



Managing Unacceptable Behaviour Policy

Introduction

Irwell Valley Homes (IVH) has a duty to provide a safe place of work for anyone working on our behalf including staff, contractors and partners. In doing this we must make all reasonable efforts to foresee and prevent potential risks. This including unacceptable behaviour from customers or members or those acting on their behalf.

This policy compliments our colleague Health and Safety Policy, our Violence and Aggression Policy, our Customer Complaints Policy and Procedure and our Anti-Social Behaviour Policy. It sets out how we deal with unacceptable behaviour from customers and any circumstances where we may change or restrict access to our services or communicate with them.

Aims and Legislation

1.0 Aims

The aim of this policy is to protect the wellbeing of anyone working on behalf of Irwell Valley Homes by managing any unacceptable behaviour from customers or members of the communities we serve.

This policy applies to all customers and anyone acting on behalf of a customer and relates solely to their behaviour towards colleagues or anyone acting on behalf of IVH.

The policy does not cover unacceptable behaviour from a customer towards another customer. Any incidents which occur between customers will be covered by our Good Neighbour Policy and/ or our Anti-Social Behaviour Policy.

2.0 Regulatory and Legislative Requirements

This policy complies with the Regulator of Social Housing's Standards, particularly the Tenant Involvement and Empowerment Standard and the best practice suggested by the Housing Ombudsman Service.

Other relevant legislation and reference points include:

- RSH Consumer Standards
- Housing Ombudsman Service – Complaint Handling Code and Managing unacceptable behaviour policy – Guidance for landlords
- Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999
- Equality Act 2010
- Data Protection Act 2018

3.0 Actions IVHA considers as unacceptable

IVHA recognises that people may act out of character in times of stress or distress and there may have been upsetting or distressing circumstances leading up to a customer contacting IVHA. However, IVHA will not tolerate unacceptable behaviour nor actions that result in unacceptable or excessive demands on our service in that it prevents staff from carrying out their duties effectively.

Irwell Valley Homes consider the following categories to fall under unacceptable behaviour. We also apply these definitions to include contact from customers.

3.1 Aggressive or abusive behaviour

We appreciate that customers may on occasion be upset and angry about issues they raise or when IVHA have not provided the level of service expected. If that anger escalates into aggression towards IVHA colleagues, we consider that unacceptable. Threats against IVHA colleagues will be taken very seriously and if colleagues feel scared or threatened at any point during a communication with a customer, the interaction will be ended.

Aggression is not restricted to an incident that may result in physical harm, it includes behaviour or language (verbal and written) that may cause IVHA colleagues to feel offended, afraid, threatened or abused. Unacceptable behaviour includes:

- Threatening or intimidating behaviour to colleagues and contractors
- Language that is offensive, derogatory, or patronising, discriminatory in any way, including racist, sexist, homophobic or transphobic comments,
- Allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence.
- Offensive comments, derogatory remarks, inflammatory statements, or raising unsubstantiated allegations made towards these third parties.

Further detail can be found in the Violence and Aggression Policy and Procedure.

3.2 Unreasonable demands:

A demand becomes unacceptable when it starts to impact significantly on the work of the IVHA colleagues. An example of this being that the customer demands take up an excessive amount of colleague time and in doing so disadvantages other customers and prevents the prompt delivery of service to other customers. Further examples of this behaviour include:

- Repeatedly demanding responses within an unreasonable timescale.
- Changing the basis of an enquiry to obtain a different outcome and raising unrelated concerns
- Insisting on speaking to a particular IVHA colleague when this is not possible.

