



# Unacceptable User Actions and Behaviour Policy

<b>Approved by SMT</b>	23 <sup>rd</sup> June 2022
<b>Approved by Committee /Board</b>	N/A
<b>Effective date</b>	1 <sup>st</sup> July 2022
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<b>Policy developed by</b>	Head of Communities
<b>Consultations</b>	1 <sup>st</sup> June 2022
<b>Associated procedure</b>	None

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# Introduction

## 1. Purpose

- 1.1 This policy sets out our approach to those users whose actions or behaviour we consider unacceptable. A 'user' is not limited to our customers and is defined as anyone who has contact with our offices or colleagues / contractors.
- 1.2 We aim to deal fairly, honestly, consistently, and appropriately with all users, including those whose actions we consider unacceptable.
- 1.3 All users and colleagues have the right to be heard, understood, and respected.
- 1.4 Scope: The policy applies to the whole of the Group. This means Connexus Homes Limited, (ultimate parent) and all its subsidiaries and applies 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.

## 2. Problem to Solve

- 2.1 Connexus aims to provide a service that is accessible to everyone. Occasionally, the behaviour or actions of individuals makes it very difficult for us to deliver the quality of service we aspire to. In a small number of cases the actions of individuals become unacceptable because they involve abuse of our staff or our process. At times, where we consider user actions to be unacceptable, Connexus retains the right to restrict or change such access.
- 2.2 Connexus recognises that people may act out of character in times of trouble or distress, and we will not view behaviour as unacceptable just because someone is forceful or determined.
- 2.3 Actions of users who are aggressive, demanding, or persistent may result in unreasonable demands on, or unacceptable behaviour towards Connexus colleagues. When this happens, we must take action to protect the health and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed. We also must consider the impact of the behaviour on our ability to do our work and providing a service to others
- 2.4 The definition of what Connexus considers unacceptable are noted below under 'methods' for guidance.
- 2.5 Should Connexus be required to apply this policy to a specific user an alert will be placed on our core systems, in line with the Data protection Act 2018. The alert will ensure Connexus colleagues are aware of any conditions or restrictions placed on a user and be able to apply them consistently.

## 3. Method

### **Aggressive or Abusive Behaviour**

- 3.1 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause colleagues to feel offended, afraid, threatened or abused.
- 3.2 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse (including that placed on social media), derogatory remarks and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be deemed as abusive behaviour.
- 3.3 We expect our colleagues to be treated courteously and with respect. Violence or abuse towards colleagues is unacceptable. It is not acceptable when anger escalates into aggression directed towards Connexus colleagues or company representatives.

### **Unreasonable Demands**

- 3.4 Users may make what we consider to be unreasonable demands on Connexus through the amount of information they seek or provide, the nature and scale of service they expect, or the number of approaches they make. What amounts to unreasonable demand will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the user.
- 3.5 Examples of actions grouped under this heading include demanding responses within an unreasonable timescale, unreasonably insisting on seeing or speaking to a particular colleague, continual phone calls, emails, or letters, repeatedly changing the substance of a complaint or raising numerous unrelated concerns.
- 3.6 We consider these demands as unacceptable and unreasonable if they start to impact substantially on our work, such as taking up an excessive amount of colleague time to the disadvantage of other users.

### **Unreasonable Persistence**

- 3.7 We recognise that some users will not or cannot accept that Connexus is unable to assist them further or provide a level of service other than that provided already. Users may persist in disagreeing with the action or decision taken in relation to their case and may contact Connexus persistently about the same issue.
- 3.8 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to their case or issue, persistent refusal to accept explanations and continuing to pursue a case without presenting any new information. The way in which these users' approach Connexus may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not, such as repeated/excessive contact over the same matter.
- 3.9 We consider the actions of persistent users to be unacceptable when they take up what Connexus regards as being a disproportionate amount of time and/or resources.

## **Harassment**

- 3.10 Our colleagues have the right to carry out their duties free from harassment or threats of harassment. We ask all customers to respect that our colleagues are delivering services and communicating decisions on behalf of Connexus and therefore this may not reflect their own views or preferences.
- 3.11 Examples of actions grouped under this heading include recording telephone discussions and publishing the information online such as through YouTube, Vimeo or Twitter, contacting colleagues using their personal details or social media, publishing personal, sensitive or private information about colleagues online or other public domains such as noticeboards or newsletters.
- 3.12 In the event of a colleague being subjected to harassment or hate crime from a user a risk assessment should be carried out to specifically consider the health, safety and wellbeing of the colleague. Immediate consideration should be given to any potential safeguarding concerns and if required, the safeguarding policy should be followed. Should a safeguarding referral not be required a review should be conducted within 48 hours of the incident being reported by the colleagues' line manager in conjunction with the Health and Safety Business Adviser, HR and OD Manager and Housing Manager. This group will review the incident and potential risks to make a recommendation on the best course of action to take and present that to the Head of Service leading the review of this policy as set out at section 3.17. Should the group not be able to agree on the most suitable course of action, the Director of Operations should be contacted who will have the final say.

