

# Warning Marker Policy

<b>1.0</b>	<b>SCOPE</b>
	<b>Purpose</b>
1.1.	whg are committed to ensuring a safe working environment for our colleagues, contractors and agents (for the purpose of this policy the term 'colleagues' will relate to all whg colleagues, including contractors and agents undertaking a task on behalf of or under the instruction of whg). The policy explains what customers can expect when whg deem it appropriate to place a marker against an account to alert colleagues to risk or harm.
1.2.	This document sets out whg's policy with regard to warning markers added to customer records. It relates to any person or tenanted property that our colleagues come into contact with whilst at work.
1.3.	At times whg colleagues may encounter customers or properties that may pose a risk to them. This policy aims to set out when and how whg will highlight and record markers on our systems. whg are committed to protecting colleagues from risk when visiting customers' homes or coming into contact with identifiable customers.
	<b>Legal and Regulatory Framework</b>
1.4.	<p>whg owes a duty of care to its colleagues under the Health and Safety at Work Act.</p> <p>The Health and Safety at Work Act (1974) – places a legal duty on employers to ensure, so far as reasonably practicable, the health, safety, and welfare of colleagues. This includes protecting them from work-related violence.</p> <p>Management of Health and Safety at Work Regulations requires: Employers to assess the health and safety risks to employees, including the risk of work-related violence. Employees are required to use the information and training they have received, and to report dangerous situations or failings in health and safety arrangements.</p> <p>RIDDOR – Reporting of injuries, Diseases and Dangerous Occurrences Regulations 2013- recording and reporting incidents of work-related violence.</p>

	The Lawful basis for processing personal and sensitive data is in compliance with The Data Protection Act 2018 and UK GDPR 2021 where processing is necessary to comply with a legal obligation.
1.5.	The Health and Safety at Work Act 1974 places a duty on the Employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all its employees. The Act also place a duty upon every colleague while at work to take reasonable care for the health and safety of themselves and other persons who may be affected by their acts or omission.
1.6.	<p>In-line with our Tenancy Policy the Regulator of Social Housing's Consumer Standards apply, in particular; Tenancy Standard</p> <p>2.3.1 Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:</p> <p>(g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.</p> <p>Neighbourhood and Community Standard</p> <p>Registered providers must work co-operatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces.</p>
1.7.	<p>Information retained against the customer in the interests of keeping whg colleagues (and third-party contractors) safe. All data will be recorded and retained in accordance with the Data Protection Act 2018(DPA) and UK General Data Protection Regulations (UK GDPR).</p> <p>Warning Markers can only be added for legitimate reasons in order to comply with DPA and UK GDPR, these are;</p> <ul style="list-style-type: none"> <li>• Legal Requirement or lawful reason</li> <li>• Health and Safety Risk</li> <li>• Legitimate business need</li> </ul>
<b>2.0</b>	<b>POLICY STATEMENT</b>
	<b>Warning Markers</b>
2.1.	A warning marker is added to a customer record for the purpose of flagging a risk surrounding person, or property. Warning markers will detail adjustments or

	precautions required to reduce the risk to colleagues when working at the address and/or with the customer while at work.
2.2.	Warning Markers can be placed on our Customer Relationship Management (CRM) system by any authorised 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. 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 Director of Housing and Customer Services. Customers who are unhappy with the action may raise their objection through our complaint's procedure.
2.3.	<p>To reduce actual or perceived risks one or more of the following flags may be added to the warning marker, this list however is not exclusive and other actions may be taken if appropriate;</p> <ul style="list-style-type: none"> <li>• No lone visits</li> <li>• No female visits</li> <li>• No male visits</li> <li>• Under investigation</li> <li>• No colleagues to visit – matter under investigation</li> <li>• No lone interviews</li> <li>• Attend only with the police</li> <li>• Attend only with mental health team</li> <li>• Office access by appointment only</li> <li>• No Office access</li> <li>• Written contact only</li> <li>• Pet warning markers where a risk is perceived; for example, Aggressive dog potentially at the property – please ensure it is secured before proceeding</li> <li>• Potential weapons at this address</li> </ul>
2.4.	<p>All Warning Markers will be reviewed annually (or by exception where we are aware circumstances have changed), by the Community Housing Team based on a review report from the Safety, Health and Environment (SHE) Assure system produced by the Health, Safety and Environment Team.</p> <p>Customers will be notified by their CHO the outcome of the review confirming whether the marker is to remain or if it has been removed.</p> <p>Where it is unclear that the marker should be removed, modified or retained by the Community Housing Team a warning marker review panel will convene, made up of;</p> <ul style="list-style-type: none"> <li>• Regional Community Housing Manager</li> <li>• Community Safety Lead</li> <li>• The Health, Safety and Environmental Officer</li> </ul>

