

Paragon Asra Housing Limited

PA Housing Unacceptable Behaviour Policy

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Department	Customer Experience
Approved by	John Stemp & EMT
Next review date	March 2024

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Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.

AUDIT LOG

Date of Change	Who updated	Details of the change
March/April 2021	Derek Crook	To reflect PA Housing's new Complaints Policy Updated in line with HOS recommendations for handling unacceptable behaviour Introduction of clear appeal and regular review process

1. Introduction

- 1.1. Paragon Asra Housing Limited (PA Housing) is committed to dealing with complaints in a fair, comprehensive and timely manner. Usually the complaints process is straightforward, but a minority of complainants may pursue their case in a way that can hinder the process or have a significant staff resource issue for PA Housing. A balance needs to be achieved between the complainant's right to be heard and their responsibility to behave reasonably in making and pursuing their complaint.
- 1.2. The aim of this policy is to set out how we will deal with unacceptable behaviour in relation to complaints in a consistent and fair manner. It explains what we consider to be unacceptable behaviour and the action we will take when confronted by such behaviour.

2. Objectives

2.1. The objectives of the policy are to:

- define unacceptable behaviour
- give details of what to do in the case of such behaviour.
- explain what restrictions can be put in place
- give details of the customer to appeal process

3. Definitions

- 3.1. Customers may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a customer approaching PA Housing
- 3.2. We accept that complainants can be tenacious in pursuing their complaint or that they may be upset or distressed by the circumstances leading up to the complaint.
- 3.3. We define complainants behaving in an unacceptable manner as those who, because of the frequency or nature of their contacts with PA Housing, hinder our consideration of their complaint or complaints made by other customers. This definition mostly relates to the way or frequency that the complaint is raised, or how the complainant responds when informed of our decision about the complaint.
- 3.4. Examples are given below of unacceptable behaviour. This behaviour may include one or more of these features and the list is not exhaustive:
- Unreasonable demands (e.g. requesting large volumes of information, asking for responses within a short space of time, refusing to speak to an individual or insisting on speaking with another)

- Unreasonable persistence (refusing to accept the answer that has been provided, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint)
- Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but also language which is designed to insult or degrade, is racist, is sexist or homophobic or which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct without any evidence is unacceptable.
- Overload of letters, calls, emails or contact via social media (this could include the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls).
- Refusal to specify the grounds of the complaint despite offers of assistance, or to cooperate with the complaints process, while still wishing the complaint to be resolved. This includes non-acceptance of dates offered for a meeting, seeking to delay the meeting or cancelling it at short notice.
- Refusal to accept that issues are not within the remit of our complaints policy or within the power of PA Housing to look into, change or influence.
- Insistence on the complaint being dealt with in ways which are incompatible with the Complaints policy or with good practice (for example, refusing to have a written record of the complaint).
- Raising new issues whilst a complaint is being dealt with or introduce trivial or irrelevant new information and expect this to be taken into account and commented on.
- Electronically recording meetings and conversations without our prior consent.
- Refusal to accept the outcome of the complaint process, repeatedly arguing the point and/or denying that an adequate response has been given, instead of following the dispute procedure given in the Complaints policy.

4. Key Points of Policy

- 4.1. Complainants have the right to have their complaint dealt with comprehensively. The complaints process will end at a point that is appropriate to each case and the complainant will be notified as such. No material element will be overlooked or inadequately addressed.
- 4.2. Discussions will be held with the complainant to try to dispel any misunderstandings and reach a voluntary (informal) arrangement before taking formal action. This will allow the individual time to consider and adjust their behaviour in order to move matters to a resolution. Mediation through third parties, for example a family member, friend or support worker, will be considered to try to improve the situation.
- 4.3. Consideration to restrict access must initially be discussed with the Customer Experience (Complaints) Team Manager, who will consider the circumstances of the complaint and be satisfied that:
- the complaint has been investigated into properly
 - any decision that has been reached is the right one
 - communications with the complainant have been adequate
 - our view of the complainant has not been affected by the seriousness or nature of the complaint.
- 4.4. The decision to restrict access will not be taken lightly and will be authorised by the Assistant Director of Corporate Affairs and Company Secretary
- 4.5. Assistant Director of Corporate Affairs and Company Secretary is able to stop all communication about the complaint with the complainant at this point and also end the internal complaints process if it is clear that relations have broken down completely and there is little prospect of achieving a satisfactory outcome.
- 4.6. In extreme cases such as physical violence or harassment towards an employee, actions could include involving the police, taking legal action and ending direct contact with the customer.
- 4.7. The complainant will be informed of the mechanism to appeal against the decision to restrict access.
- 4.8. We will not normally limit contact with staff for day to day queries on tenancy matters, or repairs requests unrelated to the complaint, and the complainant will be provided with a clear point of contact for routine matters.
- 4.9. Raising legitimate queries or criticism of the complaints process, for example, if agreed timescales are not met, will not in itself lead to someone being regarded

