



Bristol City Council – Housing and Landlord Services

Managing Unacceptable Behaviour Policy

Version 1.3a

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Author: Policy and Practice Team

Date Approved:

Date for Review: every 3 years from approval

Service Area: Service Wide

Classification: Operational/Health and Safety

History of most recent policy changes			
Date	Page	Change	Origin of change (e.g. legislation)

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1. Purpose

This policy explains what kinds of resident and/or customer behaviour Bristol City Council's (BCC) Housing Directorate consider to be unacceptable and offers guidance to our staff and contractors on how to handle these situations fairly and consistently.

We are committed to putting our residents at the heart of our service delivery. We believe that all residents have the right to be heard, understood and respected. These same rights also apply to our staff and to the contractors working on our behalf, who have the right to do their jobs without fear of being abused or harassed.

We understand that people may behave differently when they are upset and that they may sometimes be going through a difficult time when they meet with us. However, we will not accept inappropriate or abusive behaviour aimed at our staff or contractors.

The Housing Ombudsman Service's [approach to unacceptable behaviour](#) has been used as a benchmark of best practice for this policy.

2. Scope

This policy mainly applies to Housing Revenue Account (HRA) housing services covered by the Housing Ombudsman. However, any housing related service within the Housing Directorate may also adopt/adapt the approach to managing unacceptable behaviour as set out in this policy.

This policy does not replace any pre-existing Corporate Health and Safety Policies. Where Health and Safety policies are currently in place, BCC staff/contractors should always follow the process/procedures set out in those policies. Rather, this policy focuses on the broader definition of 'unacceptable behaviour' set out in Housing Ombudsman guidance. The policy applies to any form of unacceptable behaviour from residents and/or customers towards BCC Housing Directorate staff, or any person acting on our behalf, such as our contractors. By 'resident and/or customer' we mean anyone who uses a service provided by BCC's Housing Directorate.

3. Aims and objectives

The main aims of this policy are to:

- Make clear to residents and/or customers what BCC's Housing Directorate considers unacceptable behaviour and the actions we will take in response to such behaviour.
- Make clear to residents and/or customers what they can expect from Housing Directorate employees and contractors.
- Provide BCC's Housing Directorate staff and its contractors support in what actions will be taken when they experience unacceptable behaviour.
- Manage unacceptable resident and/or customer behaviour through warnings, alerts, assessment and where necessary the use of restricting contact.

4. Roles and Responsibilities and Authority

The Executive Director of Housing has overall responsibility for the implementation of this policy. The main responsibility for Health and Safety lies with the [Director of Homes and Landlord Services](#). A more detailed breakdown of staff roles and responsibilities is included as Appendix A of this document.

5. The Policy

5.1 Legal Context and Consumer Standards

This policy complies with the Regulator of Social Housing's (RSH) Standards, particularly the Tenant Involvement and Empowerment Standard. Additional detail on the policy and legal

context is provided in Appendix B.

5.1.1 Staff Conduct

When speaking, phoning, writing or meeting with Bristol residents, Housing Directorate staff/contractors are required to follow the BCC [Employee Code of Conduct](#) and display the [values and behaviours](#) expected of those working for, or on behalf of, Bristol City Council. Staff/contractors should always provide a 'courteous, efficient and impartial service' and treat everyone they meet equally and fairly.

The [service standards](#) that housing staff/contractors are expected to meet are set out on our website. Service standards make clear the levels of service our residents and/or customers can expect from us across services such as repairs, safety, lettings and complaints. If residents are unhappy with the services provided by BCC, the conduct of our staff/contractors or how any concerns raised have been handled, they are encouraged to use the official complaints procedure. See [Complaints and feedback](#).

Just as our staff/contractors are expected to be courteous and respectful towards all of our residents, we would expect the same behaviour from our residents. All of our staff and contractors should familiarise themselves with the Corporate Health and Safety Policy 'Arrangement for Responding to Violence, Aggression, Harassment and Hate Crime' and/or any other relevant Health and Safety Policy so they are aware of what to do if faced with aggressive behaviour from residents.