3.3 Unreasonable persistence:

Customer demands becomes unacceptable when it starts to impact substantially on the work of this Service. Examples of this behaviour include:

- Unnecessary or excessive contact about an on-going issue that is being dealt with in line with service standards or an issue that has been investigated and closed. This includes an overload of letters, calls, visits to the office, emails, or contact via social media. It covers the frequency, volume and length of contact .
- Contact regarding the same issue, service, or colleague, where an investigation or response has previously been provided and where applicable, appropriate action has been taken. This includes where a customer refuses to accept a decision following a reasonable investigation and where a customer does not accept the boundaries and limitations of what services IVHA can or cannot provide as a landlord.
- Repeatedly changing the substance of a complaint or raising unrelated concerns
- Repeated telephone calls over a short period, for example, a high number calls in one day or week
- High volumes of information provided by email or post referencing the same issues.
- Unnecessarily or excessively copying us into emails to other parties

3.4 Harassment

IVHA colleagues have the right to carry out their duties free from harassment or defamation. We ask all customers to respect that colleagues are delivering services. Examples of behaviours we consider to be harassment against our colleagues include:

- Defamatory comments about Irwell Valley Homes or our colleagues made on social media or any other publication.
- Contacting IVHA colleagues using their personal details or social media presence such as Facebook, Instagram, X or LinkedIn
- Publishing personal, sensitive or private information including photographing, IVHA colleagues online or other public domains such as noticeboards or newsletters. Including taking pictures of colleagues
- Recording telephone discussions without prior permission and publishing the information online.

3.5 Refusal to co-operate

When IVHA are investigating a customer concern or complaint or carrying out property maintenance, , we may on occasion ask the customer to co-operate with us. This includes:

- Arranging appointments at a convenient time for both parties to provide access to the property. To complete fire safety works, repairs, servicing or building safer checks.,
- To meet with us to discuss their service request, complaint, tenancy related matter or help us by summarising their concerns.
- To complete compliance works including Gas serving and fixed wire testing.
- To complete a valuation of the building

Sometimes, an individual repeatedly refuses to co-operate and this makes it difficult for us to proceed. We will always seek to assist someone if they have difficulty complying with a request.

However, we consider it is unacceptable to not comply with request which impact the safety of the customer and building.

Policy

4.0 Principles

We will manage unacceptable behaviour by adhering to the following principles:

- We will deal with all customer contact courteously, systematically, and fairly in line with our Customer Service Policy and Procedure.
- We will investigate any issues and complaints from customers.
- We will seek to understand the personal circumstances and protected and characteristics of customers and how this may impact their behaviour.
- We will create a culture of reporting unacceptable behaviour and ensure colleagues know what this covers and how to report it.
- We will investigate all reports of unacceptable behaviour using a risk-based approach.
- We will take appropriate action to protect colleagues and anyone working on behalf of IVH where risks are identified.
- We will communicate with customers to ensure they understand the impact of their actions and actions we take as a result of their unacceptable behaviour.

5.0 Procedure

Where unacceptable behaviour has been reported, we will follow the following procedure:

- Following an initial report of unacceptable behaviour, colleagues should raise a concern to their line manager, who will then notify Neighbourhood Manager and Lead Neighbourhood Officer (Lead NO)
- The Lead NO will complete a triage review of the received contacts and surrounding situation. If the incident is deemed to be severe, for example a report to the police is needed, this will be actioned immediately. If appropriate, the lead NO will send a warning letter to the customer advising them that we have noted their behaviour and explain that further unacceptable behaviour will lead to a full investigation and the possibility of legal action. Colleagues should ensure the Neighbourhood Manager is copied into this contact.
- The triage review will include an assessment of contact received, notes of recent contacts on the housing management system, as well as a conversation with the colleague or team who triggered the review, to identify any unacceptable behaviour. The review will also consist of a vulnerability risk assessment and ensure any safeguarding concerns are raised appropriately.
- The warning letter will advise the customer that further unacceptable behaviour will lead to potential restrictions which may be applied following an investigation, or legal action if required. At this point, the Lead NO may instruct the customer of a specific contact method they need to use going forward which could include:
 - providing a single point of contact
 - limiting contact to a single form i.e., to writing, email or telephone only
 - limiting contact to certain times or to a limited number of times per week or month
 - declining to give any further consideration to an issue unless any additional evidence or information is provided.
 - only considering a certain number of issues in a specific period
 - We also reserve the right to refuse to correspond with that person.