as unreasonable. Neither would a complainant who is disputing the outcome of their complaint and in contact with the Housing Ombudsman.

5. Restricting Access and Appeal

- 5.1. We will ensure that the complaint is being, or has been, fully looked into in accordance with the Complaints policy.
- 5.2. PA Housing is committed to ensuring that people are not disadvantaged in accessing our services. As such we will make reasonable adjustments as required (See Appendix 1).
- 5.3. PA Housing will comply with the collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.
- 5.4. The Customer Experience (Complaints) Team Manager dealing with the complaint will first contact the complainant either by phone, in writing or by email to explain why their behaviour is causing concern, and ask them to change this behaviour. The Customer Experience (Complaints) Team Manager will explain the actions we may take if the behaviour does not change.
- 5.5. If the behaviour continues, the Assistant Director of Corporate Affairs and Company Secretary will inform the complainant that their access is now restricted, the reasons for this, the procedures put in place and for what period. The complainant will be informed of their right to contact the Housing Ombudsman about the fact that their access has been restricted. The action taken will be recorded and notified to relevant staff.
- 5.6. Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
- 5.7. Only dealing with the complainant by telephone through a third party, e.g. solicitor, councillor or other advocate or friend acting on their behalf
- 5.8. PA Housing is not obliged to deal directly with any third party, where, in the opinion of the Assistant Director of Corporate Affairs and Company Secretary, the resident is attempting to circumvent the conditions of the Unacceptable Behaviour Policy currently in place
 - Limiting contact to a single form i.e. writing, email, or telephone only
 - Visits to the office by appointment only
 - Contact to be with one named member of staff only
 - Restricting telephone calls to specified days, times or duration or letters and emails to a certain number per week or month

- Personal contact to take place in the presence of an appropriate witness
- No further contact or correspondence about the complaint. (But a designated member of staff will always read any correspondence).

5.9. Any restrictions imposed will recognise and be appropriate to an individual's circumstances, and show due regard for a customer's medical condition and vulnerability.

5.10. In all instances contact for emergency repairs and requests can still be made through our usual contact channels.

5.11. Any restrictions imposed will not be set indefinitely and the customer can appeal against the decision by contacting the Customer Experience (Team Manager) who will review if circumstances have changed and the customer's behaviour has improved. In all instances, a review period will be agreed at the outset, normally set at 3 months.

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

5.13. New complaints from people with restricted access will be treated on their merits. The Customer Experience (Complaints) Team Manager & Assistant Director of Corporate Affairs and Company Secretary will decide whether the restrictions applied previously are still necessary. We do not support a 'blanket policy' of ignoring genuine service requests or complaints.

6. Training

6.1. This policy will be discussed during the induction of new managers dealing with complaints and there will be refresher training to raise awareness and enable managers to acquire the skills and knowledge needed to comply with this policy.

7. Monitoring and Reporting

7.1. We will monitor our progress in handling cases of unacceptable behaviour. We report regularly to our Executive Management Team, Operations Team and our Board on lessons learnt, and service improvements and changes to policies made as a result of feedback from complaints.

8. Equality analysis

8.1. This policy will undergo an equality analysis to make sure that it does not discriminate against anyone and that it is accessible to everyone.