

Version control

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Unreasonable Behaviour Policy

1. Introduction

- 1.1 From January 2019 Victory Housing Trust (Victory) is a wholly owned subsidiary of the Flagship Group (Flagship). Both Victory and Flagship aim to give an outstanding service to our customers and aim to respond to all queries and expressions of dissatisfaction, whether or not these are in the form of formal complaints, in order to improve our services.
- 1.2 We recognise that customers expressing dissatisfaction may raise several issues over a period of time and may be frustrated and aggrieved. The majority of these customers will genuinely believe things have gone wrong and are seeking resolution and we will therefore focus on the merits of their enquiry and not simply their attitude.
- 1.3 This Policy outlines Victory's approach to anybody who receives a service from, or interacts with, us whose actions or behaviour becomes unreasonable. This includes social media and other forms of electronic communication.

2. Purpose

- 2.1 Victory recognises that some people may have difficulty in expressing themselves or communicating clearly, especially when anxious or upset. We also understand that some people may find it difficult to identify what impact their behaviour might have on other people. However, all of our staff have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances.
- 2.2 The purpose of this policy is to explain what Victory defines as unacceptable and

unreasonable behaviour so that both staff and customers can be clear what to expect. This sort of behaviour can take up large amounts of staff time and may prevent us from providing services to other residents.

- 2.3 The policy provides details of the action we may take against our customers who we consider to have behaved this way.

3. Our Approach

- 3.1 Victory is committed to providing a fair, consistent and accessible service. We believe that everyone who contacts us has the right to be heard, understood and respected. We believe that our staff have the same rights, and we must provide a safe working environment for our staff.

- 3.2 Unreasonable behaviour includes two broad categories of behaviour:

- (A) Aggressive, abusive or threatening behaviour towards staff and representatives of Victory.
- (B) Making vexatious complaints/enquiries – such as being persistent in continuing to pursue an issue after it has been dealt with or pursuing unjustified complaints.

- 3.3 Examples of actions or behaviour which may have a negative effect on our staff or our work include:

- Any actions or behaviour that could cause staff to feel intimidated threatened or offended. These include, but are not limited to, threats, physical violence, personal verbal abuse, derogatory remarks and rudeness; whether made to the member of staff directly or elsewhere (including online).
- Deliberate provocative or inflammatory statements and unsubstantiated allegations.
- Requests for a service that are pursued in a manner which can be perceived as intimidating and oppressive by the recipient.
- Complaints which are obsessive, over persistent, harassing, prolific, repetitious.
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insistence upon pursuing meritorious complaints in an unreasonable manner.
- Complaints which are designed to cause disruption or annoyance.
- Demands for redress which lack any serious purpose or value.

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- Using new complaints to resurrect issues which were addressed in previous complaints.

4. Managing Unreasonable Behaviour and Actions

4.1 All incidents where physical violence is used or threatened will be reported to the police. Verbal abuse or harassment may also be reported to the police.

4.2 When we consider that a person's behaviour or actions are likely to have a negative effect, we will tell them why and we will give them the opportunity to modify their actions or behaviour. If the actions or behaviour continue, we will take steps to prevent or minimise the negative effects.

4.3 Where a customer is deemed to be abusive or vexatious, restrictions may be placed on when and how that person can communicate with staff. The form of restriction to be applied will be determined by the relevant senior manager.

4.4 Any restriction will be appropriate and proportionate to the nature of the customer's contacts with Victory at that time. However the normal *maximum* period of restriction at any one time will be five weeks. A decision to restrict contact for a period beyond five weeks will only be taken after careful consideration of the situation by Victory's Managing Director.

4.5 Where this policy is applied the customer will be informed in writing why the decision has been made to restrict future contact, the restricted contact arrangements, the length of time that these restrictions will be in place and what they can do to have the decision reviewed.

4.6 Actions or restrictions may apply to the whole household and the nature of the restrictions imposed will be tailored to the circumstances. The following are examples of the types of action or restriction which may be used:

- Any member of staff may either place a caller on hold or end the telephone call if the caller is aggressive, offensive or abusive, or is making unreasonable demands.
- Restricting the format and frequency with which Victory staff will communicate, perhaps limiting contact to one or more forms of communication – telephone, email, by letter, and/or by attendance at the office by appointment – and/or to set times or days.
- Restricting which members of staff may deal with the individual – contact may be limited to a single member of staff.
- Require the individual to make an appointment to see a named member of staff before visiting the office.

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- Restricting contact by all mechanisms other than in writing and in extreme cases Victory may only correspond through a third party, for example, legal advisors.
 - Temporary suspension of the complaints policy for the period of the restricted contact. Victory will not normally accept or investigate complaints where the behaviour of the complainant has become unreasonable or unacceptable.
 - Temporary suspension from involved resident activities for the period of the restricted contact.
 - Refusal to meet with or enter a property or to only attend such meetings when accompanied by the police.
 - Restricting repair and improvement works to a property other than works required to meet minimum health and safety standards.
 - Taking other action that we consider appropriate.

5. Right to Appeal

- 5.1 Any person against whom a restriction has been imposed has the right of written appeal against the decision.
- 5.2 For appeals against short term restriction (less than five weeks) imposed by a Senior Manager, the appeal will be considered by Victory's Managing Director.
- 5.3 For appeals against the decision to restrict contact for a period beyond five weeks, the appeal will be considered by the Chair of the Board or someone deputising for them. The outcome of the appeal will be communicated in writing and will advise whether the appeal has been successful or not and whether any restricted contact arrangements still apply (in full or part), or whether a different course of action is adopted to remedy the situation.

6. Recording and reviewing decisions to restrict contact

- 6.1 We record all incidents of unacceptable actions and any decision taken to restrict contact.
- 6.2 Where there are instances of persistent re-offending and/or the restriction has not proved to be effective, Victory may consider further action to control the unreasonable behaviour.

7. Review

- 7.1 This policy will be reviewed at least every three years. We will review this policy sooner if legislation or regulations change.