The Housing Ombudsman also offers some [Unacceptable User Behaviour Advice Cards](#). These cards can help staff/contractors as they provide lists of different types behaviour which may be considered to be unacceptable and are examples of telephone calls received by the Housing Ombudsman Service; guidance for responding to such calls is also provided.

5.2 Defining unacceptable behaviour

Violent, aggressive, threatening or abusive behaviour

We understand that residents and/or customers may sometimes be upset and angry about problems that they may have contacted us about. If anger escalates into violence, threats, abuse or aggression towards BCC staff and/or our contractors, we consider that to be unacceptable. 'Violence and aggression' may be defined as 'any incident in which a person is verbally, physically or non-physically abused, threatened or assaulted'.

Abusive behaviour, means language (spoken or written) or behaviour that would reasonably make our staff or contractors feel offended, threatened, or abused. For example, language which:

- is threatening, offensive, derogatory, or patronising,
- is discriminatory in any way, including racist, sexist, homophobic or transphobic comments, or
- alleges that individuals have committed criminal, corrupt or negligent conduct without providing any evidence.

Threats against staff and/or our contractors will be taken very seriously and if our staff or contractors feel threatened at any point during a conversation with a resident and/or customer, the interaction may be ended immediately.

BCC staff/contractors **should always** follow the 'Workplace Health and Safety Procedure (Corporate)' and report incidents where a resident and/or customer has been verbally or physically abusive to them through the internal 'Report an Incident' form. The Corporate

Health and Safety Team may also follow up with a request that the employee/contractor complete the Corporate 'Flag an address' form so other employees/contractors are aware of any potential risk.

Employees/contractors should inform their line manager of:

- The incident itself
- Whether or not they have yet completed the Corporate 'Report an Incident' form
- Whether or not they have completed the Corporate 'Flag an Address' form (such Corporate flags are reviewed every 12 months)

Line managers should notify employees that they can access the Employee Assistance Programme (EAP) if specialist support would be beneficial. Line managers are also required to undertake a specific risk assessment for contact and visits following any known incidents of violent, aggressive, threatening or abusive behaviour by residents and/or customers. Where an incident occurs that presents serious risk to the safety of our staff and contractors, it will be justified to immediately move to sanctions (Stage 3 of this policy) with no warning. In addition to restricting further contact we may also:

- Report the incident to the police, or
- Start legal action against the perpetrator and/or their tenancy if they are an existing BCC tenant.

Harassment

Harassment involves unwanted attention that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. It can happen in person, but also online, in meetings, by emails, or through social media or messaging applications. Examples of harassment include:

- Sexual harassment, such as making sexual remarks about someone's body, clothing or appearance.
- Contacting BCC staff/contractors using their personal details and/or social media presence.
- Publishing personal, sensitive, or private information about BCC staff/contractors online or other public domains such as noticeboards or newsletters.

Where the harassment is specifically on the grounds of race, religion, ethnicity, gender/gender identity, disability or sexual orientation, this should also be viewed as a hate crime and staff/contractors should follow the procedures set out in the Corporate Health and Safety Policy 'Arrangement for Responding to Violence, Aggression, Harassment and Hate Crime.'

Misuse of Technology

The misuse of technology can also be a form of harassment. Having a recording of a meeting or telephone call can be helpful for some people who may struggle to remember details of what was said or be unable to read or understand written records relating to their contact with the Council. No one should be prevented from making their own audio or video recording to have a clear record of matters that were discussed.

However, before a resident and/or customer makes a recording, the Council's employee and/or contractor must be told of the intention to record meetings/conversations and be given an explanation as to why a recording is necessary. The member of staff or contractor must also be offered an opportunity to refuse such a request. If the BCC employee or

contractor does agree to be recorded, they should be allowed to listen to and view any recordings made.

Examples of unacceptable behaviour through the misuse of technology may include:

- Recording conversations with BCC employees/contractors without good reason or without their permission,
- Putting online recordings or live broadcasts of meetings/conversations without our consent, or
- Manipulating or editing recordings.

