



Unacceptable Actions by Residents Policy

1.0 Purpose and scope

This policy sets out our approach to managing unacceptable behaviour from residents or their visitors toward staff, including employees, agency workers, contractors, volunteers or executive board members.

For information on how we manage unacceptable actions from residents which relate to damage to our property or negatively affect other residents, please refer to our [anti-social behaviour policy](#).

Residents who believe that a member of staff has breached our code of conduct can either report this to a member of staff or make a complaint. Any suspected breaches are reported to a manager and investigated as a disciplinary matter.

2.0 Key commitments

We aim to work with everyone in a fair, honest, and consistent way. We seek to create an environment where residents and staff treat each other equally with respect and without prejudice, with an understanding of each other's shared right to be listened to. This helps us create strong working relationships, which allow staff to feel safe and secure in their work, so they can deliver the best service to residents.

We will not tolerate unacceptable behaviour towards our staff and we will act to ensure the safety and wellbeing of staff. Staff are expected to report all incidents of threatening and/or violent behaviour made towards them or their colleagues. All incidents will be recorded, and support will be given to staff if they wish to report the incident to the police.

3.0 Definitions

Protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, or sexual orientation are all protected characteristics.

Unprotected characteristics: characteristics which are not included in the [Equality Act 2010](#), such as height, weight, education and socioeconomic class, nationality or caring responsibilities but which may still lead to discrimination.

We define **unacceptable actions** as actions that create, or have the potential to create, a risk to the health, safety and wellbeing of staff or affects our housing management function to carry out day-to-day activities and the strategic management of our homes. This can include but isn't limited to:

Bullying

Here the definition of bullying is based on [ACAS's definition](#); unwanted behaviour from a person or group that is either:

- offensive, intimidating, malicious or insulting
- an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone

Examples include:

- Making malicious or personal comments about staff
- "Picking on" a member of staff or singling them out
- Making false allegations about a staff member

Harassment

Here the definition of harassment is based on the definition set out in the [Equality Act 2010](#):

Unwanted conduct ... that has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Behaviour that meets this criteria will be considered harassment, even if this was not the intended effect and if it happens as an isolated incident or persistently. All harassment, regardless of whether or not it relates to a protected or unprotected characteristic is covered by this policy, however we recognise that harassment driven by prejudice poses a heightened risk to our staff.

Examples include:

- Continual phone calls, emails, and letters without giving reasonable time for a response.
- Social media posts to or about staff members.
- Inflammatory statements and consistently unsubstantiated allegations against staff.
- Sexual harassment, including unwanted sexual advances.

Violent behaviour

We use the [Health and Safety Executive \(HSE\) definition](#) of violence at work;

"Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work". This includes threats and verbal abuse even if no physical injury occurs.

Examples include:

- Making threats towards staff, such as threats of violence, or moving closer to a staff member in a threatening manner
- Failure to control aggressive pets around staff members
- Shouting and aggressive communication, whether in person, in writing or over the phone
- Physical and sexual assault

Unreasonable actions

We define actions as unreasonable where they are excessive, disproportionate or place unfair expectations and demands on our services.

Examples include:

- Demanding to only deal with a particular member of staff or unreasonably refusing to deal with a particular member of staff
- Persistent refusal to accept the outcome of a reasonable decision and not using the appropriate route (for example, the Housing Ombudsman Service) to ask for a review of a decision.
- Requesting large volumes of information in short time frames

Where unacceptable behaviour is perceived to be driven by prejudice, we also refer to our [Hate Incidents and Hate Crime](#) policy for a definition of such behaviour, which also covers gender-based prejudice.

4.0 What we expect from residents

We expect everyone we work with to treat staff and anyone connected with us with respect. Staff should feel safe and secure in their work environment, including when they visit residents in their homes or when they carry out site inspections. It is never acceptable for a resident to direct their frustration at staff when something goes wrong.

The occupancy agreement (e.g. tenancy or lease) makes clear the standard of behaviour that we expect from residents and their visitors. Unacceptable behaviour will be recognised as a breach of the occupancy agreement and we will support staff in pursuing proportionate and strong action against this. If a resident is dissatisfied with a service, they are expected to use the appropriate routes for making us aware of this, such as raising a complaint.

5.0 What residents can expect from us

Staff are expected to behave in accordance with best practice in preventing escalations and limiting risk to themselves, by following safety procedures while lone working and communicating with tenants with respect and understanding.

Staff are expected to understand the difference between assertive and aggressive behaviour. We understand that residents may act out of character when they feel distressed or frustrated, such as when they are faced with legal action, and we expect staff to be sympathetic and understanding when residents demonstrate this

behaviour. Staff are expected to maintain professional behaviour in line with our internal code of conduct.

However, staff are not expected to demonstrate unlimited resilience towards unacceptable behaviour and we do not expect staff to put themselves in situations which make them feel unsafe or put them at risk. To protect staff, we will not engage with threatening or violent behaviour and staff are not expected to respond to complaints that are put forward in offensive language.

Staff are expected to report all incidents of unacceptable behaviour, including incidents that they witness but are not subject to. Staff should also consider whether unacceptable behaviour should be managed as a safeguarding concern, particularly where the concern is related to a visitor's behaviour.