## **Managing Unacceptable Actions by Users**

- 3.13 Managing a user's action depends on their nature and extent and each case will be treated on an individual basis. If a user's action/s adversely affects our ability to do our work and provide a service to others, we may consider taking more formal action.
- 3.14 The implementation of this policy with a user should still allow day-to-day contact on issues relating directly to their tenancy to progress, albeit possibly through a restricted channel.
- 3.15 The actions we will consider can include the following:
- Warning the customer about their behaviour and requesting that the customer modifies their behaviour in future contact with us
  - Appointing a specific point of contact for the customer
  - Communicating only in writing, e-mail or via a nominated representative
  - Deciding not to investigate a complaint or issue
  - Restricting or limiting contact with Connexus
  - In exceptional circumstances, notify relevant public authorities where significant security or health and safety concerns are identified
- 3.16 In addition, where the need to attend the user's home on matters relating to their tenancy or other legitimate matters, consideration will be taken to ensure two

colleagues are in attendance and an appointment will be made where possible. The user may have also chose to have a second person in attendance.

- 3.17 The decision to consider a user's actions or behaviour unacceptable under the terms of the policy is the responsibility of the Senior Management Team (SMT). Any colleague wishing to consider using this policy for a specific user should discuss with their Head of Service in the first instance.
- 3.18 Should a member of SMT recommend applying this policy to a user, they should consult with the Head of Communities to ensure an independent review of the decision is taken. Where the Head of Communities is recommending the application of this policy, they shall request an independent review of their decision via an independent member of SMT.
- 3.19 The user should be informed in writing of the decision, including the restrictions being imposed and the timeframe for which they apply.
- 3.20 The user has the right of appeal and can do so within 28 days. This review will be undertaken by a member of the Executive Management Team and communicated to the user by letter within 10 working days; this decision will be final.

### **Reasonable Adjustments**

- 3.21 We understand that some customers may find it difficult for them to express themselves or communicate clearly, especially when they are anxious or upset. Colleagues should be aware that this may be as a result of the situation, and/or due to a specific anxiety disorder, such as:
- Generalised anxiety disorder (GAD)
  - Specific phobias
- 3.22 We will always consider making reasonable adjustments for a resident if we are asked to do so. Examples of adjustments we can consider are:
- we could consider using different methods of communication.
  - providing written communication in large print, coloured text, or translated.
  - Allowing users to be supported through interpreters and/or support workers
  - giving clear warnings if conversations become unproductive and allowing users the opportunity to modify their behaviour before ending a call.
- 3.23 We may still use the policy if there are actions or behaviours which are having a negative effect on our staff or our work even where a reasonable adjustment has been made.

### **Further Action**

- 3.24 Connexus reserves the right, should the situation require, to pursue either civil or legal action.
- 3.25 Legal action could be considered against any user being violent, assault or vandalism.

- 3.26 Civil action could be considered against any user where an injunction may be required to restrict access to our premises and/or contact with colleagues.

#### Case Review

- 3.27 Connexus will undertake a review of each case once every two years. The review will be conducted by an independent Head of Service and will consider whether, in the opinion of the reviewer, the user's behaviour has improved sufficiently to remove all restrictions and/or remove certain/specific restrictions.
- 3.28 Any decision taken, regardless of the outcome will be communicated to the user via letter within 10 working days.
- 3.29 The case review decision will be final and there is no right of appeal.

## 4. Measurement

- 4.1 The Head of Communities is responsible for keeping under review all decisions made under this policy and will be accountable for its implementation.
- 4.2 All colleagues have the responsibility to read, understand and implement this policy.
- 4.3 All contractors, consultants and partner organisations are responsible for operating in accordance with this policy when delivering services on behalf of Connexus.

Appendix 1 – Equality Impact Assessment Form



# Connexus

## Equality Impact Assessment Form

<b>Strategy / policy / procedure / service / function / project being assessed</b>	Unacceptable User Actions Policy
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<b>Stage 1</b>		
<b>Lead officer</b>	[REDACTED]	
<b>Date of assessment</b>	31 <sup>st</sup> May 2023	
<b>Date for next review</b>	Upon policy review	
<b>Reason for assessment</b>	Update of previous EIA	
<b>Agreed and signed off by lead officer's line manager</b>	<b>Manager's signature</b> [REDACTED]	<b>Date</b> 31/05/2023
<b>Stage 2</b>		
<b>Aims of the service / function / policy/project under assessment</b>	The policy sets out our approach to those users whose actions or behaviour we consider unacceptable. We aim to deal fairly, honestly, consistently, and appropriately with all users, including those whose actions we consider unacceptable.	
<b>Main stakeholders / beneficiaries</b>	A 'user' is not limited to our customers and is defined as anyone who has contact with our offices or colleagues / contractors.	
<b>Who is likely to be affected by the service/ function/ policy/project?</b>	As noted above, a defined 'user' would be likely to be affected.	
<b>What are the arrangements for monitoring and reviewing the actual impact of the service/function/policy/project?</b>	The policy is reviewed every 3 years. Any 'user' where the policy is implemented is reviewed every 2 years, as per the policy within the 'Case Review' section.	