Unreasonable or excessive demands

A demand becomes unacceptable when it starts to, or is likely to, impact substantially on the work of delivering our services. Examples of this behaviour include:

- Repeatedly demanding a response within an unreasonable timescale (for example, a timescale outside that specified by service level agreements/service standards).
- Insisting on only seeing or speaking to a particular BCC employee or contractor when that is not possible or refusing to deal with an individual employee or contractor despite there being no evidence of any form of misconduct on behalf of that staff member or contractor.
- Repeatedly changing the substance of a complaint or problem or raising unrelated concerns.
- Persistently challenging the outcome of reviews, appeals and/or final decisions that have previously been assessed in accordance with any relevant legislation and/or guidance and the findings clearly communicated to the person making the challenge.

All processes for handling complaints and rights of appeal should be made clear and accessible to residents to encourage efficient handling and appropriate escalation as required.

Unreasonable or excessive levels of contact

Some complaints take up a disproportionate amount of time to deal with, and the level of contact may become unacceptable. Examples of unacceptable or persistent levels of contact include:

- Continuous contact while we are in the process of considering a matter.
- Repeated telephone calls, emails, texts etc over a short period, for example, a high number of calls/emails/texts in one day or week.
- Lengthy telephone calls repeating the same points of discussion.
- High volumes of information provided by email, text messages or post referencing the same matters. All relevant information that has been requested should be provided in a single, comprehensive communication wherever possible and not sent over multiple, fragmented, responses.
- Excessive copying us into correspondence.

Refusal to Cooperate

We always try to work in a way which is convenient and meets a resident and/or customer's needs, but we consider obstructive behaviour or lack of cooperation to be unacceptable. For example:

- Repeated failure to provide access for repairs, inspections or improvement works without good reason.

- Obstructing BCC staff or contractors from completing work at a property or in a nearby area.
- Rearranging or cancelling an appointment an excessive number of times, without good reason.
- Persistently refusing to provide documents/information when requested that would enable Housing Directorate staff to complete any reasonable inquiries that they may have arising from their job role.

If BCC tenants are preventing our staff or contractors from gaining access to a property for inspections or necessary works, our Gain Access Policy and Procedure should be followed. If this fails, or the tenant's refusal is unreasonable, BCC will consider seeking a legal remedy to gain access to carry out necessary works.

5.3 Managing unacceptable behaviour

Phone/Face to Face Interactions

If a resident and/or customer's language or behaviour is considered abusive or otherwise unacceptable (as outlined in this policy) the member of staff/contractor dealing with the interaction or phone call should follow these basic steps:

1. **Initial Warning:** Politely but firmly state that Bristol City Council expects staff to be treated with respect and ask the resident and/or customer to moderate their language/behaviour.
2. **Final Warning & Statement:** If the abuse continues, warn the resident and/or customer that you are prepared to end the interaction/phone call. Explain exactly why (e.g., *"I am no longer prepared to continue this conversation if you continue to shout/swear etc"*).
3. **End Interaction/Disconnect:** If the behaviour persists, terminate the interaction/phone call and report the incident to your supervisor/line manager who should then follow up using guidelines outlined below.

Guidelines for Managers/Supervisors

The Council's response to unacceptable behaviour will be reasonable, proportionate and fair. Managers/Supervisors should also follow a three-stage process, which can be summarised as follows:

- Stage 1: Informal Warning
- Stage 2: Formal Warning
- Stage 3: Sanctions (Legal measures, enforcement actions and/or contact restriction measures)

Before any formal action is undertaken, we will always first try to discuss the individual's behaviour with them, explain why the behaviour is considered unacceptable, and request that they change the way in which they approach BCC employees and/or contractors. Where appropriate, we will also make informal efforts to avoid unnecessary escalation and find resolution for all parties, such as mediation.

If the unacceptable behaviour continues, the resident and/or customer will be issued with a formal warning and if this does not resolve the issue, we may seek to impose sanctions such as restricting contact with the resident and/or customer. Examples of contact restriction sanctions include:

- Contact is limited to writing only,
- Contact is limited to a specific individual,

- Contact is limited to a specific email address, telephone number or mobile number,
- Contact is limited in other ways which we consider appropriate in the circumstances.

In addition, we reserve the right to:

- Limit telephone contact to set times on set days,
- Restrict contact to a nominated employee who will deal with all future calls or correspondence,
- Restrict the issues on which we will correspond,
- Take any other action which we consider necessary or appropriate

These steps will apply to anyone displaying unacceptable behaviour either through day-to-day contact or as part of the Council's formal complaints process.