We encourage staff to report any incident that they believe to be a crime to the police and we will support them to do this as appropriate. If a staff member is unwilling to report a crime to the police, then we may still report the crime on their behalf, for example, if we believe that not doing so would put other members of staff, our residents or the public at risk.

6.0 Sharing our expectations

The principles agreed on as part of the [Notting Hill Genesis Charter](#) positively frames the relationships that both staff and residents want to have. Our relationship is based on being:

- 1) Responsive and reasonable:** We will support each other in resolving queries. We will be mindful of each other and give each other space to find solutions.
- 2) Dependable and patient:** We will trust each other through consistency and transparency. We will be patient with each other.
- 3) Compassionate and respectful:** We will always treat each other with respect and compassion.
- 4) Tolerant and inclusive:** We will recognise each other as individuals and work to understand each other's needs and circumstances.
- 5) Empowering and communicative:** We will always use clear communication. We will encourage open conversations with each other to resolve issues as easily as possible.

7.0 Responding to unacceptable behaviour

We will support staff in taking steps to respond to unacceptable behaviour. We have a variety of tools for responding to unacceptable behaviour and our response will depend on the individual circumstances of each case, this may include but is not limited to:

- Verbal and written warnings
- Contact agreement
- Visiting rules
- [Anti-social behaviour policy](#) where there is overlap between unacceptable behaviour towards staff and other residents
- Offering to make a referral to support agencies
- Legal action e.g. an injunction or eviction

- Referring the matter to the police, if we believe a crime has been committed

Residents can appeal a decision by staff to use any of these tools to respond to unacceptable behaviour. The appeal will be reviewed by a member of staff senior to the colleague using the policy. For example, if the housing operations manager has communicated the decision to the resident, the head of operations will review the appeal. Persistent complaints that have already been responded to will be dealt with in line with this policy.

Records will be made of all instances of unacceptable behaviour and all measures put in place to limit contact with staff will be reviewed every six months or less as needed by operations staff.

8.0 Support for staff

We recognise that being subject to unacceptable behaviour can harm staff wellbeing and make it difficult for staff to carry out their day-to-day activities effectively. In line with our internal bullying and harassment policy, staff can expect to receive support from their line manager and colleagues when responding to an incident of unacceptable behaviour. It may be necessary for managers to check in with younger staff more thoroughly on this issue, as they are significantly more likely to experience abuse but some of the least likely to report these issues.

Staff can expect both immediate and continuous support from their manager when an incident of unacceptable behaviour occurs. Having been notified of staff being subjected to unacceptable behaviour, the manager will carry out the following actions:

- Agree with staff on how to most appropriately respond to the incident.
- Create the space for staff to discuss how an incident has affected their wellbeing
- Carry out follow-up check-ins with staff to monitor and record how staff are coping with the incident

Employee Assistance Programme (EAP)

Staff can access support from our Employee Assistance Programme (EAP) via [LifeWorks](#) which includes a confidential telephone advice and counselling service.

Mental Health First Aider

Staff can also get in touch with a Mental Health First Aider who will provide initial support to fellow colleagues who may need somebody to talk to

HR Support

Advice and support can also be sought from the HR Team, an [NHG Staff Forum Representative](#) or UNISON- the recognised trade union at NHG (as an established member).

If a staff member is dissatisfied with the way their manager has handled unacceptable behaviour towards them from a resident or their visitor, the employee should discuss their concerns with their manager or a more senior manager. Should this not provide a resolution, the employee has the right to take the matter up either formally or informally. More information can be found in our internal grievance policy.

Training

To prevent unacceptable behaviour, training is made available for staff on how to manage conflict situations and how to keep safe when working alone.

Staff are also expected to have an awareness of mental health issues to ensure health conditions are not overlooked when managing unacceptable behaviour.

Lone worker devices

In accordance with our internal lone working policy, all resident-facing staff whose role involves working alone without supervision or any other staff member present, are provided with and must use their lone worker device. All resident-facing staff should ensure that they complete the mandatory E-learning training within their probation period and subsequent refresher training thereafter.

9.0 Mental health and support needs

We recognise that mental health issues or support needs can sometimes be the underlying cause of unacceptable behaviour. Where we are aware of a resident having a support need which causes them to behave in a way we consider unacceptable, we will consider how we can adapt the type of contact we have with them to allow us to continue to offer services to them. Where we are unaware of residents having a support need but suspect this, we may refer to statutory agencies to complete an assessment of mental capacity, as per our [safeguarding adults policy](#).

10.0 Monitoring

We want to ensure that we are consistently providing the required level of support to staff and check satisfaction with the steps taken in response to a report of unacceptable behaviour. The health and safety team monitor every violent incident report which is reported via Assessnet and follow up with staff and line managers. All incidents are reported monthly at leadership level, with details of the incidents shared.

11.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering equality, diversity and inclusion for both our residents and our staff. We have also considered how this policy impacts data protection and privacy for residents.

To request a copy of these assessments, please contact us at policy@nhg.org.uk

12.0 Reference

The following documents relate to this policy:

- [Professional boundaries policy](#)
- [Complaints policy](#)

- [Anti-social behaviour policy](#)
- Tenancy or Licence Agreements
- [Hate incidents and hate crime policy](#)
- [Data protection policy](#)

Document control

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Jan 2019	New NHG policy.	1.0
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