed with a copy of the policy that outlines the next steps that may be taken if the informal resolution is not successful.

5.9 Formal Arrangements

5.10 Following review by the Team Manager, if attempts to reach an informal arrangement with the individual are unsuccessful, and in agreement with the CGA Head of Housing Services, a more formal arrangement will be agreed and put into place. The arrangement will be in place for a fixed period of time for example, 1 month, 3 months or 6 months.

5.11 CGA will provide written correspondence to the individual that provides examples of their behaviour, how it has impacted the service and or CGA colleagues and the measures that will now be put in place, this may include:

- Having one single point of contact in CGA through which all agreed communication will be with;
- Contact with CGA maybe limited to one type of communication e.g. email, letter or telephone only;
- Limiting the contact with CGA to certain times and or times per week or month;
- Liaising with CGA only through an advocate or representative;
- Limiting the number of issues that can be raised at one time;
- Drawing a line under previously reviewed complaints;
- Declining to give further consideration to an issue unless new information/evidence or clarity can be raised;
- Limiting access to CGA premises;

- Placing the individual on the CGA Advice List to ensure colleagues can action appropriate measures such as 2 person visits where required.

5.12 **Social Media**

If the unreasonable behaviour relates to social media the above process will be followed, however informal actions may include:

- Hiding or deleting a post;
- Blocking the user from social media accounts and/or
- Reporting posts to the social media platform.

5.13 Formal actions may include:

- Reporting the incident and details to the Police and/or,
- Taking legal action.

5.14 Instances may occur that are serious such as physical violence or harassment towards an employee, and in such incidences CGA will report to the Police, take legal action where necessary and/or end any direct contact.

5.15 If restrictions are put in place these will be confirmed in writing, the communication will also include:-

- CGA emergency contact details i.e if an emergency such as a gas leak or flood occurs;
- A date for when the restriction will be reviewed;
- How the decision can be appealed.

6.0 Review of the formal arrangements

6.1 At the date of review, the behaviour over the timeframe of the formal arrangement will be reviewed by the team manager and Head of Housing Services. If the behaviour has improved any restrictions will be lifted or relaxed. If the behaviour has persisted the restrictions will remain in place and a new review date agreed.

- 6.2 The reviewed restrictions and timescales along with examples of the behaviour that has been experienced will be provided in writing with information on how to appeal the decision.

7.0 Counter Allegations

- 7.1 CGA takes all allegations raised in relation to the conduct of an employee seriously, all allegations will be investigated thoroughly in line with CGA's Code of Conduct Policy and the Disciplinary Procedure.

8.0 Appeals

- 8.1 To appeal a decision relating to 'Informal' or 'Formal' arrangements that have been put in place, please contact the Complaints Team detailing why you do not agree with the arrangement.
- 8.2 The team will arrange for the arrangement in place to be reviewed in line with CGA's complaints process which will take 10 days unless we notify you otherwise.
- 8.3 You can contact our Complaints Team via telephone on 0800 953 0213 (option 6), via email at complaints@communitygateway.co.uk in writing or in person at our Head Office (unless access to CGA premises has been restricted) or via the complaints section on our website.

9.0 Housing Ombudsman Service

- 9.1 All tenants can contact the Housing Ombudsman Service at any time for advice and support in regard to how to raise a complaint with CGA or with the Ombudsman should they think that CGA has applied its policy unreasonably.

10.0 Complaints

- 10.1 We recognise that sometimes our standards fall below those we, and our tenants expect and when this happens CGA welcomes complaints as an opportunity to continually improve our services.
- 10.2 If a tenant wishes to make a complaint about any of the services covered within this Policy, they are encouraged do so by using CGA's complaints process. Complaints can be made via telephone on 0800 953 0213 (option 6), via email at complaints@communitygateway.co.uk, in writing or in person to our Head Office or by completing the online form on our website.
- 10.3 A copy of our Complaints Policy can be found on our website or can be provided upon request.

11.0 Responsibilities

- 11.1 The Head of Housing Services is responsible for ensuring this Policy complies with all legislative requirements.
- 11.2 The Tenancy Services Manager is responsible for the delivery of a number of formal action requirements set out under this Policy and any required legal action supported by the Tenancy Services Team Leader.
- 11.3 Individual team Managers are responsible for the delivery of all informal and formal actions set out in this Policy including the provision of any reasonable adjustments.

12.0 Data Protection

12.1 The tenancy provides the legal basis for processing of information aligned to this Policy. The retention of information will be the length of the tenancy plus six years.

13.0 MONITORING AND REVIEW

13.1 This Policy will be reviewed on a regular basis, with a full review taking place every 2 years, to ensure accuracy and that CGA complies with relevant legislation.

13.2 Internal oversight will be delivered through the monitoring of our operational KPI's and routine internal audits will take place as part of our internal controls.

END

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