



EXETER HOMES TRUST UNACCEPTABLE BEHAVIOUR POLICY – ADOPTED **14TH SEPTEMBER 2023**

Based on Exeter City Council model policy

Exeter Homes Trust, a Registered Provider, houses a cross section of society which reflects in the beneficiaries we provide homes for.

1.0 Policy Statement

- 1.1 Exeter Homes Trust (hereafter referred to as EHT) is committed to providing a high-quality service and dealing with residents fairly and impartially. As part of this service EHT does not normally limit the contact that residents have with its officers.
- 1.2 Occasionally the behaviour of some residents can make it very difficult for EHT officers to deal with their enquiry or concern. In a small number of cases the actions of residents become unacceptable because they involve abuse of people or processes. When this happens we must take appropriate steps. There are also occasions when we must consider whether a resident's actions are having an impact on our ability to do our work or to provide a service to others.
- 1.3 EHT understands that people may act out of character in times of trouble or distress. We do not view behaviour as unacceptable just because a person is forceful or determined. We do however consider actions that result in unreasonable demands on our workers to be unacceptable. It is these actions that we aim to manage under this policy.

2.0 Aggressive, abusive or violent behaviour

- 2.1 We appreciate that residents' behaviour can be borne out of frustration with their own situation or the processes which must be followed for EHT to assist them. However, when this frustration escalates into aggression, abuse, or bullying behaviour towards our officers, we consider that unacceptable. Any such behaviour directed towards our officers will not be tolerated.
- 2.2 Aggressive or abusive behaviour includes language (whether verbal or written) or actions that may cause officers to feel afraid, threatened or abused. This includes but is not limited to threats, personal verbal abuse, inflammatory statements, remarks of a racial or discriminatory nature, maliciously unsubstantiated allegations, derogatory remarks, and the use of obscenities.
- 2.3 How we will deal with this type of behaviour:
 - 2.3.1 Immediate action can be taken by the employee in direct contact with the resident.
 - 2.3.2 The threat or use of physical violence, verbal abuse, intimidation, or harassment towards our officers is likely to result in the termination of all direct contact with the resident. They may also be banned from EHT premises and such incidents may be reported to the police. This will always be the case if EHT officers believe that a criminal offence has taken place.
 - 2.3.3 EHT officers may take reasonable steps to remove the resident from EHT offices. EHT may also take legal action to prevent a resident from entering our offices or contacting EHT workers.



- 2.3.4 EHT may place a restriction on the way we communicate with the resident, for example restricting face-to-face contact to within the EHT buildings, requiring more than one officer to be present at any meeting, including meetings at statutory or partner agency offices, or limiting contact to written formats only.
- 2.3.5 Where written correspondence is received (either letter, fax or email) that is abusive to officers or contains allegations that lack substantive evidence, we will inform the sender that we consider their communication offensive, unnecessary and unhelpful and ask them to stop using such language. We will ask that the sender edit their correspondence to remove any offensive text and resend it, otherwise it will not be responded to.
- 2.3.6 Officers will end telephone calls if they consider the caller to be aggressive, abusive or offensive in line with EHT 's Step Away Policy. Our workers have the right to make the decision to tell the caller that their behaviour is unacceptable and to end the call if the behaviour then persists.
- 2.3.7 EHT may take any other reasonable steps not noted here to ensure the safety of its workers.
- 2.3.8 A record of the incident may need to be made on the resident's file.

3.0 Behaviour that places unreasonable demands on our workers

- 3.1 Behaviour can become unreasonable when it starts to impact excessively on the work of our officers or when dealing with the matter takes up an excessive amount of officer time and in so doing, disadvantages other residents or service users.
- 3.2 Examples may include, but are not limited to:
 - 3.2.1 Refusing to specify the grounds of a complaint or enquiry, despite offers of assistance.
 - 3.2.2 Repeatedly demanding responses within an unreasonable timescale.
 - 3.2.3 Demanding responses from several officers on the same subject.
 - 3.2.4 Making unjustified complaints about officers who are trying to deal with the issues and seeking to have them replaced.
 - 3.2.5 Insisting on seeing or speaking to a particular officer when that is not possible.
 - 3.2.6 Covertly recording meetings and conversations.
 - 3.2.7 Submitting falsified documents from themselves or others.
 - 3.2.8 Impersonating someone else or falsifying their identity.
 - 3.2.9 Repeatedly changing the substance of an enquiry or complaint; or raising unrelated concerns.
 - 3.2.10 Making serial complaints about different matters or continuing to raise the same or similar matters repeatedly.
 - 3.2.11 Repeatedly asking a question when a satisfactory response has already been given.
 - 3.2.12 Inundating EHT with emails, telephone calls or copies of information that have already been submitted or that are irrelevant to the enquiry, request, or complaint. This includes making long telephone calls regarding matters that have already been discussed or that are irrelevant to the enquiry, request, or complaint.