In some severe cases, it will be justified to immediately move to Stage 3, without any prior warning. Immediate action will be taken where our staff and/or contractors are put at risk. This action may include:

- Reporting the incident to the Police; or
- Starting legal action against the perpetrator
- If a BCC tenant, ending the tenancy which the perpetrator has breached.

Whether or not additional legal or other enforcement actions are undertaken or in cases where such options are limited, Housing service managers should still consider contact restrictions as sanctions. Sanctions should be considered on a case-by-case basis. We will normally let the resident and/or customer know in writing of a decision to impose sanctions. However, if an incident is considered criminal in nature, it will be reported to the Police.

See also our 'Gain Access Policy and Procedure' and our 'Anti-Social Behaviour (ASB) Policy for Housing Management and Estates'.

5.4 Equality and Diversity

Equality Considerations

We are committed to fostering an inclusive environment that respects and values diversity. Our approach to managing unacceptable resident behaviour is guided by our dedication to equality, diversity, and inclusion. We believe that everyone, be they resident, employee or stakeholder, deserves to be treated with dignity and respect.

All contact with residents, including those involving the management of unacceptable behaviour, will be conducted fairly and respectfully. We do not tolerate abusive, discriminatory, or harassing behaviour from residents towards our staff, contractors or other residents. An Equalities Impact Assessment has been carried out for this policy.

Reasonable Adjustments

We recognise that people may sometimes act in an unacceptable way due to behaviours related to life circumstances; this could include a vulnerability, impairment, underlying health condition or complex personal circumstances, which may be temporary. It is understood that people may find it difficult to communicate or express themselves clearly and this may be especially so in upsetting or distressing circumstances. We will take a person-centred approach and will always try to be flexible in the way we deliver our services, making reasonable adjustments wherever necessary. The sort of reasonable adjustments that may be made will, to some extent, be determined by the particular housing service being offered, but some general examples of adjustments that we will consider are:

- Allowing extra time to respond to council processes where needed.
- Using various methods of communication.
- Making contact via a family member, friend or support worker. We will always consider if a multi-agency approach is necessary when an individual is receiving support from external agencies.

We do not expect our staff or contractors to be subjected to aggressive, offensive, threatening, or abusive actions, language, or behaviour and where this occurs, the steps outlined in this policy may still be followed even where a reasonable adjustment for the resident has already been made.

5.5 Appeals or Request to Review

Appeals

Where a decision has been made to manage unacceptable behaviour through formal actions, the resident and/or customer has a right of appeal against this decision. Any appeal must be lodged within 15 working days of receipt of the Stage 3 letter notifying the resident and/or customer of the outcome of the investigation and any contact restrictions we are putting in place. All appeals will be considered by the Head of Service, who will review the circumstances of the case to decide whether to proceed with the actions imposed or alter or remove them.

Review of the arrangements

Following any formal action, the case will be subject to review. The period of review will depend on the facts of the case, the severity of the behaviour and the frequency of repeat instances of unacceptable behaviour but will take place at least annually. At the point of review, removal or continuation of the measures taken will be determined, according to the resident and/or customer's behaviour up to that point. Where it has been determined to maintain or remove measures, we will write to the resident and/or customer to keep them up to date with any changes; follow up review dates will also be included.

Confidentiality

Where restrictions/sanctions have been imposed, an alert flag against the resident and/or customer's record (where available) will be used. This is to manage and monitor the restrictions imposed and for the health and safety of staff and contractors. Any information collected, stored, and accessed will be in accordance with the Data Protection Act 2018 and our Data Protection and Information Security Policies. Resident and/or customers will be made aware if an alert flag has been placed on their record that relates to them or one of their household members.

6. Quality Assurance

6.1 Publishing

This policy will be published on the BCC Website and communicated to relevant operational teams via policy briefings and other appropriate communications.

6.2 Review

This policy will be reviewed in three years or sooner if there is a change to legal or regulatory requirements, in accordance with our procedures and the law.

6.3 Monitoring and Reporting Requirements

Service delivery and performance is measured against the Housing and Landlord Services Performance Framework.