- Where a customer behaves in an abusive, aggressive, or violent manner, the initial investigation will be made by the Community Safety Team, who will follow the Anti-Social Behaviour Policy and Violence and Aggression Policy and Procedure, with the above actions being included as part of any action taken.
- Following the investigation and any subsequent review, we will notify customers if their actions have been deemed unacceptable.
- We will offer to meet customers face-to-face during the process. We might deem this visit needs to be conducted by two colleagues due to the severity of the incident.
- Where appropriate, we will provide customers with information about relevant agencies, who can provide any associated support to help the customer in rectifying their behaviour.

The decision to impose restrictions on a customer's contact, following an investigation proving unacceptable behaviour, will be made by a panel of managers made up of two Neighbourhood Managers and the Rents and Complaints Manager. This will be authorised or declined by the Head of Communities or Executive Director (Customers).

Before any actions are implemented against a customer we will:

- Check all previous records for the customer and consider a clear history and/or pattern of behaviour to ensure that all previous requests for services, action, or information have been actioned.
- Consider whether any action that IVH has taken is fair, appropriate, and proportionate.
- Carry out an Equality Impact Assessment to ensure any action considered is reasonable and justified for that customer taking into consideration their protected characteristics.
- Investigate any open complaint in accordance with our Complaints Policy and Procedure.
- Notify the customer of the decision in writing within 10 working days of the investigation beginning.

We aim to resolve issues using non-legal methods where possible. However, we reserve the right to take legal action against a customer, such as an Injunction and/or Possession proceedings in line with the customer's Tenancy agreement and the Crime and Policing Act 2014.

6.0 Support for customers

The customer has the right to appeal and the process for this is outlined in our procedure, It is important that we treat customers as individuals and have regard for their personal circumstances.

There may be reasons why a customer may exhibit unreasonable behaviour, this includes unknown circumstances to IVH or out of the control of IVH such as a medical condition or mental health illness which makes communication difficult without giving the appearance of being aggressive, the use of alcohol, drugs or other substances, a learning difficulty, or disability or language barrier which hinders positive formal social communication.

In cases where this is identified, IVH colleagues should consider if reasonable adjustments can be made in respect of continued communication between the parties, though also understanding that this does not mean that such behaviour is acceptable. We will consider offering support to customers where possible, but the health and wellbeing of colleagues and contractors is also most important and both elements should be considered as part of any action to tackle unreasonable behaviour.

Performance Reporting

We will provide a comprehensive update annually to our Senior Leadership Team on customers deemed to have behaved in an unacceptable manner towards colleagues, to provide assurance that our actions have been reasonable and proportionate.

All information and decision making will be kept within a centralised area, accessibility to such information will be restricted and only be made available to pertinent colleagues.

Roles and Responsibilities

The Executive Director (Customers) is ultimately responsible for the effective implementation of this policy.

The Policy is led and overseen by the Head of Customers and Communities.

The Neighbourhood Manager will review each case and present recommendations for approval.

The Lead Neighbourhood Officer will triage each case and collate / present evidence to the Neighbourhood Manager.

The Community Safety Team will investigate and action any Category A, Anti-Social Behaviour.

All colleagues will report incidents of unacceptable behaviour in line with this policy.

Associated Documents and Good Practice

This document has been reviewed in line with advice from the Housing Ombudsman in managing unacceptable behaviour.

This document is to be read in conjunction with the following documents:

- Complaints Policy and Procedure
- Violence and Aggression Policy and Procedure
- Compensation Policy
- Equality, Diversity and Inclusion Framework
- Equality Impact Assessment for this Policy
- Tenancy Policy
- Tenancy Agreements
- Leasehold Agreement
- ASB Policy and Procedure
- Good Neighbour Policy

Version Control

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Policy Owner:	Ceris Esplen- Executive Director Customer
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EIA (Equality Impact Assessment) Date and Link to EIA	Date of last EIA and a link to the document if applicable
Safeguarding Impact	This will not apply to most policies
Lead Team	Team responsible for implementing the policy

The latest version of this policy should be viewed online from The Hub area of the IVH intranet, and any printed version cannot be relied on as the most current version