- 3.2.13 Pursuing parallel complaints on the same issue with a variety of organisations.
- 3.2.14 Refusing to follow EHT or the Ombudsman's complaint procedures or continuing to correspond when these procedures have been exhausted.

3.3 How we deal with this type of behaviour

- 3.3.1 Limit contact to telephone calls from the resident at set times on set days.
- 3.3.2 Restrict contact to a nominated EHT officer who will deal with future calls or correspondence.
- 3.3.3 See the resident by appointment only and possibly only with another officer in attendance.
- 3.3.4 Restrict contact to written correspondence only.
- 3.3.5 Refuse to deal with further correspondence and return any documents or advise the resident that further irrelevant documentation will be destroyed.
- 3.3.6 Tell the resident that only a certain number of issues will be considered during a given period and ask them to limit or focus their requests accordingly.
- 3.4 If a resident presents themselves while under the influence of any substance which has a detrimental effect on their ability to undertake an interview with an officer, such as alcohol or drugs, then the officer can refuse or terminate the interview until such time that the resident is coherent.
- 3.5 The above are only examples of action we may take, and we reserve the right to take any other action that we consider appropriate in the circumstances.
- 3.6 Where the correspondence relates to a complaint, and we have told the resident that they may not have contact with us, we will continue to read any future correspondence. However, we will not log, acknowledge or act on the correspondence unless it is submitting new evidence related to the complaint or making a normal request for a service outside of the complaint process.

4.0 How we decide about unacceptable behaviour

- 4.1 Any EHT officer who directly experiences aggressive or abusive behaviour from a resident has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation, and which is in line with this policy.
- 4.2 Except for such immediate decisions taken at the time of an incident, decisions on unacceptable behaviour and EHT's response are only taken after careful consideration of the circumstances by the General Manager and informed by evidence provided by the relevant officer. Wherever possible, we will give the resident the opportunity to change their behaviour before such a decision is taken.
- 4.3 The General Manager will take into consideration whether the unacceptable behaviour is related to one specific issue such as a complaint, or whether it is likely to represent the resident's overall behaviour towards EHT.



5.0 How we inform people of our decision

- 5.1 When a decision has been made to restrict future contact, the resident will always be told in writing why the decision has been made, the restricted contact arrangements and the length of time that these restrictions will be in place. This will be done whether the decision was made at the time of the incident or following consideration by the General Manager. The resident will also be told the process for appealing the decision. This ensures that the resident has a full record of the decision and the reasons behind it.
- 5.2 There are exceptions to this where it is felt that contacting the resident could put the worker at further risk.
- 5.3 While this guidance refers to written correspondence, wherever possible, officers will consider the resident's preferred method of communication. This may mean involving a third party or advocate to ensure the resident understands the decision that has been made.

6.0 How we will handle an appeal on EHT's decision

- 6.1 Where a resident has been informed that their behaviour is unacceptable and advised of the action EHT is taking, they will be advised that they have the right of appeal. If the resident wishes to appeal a restriction on their contact with EHT they can do this in writing or verbally depending on the nature of the restriction imposed. This does not apply where legal proceedings have commenced. In that instance, the resident will have the opportunity to seek legal advice and/or be represented in those proceedings and make whatever representations they consider appropriate in that forum.
- 6.2 The General Manager may wish to discuss the matter with the resident in person, but this does not mean that the resident has a right to represent themselves in person. The resident may be asked to submit relevant evidence to support their case within a reasonable timescale.
- 6.3 Any reversal or amendment of any restricted contact arrangements will be at the discretion of the General Manager considering the appeal.
- 6.4 The resident will be notified of the outcome of the appeal in writing, and if necessary verbally, within 15 working days of receipt of the request for appeal. The General Manager's decision is final.
- 6.5 If the resident is still not satisfied with the outcome of the appeal and the case relates specifically to housing management, they can ask the Housing Ombudsman to investigate the case.

7.0 How we record and review a decision on unacceptable behaviour

- 7.1 We record all incidents of unacceptable actions which have resulted in contact being restricted.
- 7.2 Where it is decided to restrict contact, an entry noting this is made by the General Manager in the relevant resident file and on appropriate computer records.



7.3 A decision to restrict contact as described above may be reconsidered by the General Manager if the resident has maintained a period of acceptable behaviour towards EHT officers for the period stated in the decision letter.

8.0 Policy Review

8.1 This policy and guidance will be reviewed by the General Manager when an incident occurs. This will help us ensure that these documents are up to date and fit for purpose.