

Managing Unacceptable Behaviour Policy

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Approved by	Directors Group
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Lines of Defence/how is the document audited?	1. Policy approval by Directors Group 2. Review period and appeals process 3. Oversight and regular case review by Management

1. Scope and Aims

- 1.1. Hexagon wants you to have your views heard and for our staff to be able to do their jobs effectively. To achieve this, Hexagon occasionally needs to manage the demands put on our service by those who behave in an unacceptable manner. Hexagon will take action to manage unacceptable behaviour of any resident that creates an unacceptable working environment for our staff, or that has an adverse impact on our staff's ability to deliver our services to other residents.
- 1.2. This policy aims to ensure that all residents using Hexagon services are dealt with fairly, honestly, consistently and appropriately including those whose actions are considered unacceptable.
- 1.3. This policy applies to Hexagon's Complaints process, Hexagon's Customer Services, all Hexagon departments and services, including Hexagon contractors and those acting on Hexagon's behalf.
- 1.4. This policy does not supersede or infringe upon your statutory rights.

2. Equality and Diversity

- 2.1. An equality and diversity impact assessment has been carried out and is attached as an appendix to this Policy.
- 2.2. This Policy will be implemented in accordance with Hexagon's responsibilities and duties under relevant legislation, including the Equalities Act 2010. Hexagon will show due regard for an individual's medical condition and vulnerabilities such as mental health issues and learning disabilities when implementing this Policy.
- 2.3. Hexagon will respond to requests for reasonable adjustments in line with our Vulnerable Residents and Reasonable Adjustments Policy and our Translation and Accessible Communication Policy.

3. Consultation

- 3.1. Resident Groups were consulted on this policy from April to June of 2023 and their feedback has been incorporated into this policy.

4. Policy Statement

- 4.1. Examples of behaviours that Hexagon considers unacceptable include:
- 4.2. **Unreasonable demands.** This may include:

- Repeatedly requesting large volumes of information;
- Asking for responses to non-urgent matters within an unreasonably short space of time;
- Refusing to speak to an individual or insisting on speaking with another individual.
- Repeatedly demanding that a tenant is moved or evicted.

4.3. Unreasonable persistence. This may include:

- Insisting that the response is not adequate despite demonstrable correspondence addressing the concerns raised;
- Continuing to raise the subject matter without providing any new evidence when the procedure is exhausted;
- Contacting different people or departments;
- Changing the substance of a report or complaint by persistently raising new issues whilst the first issue is being dealt with;
- Persistently demanding that someone should be fired when there is no reasonable basis for expecting this following our investigation.

4.4. Harassment, verbal abuse, aggression, and violence

4.4.1. This may include (by any contact method, including online and on social media):

- Offensive language, including of a racist, sexist, ableist, transphobic, or homophobic nature;
- Sexual harassment;
- Derogatory or patronising remarks and rudeness;
- Defamatory allegations without any evidence;
- Threats and threatening language;
- Threats of violence;
- Recording conversations without prior consent, or video recording individuals without consent (see the Policy on recordings made by residents)

- Contacting staff using their personal details or social media;
- Publishing personal, sensitive or private information about staff online or in public domains.

4.5. Overload of contact

4.5.1. This may include:

- Making an excessive number of telephone calls to us on the same issue;
- Sending numerous emails or letters within a short space of time;
- Telephone calls of an excessive length of time.

4.6. Hexagon will consider your known vulnerabilities or support needs when determining our response to unacceptable behaviour. Where possible, Hexagon will request that a family member, friend, or support worker represents you in the handling of your issue or complaint. Hexagon will consider if a multi-agency approach is necessary where you are receiving support from other bodies such as social services.

5. Actions Hexagon will take to manage unacceptable behaviour

5.1. Hexagon will try to reach an arrangement with you to resolve the issue, allowing you time to consider and adjust your behaviour. If you persist with unacceptable behaviour, Hexagon will issue you a formal warning.

5.2. The formal warning will include examples of where your behaviour has been considered unacceptable, and reference what steps may be taken if the behaviour continues.

5.3. There may be situations (such as threats, violence, harassment) where the behaviour requires instant action without a warning being issued.

5.4. Formal actions taken to manage unacceptable behaviour will be determined on a case-by-case basis, and may include:

5.4.1. Providing a single point of contact (other staff will be instructed not to engage or respond);

5.4.2. Limiting how or when you may contact us, for example limiting the frequency and duration of calls, emails and visits, and/or limiting contact to a single form, i.e. writing, email, or telephone only;

- 5.4.3. Only allowing you to attend the Hexagon office with a prior appointment;
- 5.4.4. Not allowing you to attend the Hexagon office;
- 5.4.5. Limiting contact to certain times or to a limited number of times per week or month, and only responding to contact a limited number of times per week or month
- 5.4.6. Declining to give any further consideration to an issue unless additional evidence or information is provided;
- 5.4.7. Only considering a certain number of issues in a specific period;
- 5.4.8. Responding to you only through a designated advocate or representative;
- 5.4.9. In cases of violence or harassment, Hexagon may involve the police, take legal action or end direct contact with you.
- 5.4.10. Where there has been a breach of tenancy we may take legal action including eviction.
- 5.5. You will be issued a letter explaining the actions taken in response to your behaviour, this will include information on how to appeal the decision.
- 5.6. Any restrictions set will be subject to a review period and this will be communicated to you. If the behaviour has ceased at the point of review, consideration will be given to lifting the restrictions. If the unacceptable behaviour continues, the restrictions will continue and Hexagon will provide you with an explanation and a new review date.
- 5.7. If you have raised a complaint and you do not feel our actions are reasonable in response to your behaviour, you may refer the matter to the Housing Ombudsman.

6. Related Hexagon policies, strategies and procedures

- 6.1. Complaints Policy and Procedure
- 6.2. Cautionary Contacts Policy
- 6.3. Policy on Recordings Made by Residents
- 6.4. Anti-Social Behaviour Policy
- 6.5. Tenancy Management Policy

Appendix 1: Equality Impact Assessment - Initial Screening

Protected Characteristic	Impact			Reason
	Positive	Negative	None	
Age			X	No impact identified
Disability	X			This policy makes specific provisions for paying due regard to a resident's disability when determining what actions should be taken. The policy emphasises collaboration with support workers and other agencies to facilitate the resident's continued access to the service.
Gender	X			This policy makes specific provisions for protecting staff from sexist abuse
Gender reassignment	X			This policy makes specific provisions for protecting staff from transphobic abuse
Race	X			This policy makes specific provisions for protecting staff from racist abuse
Religion or belief	X			The policy does not explicitly cite this, but protection against harassment against staff on religious/belief grounds is covered by the policy points about harassment and abuse.
Sexual orientation	X			This policy makes specific provisions for protecting staff from homophobic abuse
Socio-economic status			X	The policy does not place any financial burdens or fines on any resident.
Literacy			X	Hexagon will communicate to residents using their preferred contact method and will adapt to any reasonable requests for different styles of communication to meet a residents accessibility needs
What are the arrangements for monitoring the policy and its impact on customers?				
Impact and learning from this policy are regularly reported to our governing body. This policy will be subject to review in three years time, or sooner if there are any changes to service delivery, regulations, or best practice.				

As no negative impact has been identified, we will not proceed to Part 2 of the Equality Impact Assessment.