

## Unreasonable Behaviour

### Adopted by the following group entities:

Name	Date Approved
Change Housing	
Hilldale Housing Association	20/09/24
Quays Housing	08/01/25

### 1. Statement

- 1.1. Hilldale believes that our tenants have a right to be heard, understood, and respected. We work hard to be open and accessible to everyone. Occasionally, the behaviour or actions of tenants makes it very difficult for us to deal with their issues and/or complaints.
- 1.2. When this happens, we must take action to protect the health and wellbeing of colleagues who have a right to do their jobs without fear of being abused or harassed. We also consider the impact of the behaviour on our ability to do our work, and the services provided to others.

### 2. Purpose

- 2.1. This policy provides a consistent approach to responding to tenants who behave in an unacceptable or unreasonable way and sets out the actions we may take. The policy is designed to provide flexibility to tackle unacceptable behaviour in whatever form it takes, and whenever it occurs to ensure the safety and wellbeing of Hilldale employees and those who work on our behalf.

### 3. Scope

- 3.1. This policy applies to Hilldale Housing Association, to all areas of our work and to all methods of contact including telephone, face-to-face, letters, e-mails, social media and other digital channels.

### 4. Policy Details

#### 4.1. Unacceptable Behaviours

- 4.1.1. There are many reasons why tenants can act unreasonably, including:
  - Being unreasonable due to circumstances unknown or unrelated to Hilldale;
  - During times of stress, anxiety or distress;
  - Having mental health support needs which can make communication difficult or give the appearance of being aggressive.
  - People with a learning disability may have difficulty communicating and expressing frustrations;
  - Language barriers which mean communication is not clear or easily understood by either party;
  - When they are unhappy with the service provided by Hilldale.

4.1.2. This policy applies to all areas of work and to all methods of contact including telephone, face-to-face, letters, e-mails, social media and other digital channels.

4.1.3. The following behaviours are considered unacceptable and may result in action being taken:

- **Abusive Language:** Any form of verbal abuse, including yelling, swearing, or using derogatory terms.
- **Threatening Behaviour:** Threats of physical harm or intimidation toward staff or other tenants.
- **Harassment:** Persistent unwanted contact or communication, including stalking or aggressive follow-ups.
- **Vexatious Complaints:** Repeated complaints made with the intent to annoy, disrupt, or create a hostile environment, rather than to seek a genuine resolution.
- **Disruption:** Any behaviour that disrupts the normal operations of our services or creates an unsafe environment for staff or tenants.
- **Fraudulent Activity:** Providing false information or documentation for personal gain.

4.2. Action

4.2.1. When we experience behaviour or demands which are unacceptable, we may consider taking more formal action. The actions we will consider can include the following:

- Warning the tenant about their behaviour and requesting that they modify their behaviour in future contact with us.
- Communicating only in writing or via a representative.
- Deciding not to investigate a complaint on the basis that it has been pursued in a way that is unacceptable.
- Restricting or limiting contact with Hilldale or offer one point of contact.
- In exceptional circumstances, notify relevant public authorities.

4.3. Support for Colleagues

4.3.1. We are committed to protecting the health and wellbeing of our colleagues. We will investigate and take appropriate and necessary action when incidents of unacceptable or unreasonable behaviour are reported to us.

4.3.2. This policy supports colleagues and provides guidance on steps to take in different scenarios involving unreasonable behaviour – this guidance is supported by the Housing Ombudsman and can be found here - <https://www.housing-ombudsman.org.uk/wp-content/uploads/2020/11/advice-cards-with-bookmarks-website.pdf>

## 5. Responsibilities

Name / Group	Responsibilities
Board	<ul style="list-style-type: none"> <li>• Oversight</li> </ul>
Hilldale Senior Leadership Team	<ul style="list-style-type: none"> <li>• Oversight of the application of this policy</li> </ul>
Head of Operations	<ul style="list-style-type: none"> <li>• Review and updating of this policy</li> </ul>

Head of Housing	<ul style="list-style-type: none"> <li>Oversight of application of this policy. If a tenant wishes to appeal the decision of formal action under this policy, they must appeal within 15 working days of receiving notification of the decision.</li> </ul>
Housing Officer	<ul style="list-style-type: none"> <li>Where it is decided that formal action must be taken to manage someone's behaviour (for example, declining to investigate a complaint), we will inform them of the decision in writing. A note will be placed on our records to this effect.</li> <li>In the event of serious and major incidents, a warning marker will be added to a tenant's records and reviewed on a timely basis to protect Hilldale colleagues from similar incidents.</li> </ul>

## 6. Compliance

- 6.1. All colleagues and tenants have a responsibility to adhere to this policy and any associated procedures.

