

# Unreasonable Behaviour Policy

Jigsaw

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## 1 Aims

1. Jigsaw Homes Group is committed to providing a fair, consistent and accessible service. We believe that customers of our services have a right to be heard, understood and respected. We believe that our staff have the same rights, and the Group must provide a safe working environment for our staff.
2. This policy explains what the Group defines as unacceptable and unreasonable behaviour so that both staff and customers can be clear what to expect and how we will approach these situations.

## 2 Scope

3. This policy applies to everyone who interacts or communicates with the Group including its subsidiaries and agents/representatives, including but not limited to; tenants, leaseholders, homeowners and members of the public.

## 3 Policy Statement

4. We recognise that customers expressing concerns or dissatisfaction may raise several issues over a period and may be frustrated and aggrieved. Many of these customers will genuinely believe things have gone wrong and are seeking a resolution and we will focus on the merits of their enquiry.
5. Occasionally, the behaviour or actions of individuals using our services makes it difficult for us to deal with their enquiry or complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our processes with the aim of potentially engaging staff to waste their time, to offend or to damage the organisation. Their actions may also jeopardise the safety of staff or other customers.
6. When this happens, we must take action to protect our staff. We also consider the impact of the behaviour on our ability to do our work and provide a service to others.
7. This policy explains how we will approach these situations.

## 4 Our Approach

8. The Group does not normally limit the contact that customers have with its staff. However, a small minority of customers make complaints, enquiries or demands, which potentially make life difficult for staff rather than to genuinely resolve a problem. This behaviour and type of contact can hinder the consideration of their issue and the ability of staff to provide a quality service to customers.
9. How we manage these customers will depend upon the nature of the contact. If their behaviour adversely affects our ability to do our work and provide a service to others,

we may need to address their unreasonable behaviour by restricting contact with our staff.

10. Unreasonable behaviour includes two broad categories of behaviour:
11.
  - Aggressive, abusive or threatening behaviour towards staff and representatives of the Group.
12.
  - Making unreasonable demands and/or unreasonable levels of contact.

## 5 Aggressive, Abusive or Threatening Behaviour

13. We understand that some people may have difficulty in expressing themselves or communicating clearly, especially when anxious or upset. We also recognise that some people may find it difficult to identify what impact their behavior might have on other people. However, all our staff have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances. Any violence, threat of violence or abuse towards staff or non-executive members will not be accepted.
14. Examples of actions or behaviour which will not be accepted:
  - Actions or behavior that could cause staff to feel intimidated threatened or offended. These include, but are not limited to, threats, physical violence, personal verbal abuse, derogatory remarks and rudeness; whether made to the member of staff directly or elsewhere (including online).
  - Deliberate provocative or inflammatory statements and unproven allegations.
  - Language which is aimed at a protected characteristic e.g., race, gender, sexuality, disability.
15. Behaviour considered unacceptable or unreasonable aimed not at us, but at third parties or services delivered with partnership organisations or contractors will also be considered under this policy.

## 6 Unreasonable Demands

16. A demand becomes unreasonable when it starts to have a negative impact on our staff or our work.
17. An example of such an impact would be that the demand takes up an excessive amount of staff time and in doing so disadvantages other customers and prevents us from carrying out our work for other customers.
18. Examples of this behaviour include:
  - Requests for a service that are pursued in a manner which can be perceived as intimidating and oppressive by the recipient.

- Repeated demands for services which do not form part of our obligations/service offer.
- Repeatedly demanding response within an unreasonable timescale.
- Repeated requests for information previously provided by the Group.
- Repeated enquiries on matters that the Group is fully satisfied have been addressed.
- Insisting on seeing or speaking to a particular member of staff, when that is not possible.
- Complaints which are obsessive, over persistent, harassing, prolific, repetitious.
- Using new complaints to resurrect issues which were addressed in previous complaints.
- Complaints which are designed to cause disruption or annoyance.
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes.
- Repeatedly changing the substance of a complaint or raising unrelated concerns.
- Demands for redress which lack any serious purpose or value.
- Repeatedly refusing to co-operate which makes it difficult for us to proceed with an enquiry or complaint. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request, however we consider it is unreasonable to not respond to reasonable requests without justified reason.

## 7 Unreasonable Levels of Contact

19. Sometimes the volume and duration of contact made to our services by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or hour.
20. We consider that the level of contact has become unacceptable when the amount of time spent talking to a customer on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with the person's contact or our work for other customers.

