

## Unacceptable Customer Conduct

### 1.0 Policy Statement

- 1.1 This policy details Stonewater's commitment to colleagues and customers in dealing with unacceptable customer conduct through all our communication channels.
- 1.2 This policy should only be used when there has been a breakdown in relationship between Stonewater and the customer, and action may need considering, whether this is formal or informal.
- 1.3 The decision to use this policy should be made in conjunction with the front line colleague and their line manager when a situation escalates and a regular resolution has been exhausted..
- 1.4 Stonewater recognises that during the time a customer lives in their home, or resides in a Stonewater managed property, there may be interactions that may fall outside of acceptable behaviour and as such colleagues and contractors will not be expected to tolerate this.
- 1.5 All colleagues and contractors will be expected to communicate consistently with customers in a professional, honest and helpful manner in accordance with our ethos and values.

### 2.0 Policy Scope and Objectives

- 2.1 The objective of this policy is to illustrate Stonewater's commitment to how we will deal with unacceptable customer conduct.
- 2.2 Guidance will be provided to colleagues regarding what Stonewater consider unacceptable behaviour, this includes but is not limited to:
  - Abusive behaviour
  - Aggressive behaviour
  - Threatening behaviour
  - Inappropriate behaviour
  - Unreasonable demands
  - Trolling and naming Stonewater colleagues and contractors on Social Media

Customers may make what we consider unreasonable demands if they impact substantially on the work colleagues do, whether this is through the amount of information they request, unreasonable timescales, or the regularity or number of approaches they make.

- 2.3 Throughout the implementation of this policy, Stonewater will:
  - Set out its commitment to tackling unacceptable customer conduct

- Provide customers with clear guidance on what is expected and what will not be tolerated
- Provide clear guidance for colleagues to enable them to take the relevant action against those that are found to be behaving in an unacceptable way.
- Ensure that interventions are reasonable, proportionate and evidence based.

### **3.0 Regulatory and Legal Considerations**

3.1 Guidance has been considered and provided by the Housing Ombudsman 'Our Approach to Unacceptable Behaviour' document.

3.2 Under the Data Protection Act 2018 and the Human Rights Act 1998 we treat all personal and sensitive information we receive as confidential. We will only involve other agencies and share information with the consent of the customer, unless:

- We have a legal obligation to provide the information requested;
- The information is necessary for the safeguarding of children or vulnerable adults.

### **4.0 Policy Details**

4.1 Stonewater will ensure that customers are aware of the obligations as set out in their lease/tenancy and will work with customers to signpost for support should they need it. This will promote tenancy sustainment and allow customers to succeed in their homes.

4.2 Before considering whether any remedies are required, Stonewater should consider whether discussing the matter with the customer would be appropriate. This may enable the situation to be de-escalated with no further remedy required.

4.3 If a further remedy is required, in most cases the expectation would be for a warning letter to be sent to the customer outlining that the behaviour is not acceptable will not be tolerated and warning them against any continued unacceptable conduct.

4.4 There may be occasions where swift enforcement action is required, if so the relevant manager will work with the officer and legal providers to take such action

4.5 There are a number of remedies available to Stonewater when considering the relevant and proportionate action to be taken. Please note this list is not exhaustive:

- Warning letter
- Restricting contact methods available to the customer for a set period time, reviewing each instance individually.
- Restricting customer contact to certain days/ times
- Ensuring all contact is through a third party agency

