

## 1. Policy statement and purpose

The Housing Ombudsman's complaints handling code states that landlords must have policies and procedures in place for managing unreasonable and unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

This Policy relates to complaints relating to the provision of housing services and social services provided by Homes Plus and Severn Homes.

This policy defines what is unacceptable and unreasonable behaviour and outlines how we will manage this behaviour consistently.

The policy outlines the appeal process if the customer does not agree with the measures put in place to manage the unacceptable behaviour.

## 2. Definitions

Unreasonable behaviour is behaviour is considered undesirable and/or inappropriate in a given context or situation and would be considered as such by the general public or the community in which the behaviour is occurring.

Unreasonable behaviour would include (but is not necessarily confined to):

- ◆ Aggression
- ◆ Making threats to the organisation or colleagues
- ◆ Physical or verbal abuse
- ◆ Actions that are intended to cause or lead to distress
- ◆ Excessive demands

## 3. Policy

We will recognise that sometimes people may act out of character in times of trouble or distress. We recognise complainants may be upset or there may be distressing circumstances leading up to the complaint.

A degree of hostility may be tolerated provided it does not meet the threshold of unacceptable behaviour as defined above.

Whilst recognising that circumstances might have given rise to behaviours that would ordinarily be considered as unacceptable the safety and wellbeing of colleagues and others will be paramount.

We will make every attempt to work with anyone demonstrating unreasonable behaviour to remedy their complaint. When the complainant refuses or unable to behave reasonably, we may delay the investigation of the complaint and advise the complainant accordingly. Where all attempts to work with the complainant, demonstrating unreasonable behaviour, have been unsuccessful, we will outline the actions to manage that behaviour.

Mediation or advocacy through third parties will be considered especially where a complainant has access to support workers or advocates who support them.

The Director of Housing or a more senior manager will take the decision for formal action.

Formal action will include issuing a letter and imposing measures, which will be set out in the letter together with the appeal process.

## Actions we may take

The measures that may be put in place include:

- ◆ Providing a single point of contact for the customer.
- ◆ Limiting contact to a single form i.e. writing, email or telephone.
- ◆ Limiting contact to certain times of the day/week.
- ◆ Declining to give any further consideration of an issue unless additional evidence is provided.
- ◆ Only considering a certain number of issues in a specific period.

At the time that restrictions are imposed, a review period will be set for 30, 60 or 90 days depending on the severity of the behaviour.

If the individual's behaviour has improved at the point of review, consideration will be given to lifting the measures. If it has not improved, we will provide an explanation as to why the restriction will remain in place for a further period pending the next agreed review date.

## Right of Appeal

Complainants have the right to appeal any decision to impose measures within 20 working days of the issue of the formal letter. You will be informed how to do this in the formal letter

A Director from a different service or a more senior manager will carry out the review.

The Complaints Manager will notify the customer of the outcome of the appeal in writing within 10 working days of the receipt of the appeal.

Following the outcome of the appeal, if the complainant still does not agree or feels it is unreasonable, they may refer the matter to the Housing Ombudsman.

## Reasonable Adjustments

We will always consider making reasonable adjustments for a resident if we are asked to do so. We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or our work even where a reasonable adjustment has been made.

This policy should be read in conjunction with the Complaints Policy.



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