

Unacceptable Behaviour Complaints Policy



1. Statement of Intent

The Saffron Group (Saffron) aims to provide excellent customer service to all its tenants and customers, and we believe that they have a right to be heard and respected.

Occasionally the behaviour or actions of individuals who contact Saffron make it very difficult for us to deal with them as an individual or their complaint. Such behaviour or complaint can place a strain on time and resources.

When this happens, we also consider the impact of the behaviour on our ability to do our work and provide a service to our other tenants and customers.

The Trust's staff will respond professionally and sympathetically to all tenant and customer complaints and contact, but there will be times when alternative measures will need to be put in place to manage the level of contact or the complaint.

This policy explains how we will approach these situations.

2. Purpose

2.1 This policy is designed to inform tenants and customers how Saffron will deal with tenants or customers whose contact or complaint, that may be repetitious, threatening, or abusive or have already been addressed.

2.2 Saffron reserves the right, at any stage of the complaints and compliments procedure, to review a complaint and give a decision without formal investigation. This would only occur when a complainant is deliberately repetitious, threatening, or abusive and must be agreed by the relevant Director of service.

2.3 The purpose of this policy is to ensure that there is a consistent and fair approach to responding to complaints which aims to resolve the issue at the earliest opportunity.

2.4 This policy has been developed in accordance with the Housing Ombudsman's Complaint Handling Code, our statutory and legal duties, and customer voice.

2.5 Any reference to 'we', 'our', 'us' or 'the Group' refers to Saffron Housing Group. When we use 'you' and 'your' we mean any tenant or customer set out above.

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3. Definition

3.1 The Housing Ombudsman Service defines a complaint as ‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents’ and notes that Landlords should have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.

4. What constitutes unacceptable behaviour?

Behaviour may become unacceptable if it is so demanding or persistent that it places unreasonable demands on Saffron and impacts the level on the service that we can offer to other tenants and customers.

4.1 The following list, whilst not exhaustive, provides examples of behaviour by complainants which may be described as unacceptable, unreasonable, or persistent in behaviour.

An unacceptable, unreasonable, or persistent complainant may:

- Refuse to specify the grounds of a complaint despite numerous offers of assistance.
- Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuse to accept that issues are not within the remit of the complaints and compliments policy and procedure despite having been provided with information about the scope of the policy and procedure.
- 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).
- Insist on the complaint being dealt with in ways which are incompatible with the complaints and compliments procedure or with good practice (i.e. going directly to the CEO or trying to by-pass complaint stages).
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonable behaviour has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, telephone calls or emails).
- Raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process.
- Adopt an excessively ‘scattergun’ approach, for instance, pursuing a complaint or complaints not only with Saffron, but at the same time with a Member of Parliament, Board Members of the Group, the Police, Local Authority, and other external agencies.
- Verbal abuse, aggression, violence (this is not just limited to actual physical or verbal abuse but can include derogatory remarks, rudeness, inflammatory allegations, and threats of violence)

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4.2 Where use of physical violence has been used or threatened towards staff or their families at any time. Incidents of this nature will cause all personal contact with the complainant to cease and the complaint will, thereafter, only be pursued through written communication. All such incidents should be documented and reported to HR and to the police, where appropriate.

5. How we will respond and manage unacceptable behaviour

5.1 When we believe a complainant to be unreasonably persistent or unacceptable in behaviour, we will contact the complainant to tell them why and ask them to change their behaviour. Our approach will be in the first instance to reach a voluntary (informal) arrangement before taking any formal action. We will agree a period of time with the tenant or customer to allow for them to adjust their behaviour.

5.2 We will invite the complainant to consider mediation or advocacy through a third party to help improve the situation. For example, a family member or support worker may be able to represent the complainant. A multi-agency approach may be appropriate if the complainant is receiving support from another body such as social services.

5.3 If the informal arrangements do not improve the situation, we will take formal action to restrict the complainant's contact with Saffron. Any such restrictions will be evidence based, appropriate and proportionate, any decision to take action will be made by the relevant Director of Service.

The most likely options will be:

- Providing a single point of contact
- Limiting contact to a single form i.e. to writing, email or telephone only
- Restricting telephone calls to specific days and times
- Limiting the duration of telephone calls
- Declining to give any further consideration to an issue unless any additional evidence or information is provided
- Only considering a certain number of issues in a specific period.

In cases where this becomes necessary, we will write to tell the complainant why we believe their behaviour is unacceptable, what action we are taking and its planned duration.

5.4 In taking the action described above, it must be emphasised that this part of the policy should only be used as a last resort and after all other reasonable measures have been taken to resolve complaints and complainant behaviour.

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5.5 Judgement and discretion will be applied to ensure that contact from the complainant about matters other than the complaint are not ignored, resulting in potential failures to respond to request for services or an emergency.

6. Reasonable Adjustments

6.1 We understand that some customers have disabilities which may make it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset. We also recognise that some disabilities can make it difficult for customers to assess the impact that their behaviour might have on other people.

6.2 We will always consider making reasonable adjustments for a disabled customer if we are asked to do so. For example:

- we could consider using different methods of communication
- agree to give clear warnings when we feel that a customer's behaviour is unacceptable so that they have the opportunity to change it.

6.3 However, we would not consider it to be reasonable to expect our staff to accept being subjected to offensive or aggressive actions, language, or behaviour. We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or the service they are trying to deliver.

7. Review of Complaints or Complainants

7.1 The status of a complainant judged to be unacceptable by their, unreasonable, or persistent behaviour will be reviewed by the Director of Service before the end of the restriction period. If a longer period of restriction has been put in place, this will be reviewed every three months.

The complainant will be notified that the review has taken place and be informed in writing.

7.2 If the complainant's behaviour has improved after a period of time, the restriction can be lifted, and we will notify them in writing to confirm this.

8.0 Appealing against the restrictions

8.1 If the complainant disagrees with the restrictions placed upon them, they do have the right to appeal.

8.2 The complainant will need to outline in writing, why they are appealing with the restrictions placed upon them.

8.3 The appeal will be considered by 2 Senior Directors not previously involved in the previous decision.

The 2 Senior Directors will write to the complainant with their decision which will be final.

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8.4 The complainant can also contact the Housing Ombudsman Service directly. Their contact details are:

Housing Ombudsman Service
PO Box 152
Liverpool
L33 7WQ
Phone: 0300 111 3000
Email: info@housingombudsman.org.uk

Related Policies

- Complaints and Compliments Policy
- Reasonable adjustments Policy

Policy Reviews

This policy will be reviewed every two years.

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