- Allowing contact by appointment only
  - Restricting access to Stonewater offices
  - Restricting or removing the customer's ability to be involved in formal and informal customer involvement opportunities
  - Removing a customer's ability to apply for a Stonewater home
  - Acceptable Behaviour Contracts
  - Civil Injunctions
  - Issue of a Notice of Seeking Possession
  - Liaise with the Police where crime or disorder may occur
- 4.6 In severe cases, urgent enforcement action may be required to provide security for staff members/ contractors or our other customers. In this instance legal providers will be instructed. This may also result in the customer being evicted from their home.
- 4.7 Furthermore, if unacceptable behaviour continues once all remedies have been exhausted, Stonewater may apply for possession of the customer's home.
- 4.8 We will provide adequate training to colleagues to ensure they are aware of the Unacceptable Customer Conduct policy and procedure, providing a consistent approach across the organisation
- 4.9 Cases of unacceptable customer conduct may result in anti-social behaviour and as such colleagues will follow the ASB policy and procedure.
- 4.10 The ASB policy and procedure will be used for cases of unacceptable conduct between customers.
- 4.11 Stonewater will work collectively with our contractors to gather evidence if there are allegations of unacceptable behaviour towards Stonewater staff members or directly with contractor operatives.
- 4.12 Stonewater may consider mediation with customers should this be reasonable to do so.
- 4.13 On some occasions, complaints may be received which may be due to an expectation being unreasonable or due to a medical condition which makes effective communication more difficult. Examples of these types of complaints may include but are not limited to:
- Refusal to accept that Stonewater cannot review issues that fall outside of the complaints procedure
  - Pursuing parallel complaints on the same issue with various departments/ organisations. This includes contacting our social media platforms
  - Refusing to co-operate or hindering our work or investigations

- Making false allegations
  - Changing the scope of a complaint as the investigation proceeds
  - Persistence of a complaint following feedback without new evidence being provided.
- 4.14 If we suspect a complaint or complainant to be unreasonable Stonewater will carry out an assessment of the history and their needs and will liaise closely with external agencies should this be required. The assessment will consider:
- Have any persistent or unreasonable demands been made by the customer?
  - Is there a strong likelihood that the complaints are being made intentionally to cause harassment or divert resources within Stonewater?
  - Has there been any abusive, aggressive or inappropriate behaviour from the customer?
  - Has the customer posed any health and safety risks to Stonewater colleagues or contractors due to their actions or behaviour?
  - Is there any other factors that need to be taken into account regarding the individual needs and characteristics?
  - Is there anyone else that can represent the customer in the handling of their complaint, whether this is an agency, family member or friend?
  - Have Stonewater made all reasonable adjustments to provide effective communication once considering any personal characteristics?

## **5.0 Service Standards**

- 5.1 All allegations regarding unacceptable customer conduct will be dealt with in accordance with the Unacceptable Customer Conduct Procedure and communicated to the customer.
- 5.2 All customers that have sanctions against them under the Unacceptable Customer Conduct policy will be reviewed on a regular basis. This will vary dependant on each case with a minimum review date within 1 month and a maximum date within 3 months.
- 5.3 All warning flags on individual customer accounts will be reviewed in line with the Customer Flagging Policy and Procedure.
- 5.4 Colleagues will consider the Home and Lone Worker procedure when dealing with a case of unacceptable customer conduct and put provisions in place to ensure lone safety.
- 5.5 To provide assurance that the policy and procedure are being applied correctly and both customers and Stonewater are being supported and protected, cases will be regularly audited by a nominated senior officer of OLT/SLT level

5.6 Customers will have the right to appeal against any sanctions imposed on them. The appeal must be received within 2 weeks of the sanction being imposed and will be considered by a Senior Officer that has not yet had involvement in the case.

## 6.0 Equality, Diversity and Inclusion

6.1 Stonewater will aim to ensure fairness, consistency and proportionality when managing unacceptable customer conduct.

6.2 Stonewater endeavour to provide services which are accessible to our customers, considering any alternative methods dependant on individual requirements.

6.3 Whilst implementing this policy, Stonewater will be mindful of equality and diversity, with particular regard to protected characteristics as detailed in the Equality Act 2010.

6.4 Stonewater will consider unacceptable behaviour and whether this is of a direct result of any protected characteristics. In order to foster an environment of mutual respect, we will always ensure an equality impact assessment is completed before deciding any appropriate action. This will take into consideration the specific vulnerabilities and any additional support required by an external agency.

6.5 When deciding on any action or sanctions, Stonewater will give due regard to the Public Sector Equality Duty.

## 7.0 Author & Version

Author	Hannah Saltonstall
Title	ASB Strategy Manager
Approved by:	Executive Directors Group Chair of Customer Experience Committee
Date approved	13.5.2020
Review Date	13.5.2023