<b>Stage 3 Collect and evaluate the evidence</b>				
<b>Key questions</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>No specific impact on any one group</b>	<b>Evidence</b>
Does the policy or service have a positive or negative impact on any racial groups? Describe how and which.			<b>X</b>	
Does the policy or service have a positive or negative impact on individuals where English is not their first language. Describe how and which.		<b>X</b>		Copies can be translated, and translation services are available to ensure the policy is understood as per policy at 3.22. Frustration in not being understood and natural language could come across as being aggressive/ unacceptable and this should be considered when deciding on the actions to take.
Does the policy or service have a positive or negative impact on women or men? This includes Transgender people / Trans people. Describe how and which.			<b>X</b>	
Does the policy or service have a positive or negative impact on people with disabilities? Describe how and which.		<b>X</b>		As per 3.22 of the policy, we will make any reasonable adjustment required to support people with disabilities.
Does the policy or service have a positive or negative impact on people of a particular age? (e.g. children, young people, older people). Describe how and which.			<b>X</b>	
Does the policy or service have a positive or negative impact on people with particular sexuality / sexual orientation? Describe how and which.			<b>X</b>	

Key questions	Positive impact	Negative impact	No specific impact on any one group	Evidence
Does the policy or service have a positive or negative impact on people in terms of marriage/ civil partnership status? Describe how and which.			<b>X</b>	
Does the policy or service have a positive or negative impact on people with a particular religion or belief? Describe how and which.			<b>X</b>	
Does the policy or service have a positive or negative impact on people in terms of pregnancy/ maternity? Describe how and which.			<b>X</b>	
Is it possible that the service/ function/ policy could discriminate or unfairly disadvantage those that do not have access to digital equipment?		<b>X</b>		A hard copy of the policy can be made available in print for those unable to view the actual policy on the Connexus Website or receive a copy via e-mail. Any action/outcome would consider the preferences of the customer, for example, those who are not able to access digital services would not receive electronic comms or asked to communicate only via e-mail.
Is it possible that the service/ function/ policy could discriminate or unfairly disadvantage or cause an individual/ community financial hardship?			<b>X</b>	

**Outsourced services**

If delivery of your strategy, policy, project or service is partly or wholly provided by external organisations / agencies, please list any arrangements you plan, to ensure that they promote equality and diversity.

If action is required as per 3.24 to 3.26 of the policy and legal advice would need to be taken, we would only use solicitors who are trusted to the organization and are bound to act in accordance with the policy as per 4.3.

Language Line is in place for translation services as part of the reasonable adjustments we put in place for all Connexus customers.

Our tender process as part of procuring services ensures that the provision of services to support equality and diversity is in place.

**Relations between different equality groups**

Does your assessment show that a policy, project or service may have a differential impact between any discrete groups? If yes, please explain how this issue is going to be tackled.

N/A

**Stage 4 – Summary of replies from individuals and stakeholders consulted, including any previous complaints on equality and diversity issues about the policy or service**

Our Customer Experience team invited customers to review the Unacceptable User Actions Policy prior to it being presented for approval by Senior Managers. 5 customers were involved in the review.

There has been one complaint about the use of this policy as the customer felt that it discriminated against them due to their disability. This Equality Impact Assessment has been reviewed as a result of that complaint to ensure the policy is taking customers individual needs and disabilities into consideration.

**Stage 5 – Options resulting from this equality impact assessment, including measures necessary to minimise or remove any adverse impact and better promotion of equality and diversity. Consider any alternative solutions**

The ability for Connexus to capture customer disabilities, and the reasonable adjustment/s that would be required to consistently support them, is currently lacking. This will need to be addressed to minimize risk to the customer and achieve better levels of service that are tailored to the customer's individual needs.

**Stage 6 – Arrangements for regular monitoring of the impact of the policy, project or service**

Section 4 (Measurement) within the policy describes how the policy will be monitored.

The Policy has a set review date, at which point it will be reviewed and a refreshed EIA completed.

**Stage 7 – Any actions and outcomes, including how these are to be communicated both internally and externally as required**

- [REDACTED] to issue comms to group (via Comms Team) reminding them of the policy and ensuring that we have captured all people who have the policy applied to them currently.
- [REDACTED] to discuss with [REDACTED] on taking forward the development of a Reasonable Adjustment Policy and Procedure.