	<p>The panel will determine whether markers are to be removed or retained where potential risk of harm remains.</p> <p>Any recommendations will be signed off by the Assistant Director of Housing Community/Customer.</p>
2.5.	Warning markers will be visible to all colleagues when they access a customer record on CRM. This will include the type of account marker and flag assigned to it but will not include details regarding why it was added.
2.6.	whg will consider the relevance of sharing a warning marker when providing a landlord reference or working with partners and contractors to maintain safe working environments.
	<b>Unacceptable and Anti-Social Behaviour</b>
2.7.	<p>Unacceptable behaviour is any behaviour that prevents whg colleagues from performing their duty or adversely affects whg as a business from providing a service. Where it is deemed a customer, their visitors or any other household members have behaved in an unacceptable manner a warning marker will be considered and added to the customer account in-line with the acceptable behaviour policy.</p> <p>Examples of unacceptable behaviours include;</p> <ul style="list-style-type: none"> <li>• Violent or threatening behaviour</li> <li>• Verbal abuse</li> <li>• Unsolicited video recording of whg colleagues</li> <li>• Malicious or vexatious complaints</li> <li>• By exception, persistent, trivial or frivolous complaints</li> </ul>
2.8.	<p>Where anti-social behaviour cases or ongoing matters of public protection are identified, whg will consider the use of a warning marker in conjunction with our Anti-Social Behaviour (ASB) policy, examples of this include;</p> <ul style="list-style-type: none"> <li>• Injunctive Action secured through Civil Court to protect person, property or the business (whg) from ongoing ASB</li> <li>• Partnership actions such as police interventions identified from a specific incident or ongoing action, where impacting on our housing management function and where harm is identified for colleagues.</li> </ul>
	<b>Environmental Hazards</b>
2.10.	Where there are environmental hazards such as drug paraphernalia, weapons, unsanitary conditions, hoarded homes, identified by whg or a partner agency, whg may deem it appropriate to include a warning marker to ensure the health and safety of our colleagues is maintained.
	<b>Intervention</b>

2.11.	Where breaches of tenancy have been identified we will take associated action in line with our Tenancy Management Policy. A warning marker will not influence or determine the outcome in relation to this policy and acts solely as a flagging mechanism for whg to reduce the risk to colleagues.
2.12.	Where there are incidents of ASB we will take proportionate action in line with our ASB Policy. A warning marker will not influence and determine the outcome in relation to this policy and acts solely as a flagging mechanism for whg to reduce the risk to colleagues (or contractors).
	<b>Roles and Responsibilities</b>
2.13.	All colleagues have a responsibility for ensuring that any actual incidents, or near misses (an incident that results in no harm or damage which had the potential to) that occur at work are recorded via the SHE Assure System and that their immediate line manager is made aware. Reports recorded in SHE will be monitored by the Health and Safety Team
2.14.	All contractors and agents working on behalf of whg have the responsibility to identify risk, harm and hazard, and all contractors have the responsibility to report this through to their whg contract manager.
<b>3.0</b>	<b>PERFORMANCE MEASURES</b>
3.1.	An annual report is produced for the Health and Safety Committee by the Health and Safety Team which includes the number of warning markers within the CRM system.
<b>4.0</b>	<b>EQUALITY AND DIVERSITY</b>
4.1.	whg have a duty to ensure colleagues are safe irrespective of the circumstances surrounding an individual and understand that some customers and members of the public may have complex or challenging needs which may influence their behaviour.
4.2.	Registered providers must take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants.
4.3.	whg are not a statutory service and therefore any individual who poses a risk to colleagues will be managed appropriately and we may need to work with partners to manage this. whg will always treat people fairly and with respect.
<b>5.0</b>	<b>TRAINING AND DISSEMINATION</b>
5.1.	A briefing will be circulated to all colleagues who have direct customer contact regarding consideration and application of warning markers.

5.2	Training will be provided to all managers identified and authorised to add warning markers to customer accounts.
<b>6.0</b>	<b>MONITOR AND REVIEW</b>
6.1.	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 Group Executive.
<b>7.0</b>	<b>ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES</b>
7.1	<p>Documents, policies and procedures associated with this Policy are:</p> <ul style="list-style-type: none"> <li>• Complaints policy and procedure</li> <li>• ASB Policy</li> <li>• Data Protection Policy</li> <li>• Data Retention Policy- being updated</li> <li>• Equality and Diversity Policy</li> <li>• Personal Safety Policy</li> <li>• The tenant involvement and empowerment committee</li> <li>• Data Protection Act 2018 and UK General Data Protection Regulation 2021</li> <li>• Human Rights Act 1998</li> <li>• Acceptable Behaviour Policy</li> <li>• Tenancy Management Policy</li> <li>• ASB Privacy Notice</li> </ul> <p>All associated policies are available on our website</p>

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<b>Document owner</b>	Director of Housing and Customer Services
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