## 8 Contact Restrictions

21. When we consider that a person's behaviour or actions are likely to have a negative impact, we will tell them why and we will give them the opportunity to modify their actions or behaviour. If the actions or behaviour continue, we will take steps to prevent or minimise the negative impact.
22. Where a customer is deemed to be abusive or vexatious, restrictions may be placed on when and how that person can communicate with staff. The form of restriction to

be applied will be determined by a manager within the Chief Executive's Department and other relevant senior managers.

23. Any restriction will be appropriate and proportionate to the nature of the customer's contacts with the Group at that time. However, the maximum period of restriction at any one time will be 12 months.
24. Where this policy is applied the customer will be informed in writing why the decision has been made to restrict future contact, the restricted contact arrangements, the length of time that these restrictions will be in place and what they can do to have the decision reviewed.
25. Examples of the types of action or restriction which may be used:
  - Staff may either place a caller on hold or end the telephone call if the caller is aggressive, offensive or abusive, or is making unreasonable demands
  - Placing time limits on telephone conversations, e-mails and personal contacts.
  - Restricting the number of telephone calls/e-mails that will be taken (for example one call on one specified day of any week).
  - Limiting the customer to one form of contact (telephone, letter, e-mail etc.)
  - Requiring the customer to communicate only with a named employee.
  - Requiring the customer not to communicate with a particular employee or office location.
  - Reading and filing future correspondence but only responding to it if the person is raising new information or making a new complaint or enquiry.
  - Requiring the person to communicate with the Group through a representative.
  - In some cases, there may be a requirement for two members of staff to be in attendance when visiting the property or interviewing the person.
  - Restricting contact with our offices to a specific method of communication or through a third party.
  - Deferring an application for rehousing.
  - In extreme cases reporting the matter to the Police or taking legal action. In such cases, we may not give the person prior warning of taking this action.
26. This list is non-exhaustive and we may take other reasonable steps required to address or mitigate the unreasonable behaviour.
27. There will be no contact restrictions on customers reporting emergencies where there is a clear and present risk of harm to persons and/or of serious damage to property.
28. The Group will not normally charge a fee for the handling of Subject Access Requests as defined by the General Data Protection Regulation but reserves the right to charge reasonable fees for additional copies of information already supplied to a data subject. For requests that are clearly unfounded, excessive or repetitive, the Group may charge reasonable fees or may refuse to comply with the request. This decision shall lie with the Group Data Protection Officer.

## 9 Appeals Against Restriction for Unreasonable Behaviour

29. Any person against whom a restriction has been imposed has the right of appeal against the decision. An appeal against the decision to impose a restriction should be submitted in writing to the Chief Executive's Department within one month of being informed in writing of the decision to impose a restriction.
30. A senior manager who was not involved in the original decision will consider the appeal subject to any pending or overriding legal action. Their decision whether to remove, amend or to continue with the restriction will be made within 20 working days of receiving the request for a review of the decision.

## 10 Further Actions

31. Where there are instances of persistent re-offending and/or the restriction has not proved to be effective, the Group will consider further action to control unreasonable behaviour. This may include legal injunctions to restrict contact or tenancy enforcement which could result in ending a persistent offender's tenancy.

## 11 Reasonable Adjustments

32. We will always consider making reasonable adjustments with due regard to an individual's medical condition and vulnerability such as mental health issues and learning difficulties. Any restrictions imposed on a customer's contact will be appropriate to their individual circumstances. For example:
  - Agree to give clear warnings when we feel that a customer's behaviour is unacceptable so that they have the opportunity to change it.
  - Consider using different methods of communication.
  - Consider if there are other individuals that may be able to represent the customer, for example a family member, friend or support worker. We may also consider if a multi-agency approach is necessary working with other bodies such as social services.
33. However, we would not consider it to be reasonable to expect our staff to accept being subjected to aggressive, offensive or abusive actions, language or behaviour. We may still use the policy if there are actions or behaviours which are having a negative impact on our staff or our work.

## 12 Monitoring and Delivery

34. The Chief Executive's Department will monitor the delivery of this policy and it will be reviewed a minimum of every two years. We may review this policy sooner if

appropriate, for example, if there are changes to legislation, regulatory code or business requirements.

## 13 Legislation and Regulation

- 35. Schedule 2 Housing Act 1985 and Schedule 2 Housing Act 1988. (as amended by Anti-social Behaviour, Crime and Policing Act 2014)
- 36. Equality Act 2010

## 14 Related Policies and Procedures

- Complaints Policy
- Anti-Social Behaviour Policy
- Safeguarding Policy
- Data Protection Policy
- Health & Safety Policy Statement

## 15 Glossary

- 37. N/A

## 16 Document Control

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Responsible Officer/s:	Hilary Roberts, Group Chief Executive Sarah Chilton, Head of Chief Executive's Department
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To be Reviewed Every:	Two years

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