

Acceptable Behaviour Policy

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| 1.0 | SCOPE |
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| | Purpose |
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| 1.1. | This document sets out whg's policy with regards to acceptable behaviour by customers. 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. |
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| 1.2 | We expect customers to treat whg colleagues (including third party contractors) with respect and to be courteous when they are speaking to anyone working for or on behalf of whg. Should any customer, or other stakeholder/member of the public have cause to complain about a whg colleague, that would be dealt with via Complaints or Disciplinary/HR policies. |
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| 1.3 | 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. |
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| | Legal and regulatory framework |
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| 1.4 | whg owes a duty of care to its employees and contractors under the Health and Safety at Work Act. The Health and Safety at Work Act (1974) - places general duties on both employers and employees, which are applicable to work related abuse, violence and an individual's personal safety. |
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| 1.5 | 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. |
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| 1.6 | The Antisocial Behaviour (ASB), Crime and Policing Act 2014 - whg will ensure that tenants are made aware of their responsibilities and rights in relation to ASB and will work in partnership with other agencies to prevent and tackle ASB in the neighbourhoods where we own homes. |

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| | With reference to section 104 (the “Community Trigger”), whg is a “relevant body” for the purpose of ASB reviews. |
| 1.7 | Information will be retained against a customer in the interests of keeping whg colleagues (and third-party contractors) safe. whg will treat personal data in line with our obligations under the UK GDPR 2021 and Data Protection Act 2018 and the Data Protection Policy. Information upon how customer data will be used and the basis for processing customer data is provided in the whg Privacy Notice and the ASB Privacy Notice. |
| 2.0 | POLICY STATEMENT |
| | Unacceptable Behaviour |
| 2.1. | <p>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.</p> <p>Examples of behaviour that is unacceptable include</p> <ul style="list-style-type: none"> • Violent or threatening behaviour • Verbal abuse • Persistent, trivial or frivolous complaints • Malicious or vexatious complaints • Audio or video recording of a whg colleague or contractor without whg consent <p>Unacceptable behaviour will not be tolerated and will be challenged.</p> |
| 2.2 | <p>In the event that a customer’s behaviour is deemed by whg to be unacceptable then our response will be relative to the behaviour exhibited by the customer. Examples of the types of response a customer may receive include;</p> <ul style="list-style-type: none"> • Verbal challenge and warning by whg • Written warning issued by whg regarding a customer’s conduct either by text, email or letter • Withdrawal of certain services by whg • Restrictions on specific types of contact with whg • Banning from visiting or contacting whg • Restrictions or removal from the housing register • Court injunction against the customer • Eviction of the customer • whg may also contact the Police should the unacceptable behaviour be deemed as potentially criminal. |
| 2.3 | Unacceptable behaviour perpetrated by family members or any visitor to a tenant’s home may result in action being taken against the tenant in accordance with the terms of their tenancy agreement. |

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| 2.4 | whg will explain to customers the reason for the action being taken. Customers who are unhappy with the action will not have the right to appeal the action but can access our complaints processes or defend the proceedings through the legal process where legal action forms part of the actions taken. |
| 2.5 | 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. |
| 2.6 | 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). |
| 2.7 | 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 as deemed appropriate depending on the facts of the case. |
| Recording of incidents and Warning Markers | |
| 2.8 | Colleague(s) affected will, as soon as practicable, discuss the incident with their line manager and record the incident on the Safety Health and Environment (SHE) system, consider whether it is necessary to place a warning marker on our Customer Relationship Management System (CRM) to ensure the safety and wellbeing of colleagues. |
| 2.9 | Following any incident where a customer's behaviour has been deemed to be unacceptable a warning marker can be placed against the customers record in accordance with our Warning Marker Policy. |
| 2.10 | Warning markers can be placed onto CRM by The Health and Safety and Environment Team. Customers will be notified in writing by the colleague creating the marker that one has been created, the reason for its creation and the date on which the marker will either be removed or re-confirmed. The exception to this would be where such notification would pose significant risk of harm to whg colleagues (and contractors), in such circumstances this would be approved by the Assistant Director of Housing / Director of Housing and Customer Services. Customers who are unhappy with the action will not have a right to appeal the action but can access our complaints procedure. |

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| 2.11 | All warning markers will be reviewed in accordance with our Warning Marker Policy to decide if they are to be removed or retained where the potential risk remains. |
| 3.0 | Video / Audio Recording of whg Colleagues or contractors |
| 3.1 | whg does not give permission for any customers, relative/s or associate/s to film or record our colleagues whilst conducting business in any whg owned property or on any part of land owned by whg. If it is discovered that recording has taken place, whg will enact the Policy. |
| 4.0 | PERFORMANCE |
| 4.1. | There will be an annual report to Exec from the Health and Safety Team highlighting the number of reports, number of warning markers and any outstanding task/updates. Information in relation to any court action undertaken may be included where applicable. |
| 5.0 | EQUALITY AND DIVERSITY |
| 5.1 | <p>This Policy ensures we support our colleagues to resolve issues around our interactions with customers should their behaviour become unacceptable.</p> <p>We recognise 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. We will always treat them fairly and with respect and take those vulnerabilities into consideration when reaching any decision.</p> |
| 6.0 | TRAINING AND DISSEMINATION |
| 6.1 | All colleagues who have direct customer contact will receive training in dealing with challenging behaviour. |
| 6.2 | All customer facing managers will receive training in challenging behaviour and conflict resolution. |
| 7.0 | MONITOR AND REVIEW |
| 7.1 | This Policy will be monitored by the Director of Housing and Customer Services, and reviewed every three years by the Policy Group and approved by the Customer Service Oversight Committee. |
| 8.0 | ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES |

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| 8.1 | <p>Documents, policies and procedures associated with this policy are:</p> <ul style="list-style-type: none"> • Complaints Policy • ASB policy • Data Protection Policy • Equality and Diversity Policy • Personal Safety Policy • The tenant involvement and empowerment standard. • General Data Protection Regulation • Warning Marker Policy (pending) • whg Privacy Notice • ASB Privacy Notice |
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| Document author | Regional Housing Manager |
| Document owner | Assistant Director of Housing |
| Legal advice | Housing Litigation Manager |
| Consultation | Customer Services, Health and Safety, Business Insight, Governance, Human Resources, Stronger Communities |
| Approved by | Policy Group – November 2023 Customer Service Oversight Committee – December 2023 |
| Review Date | December 2026 |
| 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 |
| Key changes made | Only minor changes made, no substantial changes to the policy have been made. |