



POLICY: MANAGED BEHAVIOUR

Sections

1. Introduction and Scope of Policy
2. Purpose and aim of Policy.
3. Policy Statement
4. Reasonable Adjustments
5. Characteristics of unreasonable behaviour
6. Managing unreasonable behaviour and unreasonably persistent individuals
7. Reconsideration of a managed behaviour restriction
8. Monitoring and review
9. Equality impact assessment/Protected characteristics
10. Consultation arrangements

Appendix A:

- Unreasonable expectations
- Excessive contact
- Unacceptable behaviour/language
- Re-raising issues already addressed

Copies of this Policy may be made available in alternative formats on request.

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POLICY: MANAGED BEHAVIOUR POLICY

All reference to 'we,' our' or 'us' in this Policy should be read as meaning Sandbourne Housing Association.

This policy replaces the previous 'Management of Unreasonable Behaviour and Unreasonably Persistent Residents / Applicants Policy'.

1. Introduction and Scope of Policy

- 1.1 In social housing, as in other areas of society, most people are polite and respectful, with only a small minority behaving unreasonably. However, that small minority can often consume a disproportionate amount of our time and energy. This in turn potentially restricts our ability to provide a good quality service to others and can be a source of stress for our staff and others.
- 1.2 Managing unreasonable behaviour is a challenging aspect of complaint management, requiring soft skills and good judgement. The Housing Ombudsman's Complaint Handling Code requires landlords to publish a policy setting out how they will respond to and manage such behaviour.
- 1.3 This policy applies to anyone contacting us be they applicants, residents, or their friends, relatives or advocates acting on behalf of others. Similarly, the policy covers our expectations not only of how people will behave towards us, but also our contractors and agents.

2. Purpose and aim of Policy

- 2.1 The purpose of this policy is to provide those contacting us with clear expectations about their behaviour and give staff a framework that enables them to feel confident and supported when deciding upon the appropriate course of action.
- 2.2 We expect staff to respond with patience and empathy to the needs of all individuals, but there may be times when nothing further can reasonably be done by us to assist them or to rectify a real or perceived problem.
- 2.3 When dealing with unreasonably persistent individuals, staff must ensure that our complaints procedure is followed, and that no element of a complaint is overlooked or inadequately addressed. It could be that the issues raised may contain some genuine substance.
- 2.4 Where an individual is taking up substantial amounts of our time, it may be necessary to restrict their demands in accessing our service without impeding

their ability to raise an issue, our ability to achieve a resolution or our compliance with the Housing Ombudsman's Complaints Handling Code.

- 2.5 Straight-forward enquiries/complaints can be resolved quickly but poor handling at an early stage may encourage some complaints to persist. Early recognition of this type of behaviour is crucial so that appropriate action may be taken to contain the extent of the disruption.

3. Policy Statement

- 3.1 This policy aims to:

- Clearly set out the types of behaviours that we consider to be unreasonable and / or unacceptable.
- Give clarity on how unacceptable or unreasonable behaviour will be assessed, managed, and communicated.
- Define when reconsideration of a managed behaviour restriction can be requested and how that reconsideration will be undertaken.

4. Reasonable adjustments

- 4.1 Some of those who contact us have an impairment, which has a substantial and long-term effect on their ability to carry out normal day-to-day activities (such as a disability). Where this is the case, we will put in place reasonable adjustments in accordance with our Reasonable Adjustments Policy.
- 4.2 Sometimes we may put in place a contact restriction that impacts a reasonable adjustment. This is because the behaviour that we are experiencing means that reasonable adjustment is no longer reasonable where the person has shown unacceptable or unreasonable behaviour towards our staff, contractors, or agents. This could be because the adjustment is no longer effective or practical. Where possible we will aim to select contact restrictions that provide an alternative way to access our services.
- 4.3 We will consider contact restrictions on a case-by-case basis and will always let the person concerned know of a decision to impose a contact restriction in writing.

5. Characteristics of unreasonable or unacceptable behaviour

The following list is not exhaustive and is intended to help staff and individuals recognise this type of behaviour.

- 5.1 Where an individual persists in pursuing a complaint when any stage of the complaint's procedure has been exhausted and chooses not to go to the next stage or refer the complaint to the Ombudsman.
- 5.2 Where the substance of a complaint is being continually changed, and new issues are raised by an individual that prolongs contact.

- 5.3 Where an individual raises the same issue with us and/or other organisations or individuals and does this with a number of separate issues at the same time, i.e., “the scattergun” approach.
- 5.4 Where an individual repeatedly contacts us within a short space of time requesting immediate action for matters which do not require it.
- 5.5 Where an individual does not clearly identify the issues which they wish to be investigated, despite help from us or others to do so.
- 5.6 Where an individual focuses on a matter to an extent which, in our opinion, is out of proportion to its significance.
- 5.7 Where an individual makes further allegations constituting minor variations to the original complaint after the complaint has been dealt with.
- 5.8 Where complaints are not supported by any actual evidence that is acceptable to us.
- 5.9 Where an individual has threatened or used physical violence towards our staff, contractors or agents or has harassed or been verbally aggressive normally on more than one occasion.
- 5.10 Where an individual has had an excessive number of contacts with us regarding their enquiry/complaint, i.e., multiple contacts per day/week, which have had a negative effect on our ability to deal with the enquiry/complaint.
- 5.11 Where an individual makes unnecessarily excessive demands or expectations on us (including our response times to issues raised) and fails to accept that these demands may be unreasonable.
- 5.12 Where an individual is known to have recorded meetings or conversations without the prior knowledge or consent of the other parties involved.
- 5.13 Where enquiries/complaints are aimed at disrupting our work, or harassing individuals.
- 5.14 Where an individual refuses to accept that issues are not within the remit of our Complaints and Compliments Policy, control, or responsibility.
- 5.15 Where an individual writes in, emails. or uses social media in a threatening or abusive way or uses inappropriate language, images etc.