BCC uses performance management to enhance service delivery standards and improve tenant experience. We measure performance to monitor success. Services need to meet the KPI's set and other reporting responsibilities to the regulator.

Investigations, decisions, outcomes, and actions taken in response to this unacceptable behaviour policy will be recorded in our housing management system to track cases and any warning flags applied and can be used as evidence in the event of an audit. Formal actions will be decided by a Service Manager following an investigation of the incident(s), or as part of a multi-agency meeting (MAM) or ASB Case Conference. Cases where a formal action has been put in place will be reviewed at an operational level between three and 12 months, depending on the initial recommendation, and to ensure formal actions are still relevant/required.

7. Appendices

Appendix A – Roles and responsibilities

Director of Homes and Landlord Services

Responsible for:

Leading on functions relating to the Housing Directorate's compliance with relevant health and safety obligations and standards.

Head of Service

Responsible for:

- Reviewing appeals against sanctions where necessary.
- Deciding whether to uphold, amend or overturn a sanction decision.
- Informing the resident of the outcome of their review.

Housing Service Managers

Responsible for:

- Managing Stage 2 and Stage 3 of the Managing Unacceptable Behaviour process by issuing a formal warning (Stage 2) and, where necessary, imposing a sanction (Stage 3).
- Liaising with other Housing Service Managers to ensure consistency in decision-making and case management.
- Ensuring appropriate alerts and flags are placed on the resident's housing management record where formal sanctions are applied.

- Ensuring team members and contractors report and log incidents of verbal and/or physical abuse using the internal Report an Incident form.
- Supporting staff wellbeing following reported incidents, including signposting to the Employee Assistance Programme and other support services.

Housing Team Managers and Team Supervisors

Responsible for:

- Managing Stage 1 of the Managing Unacceptable Behaviour process by issuing an informal warning and making residents aware of this policy and the consequences of continued unacceptable behaviour.
- Undertaking specific risk assessments for future contact and visits where incidents of unacceptable behaviour have occurred.
- Ensuring appropriate alerts and case notes are recorded on housing management systems.
- Escalating cases to a Housing Service Manager where formal warnings or sanctions may be required.
- Ensuring staff and contractors are familiar with the Lone Working Policy and monitoring arrangements.
- Ensuring staff complete relevant training, including personal safety training.

Housing Staff and Contractors

Responsible for:

- Upholding the Code of Conduct for Employees and the council's Values and Behaviours framework.
- Following the Arrangement for Responding to Violence, Aggression, Harassment and Hate Crime and other relevant corporate health and safety policies.
- Acting in accordance with section 5.3 of this policy when responding to incidents of unacceptable behaviour, whether in person or by telephone.
- Reporting all incidents of unacceptable behaviour to their line manager or supervisor.
- Recording all incidents of verbal or physical abuse using the Report an Incident form and cooperating with any follow-up actions from the Corporate Health and Safety Team.
- Understanding and following the required procedures after an incident, including managing unacceptable behaviour appropriately.
- Checking housing management systems and the Corporate Flagging System before contact with residents to identify any restrictions, warnings or special arrangements.
- Informing their line manager and the Corporate Health and Safety Team where warning flags should be considered for a resident or property.
- Following the Lone Working Policy and using lone worker monitoring arrangements where appropriate.
- Completing all required personal safety training.

Appendix B – Legal and Policy Context

The following is not an exhaustive list, but other relevant legislation and guidance includes:

External

- Housing Ombudsman Service – Complaint Handling Code and Managing unacceptable behaviour policy – Guidance for landlords
- Health and Safety at Work etc Act 1974
- Management of Health and Safety at Work Regulations 1999
- Equality Act 2010
- Data Protection Act 2018

Internal

- Anti-Social Behaviour (ASB) Policy (Housing Management and Estates)
- Arrangement for Responding to Violence, Aggression, Harassment and Hate Crime.
- Code of Conduct for Employees
- Corporate Complaints Policy
- Corporate Health, Safety and Welfare Policy
- Data Protection Policy
- Information Security Policy
- Housing Data Governance Framework (in development)
- Gain Access Policy and Procedure
- Lone Working Policy
- Tenancy Sustainment Policy
- Workplace Health and Safety Procedure (Corporate)