

Acceptable Behaviour Policy

1.0 SCOPE

Purpose

- 1.1 This document sets out whg's policy with regards to acceptable behaviour. The document explains what customers and colleagues (including third party contractors) can expect from any interaction and what the potential consequences may be for customers should their behaviour become unacceptable. In relation to this policy we consider a customer to be anyone engaging in any form of contact with whg.
- 1.2 whg colleagues will treat customers with respect, listen to them, show empathy and patience. In return we expect exactly the same from our customers when they are speaking to anyone working for or on behalf of whg.
- 1.3 whg understands that some customers and members of the public may have complex or challenging needs which may influence their behaviour and consequently, how we manage their enquiries but we will always treat them fairly and with respect.
- 1.4 whg's priority is the safety of its colleagues and customers. If a person's behaviour, for whatever reason, is putting others at risk, whg will act quickly to prevent any harm from occurring.

Legal and regulatory framework

- 1.5 whg owes a duty of care to its colleagues under the Health and Safety at Work Act.
- 1.6 It is a well-established principle of law that a landlord is not liable for nuisance by a tenant unless that nuisance was authorised by the landlord, or the landlord had assumed responsibility for the safety of the person who was at risk.
- 1.7 The Antisocial Behaviour (ASB), Crime and Policing Act 2014, and in particular section 104 (the "Community Trigger"). whg is a "relevant body" for the purpose of ASB reviews.

- 1.8 Information will be retained against a customer in the interests of keeping whg colleagues (and third party contractors) safe. All data will be recorded and retained in accordance with General Data Protection Regulations (GDPR).

2.0 POLICY STATEMENT

Unacceptable Behaviour

- 2.1. Unacceptable behaviour is any behaviour that either prevents whg colleagues from performing their duties or adversely affects whg as a business from providing a service.

Examples of behaviours that are unacceptable include:

- Violent or threatening behaviour
- Verbal abuse
- Persistent, trivial or frivolous complaints
- Malicious or vexatious complaints

- 2.2 In the event that a customer's behaviour is deemed by whg to be unacceptable then our response will be proportionate to the behaviour exhibited by the customer. Examples of the types of responses a customer may receive include:
- Verbal challenge and warning by whg
 - Written warning issued by whg regarding a customer's conduct.
 - Withdrawal of certain services by whg
 - Restrictions on specific types of contact with whg
 - Banning the customer from visiting or contacting whg
 - Court injunction against the customer
 - Eviction of the customer
 - whg may also contact the police should the unacceptable behaviour be deemed as a potentially criminal matter.
- 2.3 whg will explain to customers the reason for the action being taken. Customers who are unhappy with the action will not have a right to appeal the action but can access our complaints process.
- 2.4 With regards to any court action taken by whg, the customer will have the opportunity to put their case to the court and have a hearing via the usual court processes.
- 2.5 whg promotes local resolution wherever possible. This means it is the responsibility of the colleague subjected to the unacceptable behaviour and their line manager to challenge it in all instances where the proportionate response does not escalate to actual enforcement (banning contact up to potential eviction).

- 2.6 Where the behaviour is so serious that it involves a significant breach of tenancy, our Community Safety Team will take ownership of the matter. This will include taking action as listed in paragraph 2.2 such as banning letters, civil injunctions or possession action.

Recording of incidents and Warning Markers

- 2.7 Following any incident where a customer's behaviour has been deemed to be unacceptable a warning marker will be placed against the customer's record.
- 2.8 Warning markers can be placed onto CRM by any colleague at the level of Team Leader and above. Customers will be notified by the colleague creating the marker that one has been created, the reason for its creation and the date it will be reviewed.
- 2.9 All warning markers will be reviewed annually to decide whether they are to be removed or retained where the potential risk remains.

3.0 PERFORMANCE MEASURES

- 3.1 An annual report is produced to GEXEC from the Health and Safety Team highlighting the number of reports, number of warning markers and any outstanding tasks/updates. Information in relation to any court action undertaken may be included where applicable.

4.0 TRAINING AND DISSEMINATION

- 4.1 All colleagues who have direct customer contact will receive training in dealing with challenging behaviour.
- 4.2 All customer facing Managers will receive training in challenging behaviour and conflict resolution.

5.0 MONITOR AND REVIEW

- 5.1 This Policy will be monitored by the Director of Housing and reviewed every three years by the Policy Group and approved by the Customer Experience Committee.

6.0 ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES

- 6.1 Documents, policies and procedures associated with this policy are:
- Complaints Policy and Procedure

- ASB Policy
- Data Protection Policy
- Equality and Diversity Policy
- Lone Working Policy
- The tenant involvement and empowerment standard.
- General Data Protection Regulation

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Legal advice	Richard Dewsbury
Consultation	Customer Services, Health and Safety, Business Insight, Governance,
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Review Date	April 2023
Corporate Plan aim	Deliver High Quality Homes and Services for our Customers Deliver a strong business fit for today and prepared for tomorrow
Equality Assessment	Completed – no issues
Key changes made	Title changed (formerly “challenging Behaviour”), clarity established regarding warning markers and training Policy themes unchanged, greater adherence to policy required, procedure removed.