## 7. Legal / Regulatory Framework

- 7.1. This policy has been developed with reference to:

- The full definition of Specialised Supported Housing (Chapter 5 (5.5) in the *Policy statement on rents for social housing* which can be found:

[Policy statement on rents for social housing - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

## 8. Related Policies and Procedures

- Complaints Policy
- ASB Policy
- Safeguarding Policy, where appropriate

## 9. Communication

- 9.1. Policy will be shared on the website, with Board and the Customer Committee.

- 9.2. When approved policies be shared with colleagues via the Intranet.

## 10. Consultation

- 10.1. The following people and/or groups have been consulted when drafting this policy:

Name / Group
Tenant Voice Panel

## **11. Equality Impact Assessment**

- 11.1. Hilldale believes in valuing diversity, promoting inclusion, and ensuring fair access to its services.
- 11.2. Hilldale recognises the needs of a diverse population and always acts within the scope of its own Equality and diversity policy, the Human Rights Act 1998, and Equalities Act 2010.
- 11.3. To help tenants who may find it difficult to communicate clearly, we ask that they tell us what reasonable adjustments would help. We will always consider any requests made. Examples we can consider include providing written information in an alternative format i.e. braille, audio, easy read or communicating in a way that meets an individual's needs, for example, in person and where possible at a location that is accessible, with the person's representative or support, providing support through an interpreter.

## **12. Data Protection Impact Assessment**

- 12.1. Under the General Data Protection Regulations and the Data Protection Act 2018, organisations are required to process personal information 'lawfully, fairly and in a transparent manner.' Hilldale Housing are committed to respecting the privacy of our tenants and we will protect their personal data.
- 12.2. In certain circumstances, Hilldale may be required to share personal data with other statutory agencies. Where practical, consent from the Data Subject will be obtained prior to the information being shared, however there may be instances where Hilldale Housing have a statutory duty to share information without the individuals consent e.g. if there is any reason to suspect children are at risk, if the individual does not have capacity or if an individual is in immediate risk of abuse or for the prevention and detection of crime. An assessment will be made in each case to decide which information is necessary to be shared, referring to the Data Protection Officer for further guidance as required.
- 12.3. Tenants also have the right to know what Information Hilldale Housing hold about them. Hilldale has a separate Data Protection Policy which should be adhered to when considering data protection.

## **13. Review Schedule**

- 14.1 This policy will be reviewed in accordance with applicable legislative and/or regulatory requirements, or as scheduled by internal requirements as noted below, but may be reviewed earlier in the event of changes to legislation, regulation, or internal requirements.
- 14.2 Regulations and criteria are not clear on whether SSH compliance is a single event to be determined at scheme inception or whether compliance assurance should be viewed as an ongoing process.

<b>Years between reviews</b>	<b>Date of Next Review</b>
3	15/12/2027

#### 14. Approvals

14.1. This policy will be reviewed and approved for submission to PAG by the Hilldale Senior Leadership Team and the Change Housing group Senior Leadership Team.

14.2. PAG retains the final approval of this policy.

#### 15. Terminology

<b>Term</b>	<b>Definition</b>
Hilldale	Hilldale Housing Association
PAG	Policy Approval Group
SSH	Specialised Supported Housing

#### 16. Change Log

<b>Version</b>	<b>Changes Made</b>	<b>Date</b>	<b>Name</b>
0.1	New document	20/09/2024	Anne-Marie Holyoak

#### 17. Approval Log

<b>Version</b>	<b>Date Approved by PAG</b>
0.1	January 2025