6. Managing unreasonable behaviour and unreasonably persistent individuals

Where we believe that an individual is exhibiting any of the characteristics set out above and is making it difficult for us to deal effectively with his/her enquiries or complaints, the member of staff should bring the matter to the attention of his/her line manager who will make the Chief Executive aware, unless this is directed at the

Chief Executive in which case they should bring the matter to the attention of the Chair of the Board.

- 6.1 If the behaviour threatens the safety of our staff, other individuals, or the business, we will report this to the police. In doing so we will aim, where practical, to let the complainant know that we have done so.
- 6.2 Provided that the behaviour is not directed at the Chief Executive, the Chief Executive will consult with the Head of Housing to consider the nature of the enquiries and /or complaints and the behaviour of the complainant, to determine the appropriate action, having regard to the managed behaviour restriction options set out in Appendix A (this is not exhaustive and can be amended as appropriate)
- 6.3 In the event of the behaviour being directed towards the Chief Executive the process described at 6.1 will pass to the Chair of the Board and one other Board Member who the Chair nominates to determine the appropriate action, again having regard to the options set out in Appendix A.
- 6.4 The Chief Executive or Chair of the Board will write to the complainant to set out any changes to the way they may access our services in the future, and how long this managed restriction will apply (usually 12 months). This will be accompanied by a copy of this policy.
- 6.5. A record of any managed behaviour restriction that is imposed will be retained on the complainant's tenancy file and on our IT system, for the duration of the contact restriction. Once the contact restriction expires it will be removed from our records in accordance with our GDPR Policy.
- 6.6 Where a managed behaviour restriction is in place for longer than 12 months, this will be reviewed by the Chief Executive or Chair at the anniversary and checked, updated or deleted.

7. Reconsideration of a managed behaviour restriction.

An individual can ask the Chief Executive or Chair of the Board for a managed restriction to be reconsidered in the following circumstances:

- Where there is a change in circumstances which means the restriction on managed behaviour is no longer appropriate
- Where there is evidence that the restriction unreasonably impacts on the individual's ability to access our service.
- A factual error was made when making the decision to apply the managed behaviour restriction.

The Chief Executive will review the decision to apply the restriction in consultation with the Chair of the Board. If the restriction was applied by the Chair of the Board, they will follow the same process with one other Board Member.

In either event, the individual will be notified of the outcome within 10 working days.

8. Monitoring and review

The Chief Executive will monitor the situation normally every six months (or sooner if deemed appropriate) to ascertain how successful our response has been. It will then be possible to identify strategies that are not working, or which have unforeseen consequences, and modify or replace them.

Active monitoring will help to ensure that systems are working without waiting until something goes wrong.

9. Equality impact assessment/Protected characteristics (as at 14 May 2025 or later amendments/additions).

Neutral.

10. Consultation arrangements

We will consult all residents on significant changes to this policy and their views will be considered by the Board before adopting it. Our staff will also be consulted on significant changes to this Policy and any reasonable suggestions will be considered before the Policy is approved by the Board.

We may publish information to assist with the implementation of this Policy, e.g., leaflet on 'Managed Behaviour.'

MANAGED BEHAVIOUR RESTRICTIONS

1. Unreasonable expectations

- 1.1 We will remind people of our service standards, as set out below, for answering correspondence and emails and returning telephone calls.

2. Excessive contact

- 2.1 Where someone makes comments on the service without actually raising a complaint, it may be appropriate to write back thanking them for these. We appreciate it when people take time to provide feedback and, wherever possible, we will use to inform future service reviews.
- 2.2 We may decline contact in future with someone either in person, by phone, by letter, by email or any combination, provided that a minimum of one form of access to our services is maintained.
- 2.3 We may place time limits on telephone conversations and personal contacts and advise the person accordingly.
- 2.4 We may restrict the number of telephone calls that will be taken.
- 2.5 We may name a particular member of staff as the nominated person with whom the person should liaise with. When doing so we will set firm boundaries around contact and availability for that person and explain when they will and will not be available.
- 2.6 Where phone access is withdrawn, a script should be agreed for staff answering calls from the person concerned.
- 2.7 We will remind the person concerned of our service standards, (to acknowledge complaint within five working days and provide a full response within ten working days) for answering correspondence and emails.

3. Unacceptable behaviour/language

- 3.1 Where call recording facilities exist, we will advise the person that the call is being recorded. If the behaviour continues the member of staff concerned may terminate the call where it is appropriate to do so.
- 3.2 We may contact the person in writing, setting out examples of their behaviour and explaining why it is not acceptable.

- 3.3 The letter may also set out a code of behaviour/contact arrangements for the parties involved.
- 3.4 We will seek agreement from the person that they will comply with the arrangements.
- 3.5 We will Inform the person in writing that in extreme circumstances we reserve the right to refer unacceptable behaviour/language to our solicitors to consider legal action.

4. Re-raising issues already addressed

- 4.1 If the person continues to raise issues that have already been addressed, they will be notified that we have already responded fully to the points raised and that there is nothing further to add. Therefore, continuing contact on the matter would serve no useful purpose and the person will be advised that further correspondence on the matter will be acknowledged but not answered.
- 4.2 Where a complaint has been investigated at all stages of the complaints process and the person continues to re-raise the same matter, he/she should be advised of their right to refer the complaint to the Housing Ombudsman