

**1 Policy statement**

- 1.1 Occasionally, the behaviour or actions of customers makes it difficult for us to engage and interact with them, or to deliver our services. In a small number of cases behaviour becomes unacceptable.
- 1.2 When this happens, we may have to take action to protect our staff, contractors, other customers, or the wider business, who may be directly affected by the behaviour, or it may indirectly impact our ability to do our work or provide services to others.
- 1.3 We always aim to treat customers equitably, honestly, and consistently, including those whose actions may be considered unacceptable. Every customer has a right to be heard, understood, and respected, but that must be balanced with their responsibility to behave reasonably.

**2 Statutory and Regulatory context**

- 2.1 Rooftop will always adhere to the latest legislation, regulations and statutory guidance relating to the treatment and managing of customers, including:
  - The Regulator of Social Housing (RSH) Consumer Standards, specifically the Tenant Involvement and Empowerment Standard.
  - The Housing Ombudsman (HO) Complaints Code of Conduct and related guidance.
  - Relevant RSH judgements and HO findings.

**3 Policy outline**

- 3.1 This Policy defines what we mean by unacceptable or unreasonable behaviour, explains our approach to these situations and what actions we may take.
- 3.2 The Policy applies to all our customer groups and all areas of our work.

**4 Equality, Diversity and Inclusion: Principles**

- 4.1 At Rooftop we are committed to creating and sustaining a diverse and inclusive environment achieving positive outcomes for potential and existing customers, our colleagues and the wider community. Our commitments to our customers, colleagues and communities are detailed in our Equality, Diversity and Inclusion (EDI) Strategy. We are an organisation that values diversity, champions equality and inclusion. We demonstrate this through the activities and the services we provide. This means living by, working to and acting on our Values.

**5 Vulnerability: Reasonable Adjustments**

- 5.1 There are occasionally circumstances where we need to consider working outside of the parameters of this Policy. This may be where there are several complexities present, or where customers have vulnerabilities that may lead us to make reasonable adjustments to the way we apply this Policy. In such cases, a referral should be made to the Complex Cases Review Group via the Head of Housing, where any approach outside of this Policy (and potentially other policies) will be

considered and recorded, if agreed. This will always be considered in the context of the Assessing and Supporting Vulnerability Policy.

## **6 Data Protection: Principles**

- 6.1 Rooftop recognises the importance of protecting the personal data of our customers, colleagues, contractors and other stakeholders and our commitment to compliance with data protection laws and managing personal data responsibly. As an organisation, we are committed to ensuring everything we do with personal data follows the principles of lawfulness, transparency, fairness and accuracy whilst minimising the amount of data we collect and only using it for specific, explicit and legitimate purposes until we no longer need it.

## **7 What is unacceptable behaviour?**

- 7.1 Behaviours that might be considered unreasonable or unacceptable include:
- 7.1.1 **Unreasonable demands:** Requesting large volumes of information, refusing to speak to an individual or insisting on speaking with another, imposing unreasonable timescales, asking for action on matters that are not within Rooftops responsibility or powers, insisting that matters are dealt with outside of policy or process.
- 7.1.2 **Unreasonable persistence:** Refusing to accept an answer that has been given, or our findings on a complaint that has been properly considered, continuing to raise the same subject matter without providing any new evidence, continuously adding to or changing the subject matter of the complaint, recording without consent.
- 7.1.3 **Verbal abuse, aggression, violence, harassment:** Not limited to actual physical or verbal abuse but also includes derogatory remarks, rudeness, inflammatory or libellous allegations, discrimination of any kind and threats of violence.
- 7.1.4 **Overload of letters, calls, emails or contact via social media:** Including the frequency of contact as well as the volume of correspondence received as well as the frequency and length of telephone calls.
- 7.1.5 **Refusal to co-operate with us,** to engage with solutions offered or services provided - including providing access - where co-operation would potentially support the customer, resolve their concerns, or enable us to fulfil our statutory responsibilities.

## **8 Actions we may take**

- 8.1 Each case will be considered on its merits, considering the customers behaviour, the customers situation, and any prior history. Any decision to impose restrictions will show due regard to the customers known vulnerabilities and their ability to access our processes.
- 8.2 Depending on the circumstances and the behaviour of the customer we may take more formal action. Each case is individual and therefore measures considered could include but are not limited to:
- Appointing a specific point of contact for the customer.
  - Limiting communication to a specific format – for example in writing only.
  - Limiting communication to specific times, days, or frequencies.
  - Limiting the number of issues that will be considered in a specific period.
  - Replying to all matters on a set frequency (for example, every 10 days).
  - Applying appropriate warning flags on the customer's account.

- Banning customers from entering Rooftop offices or enforcing visits by appointment only.
- Stopping all communication with a customer about a specific issue (unless new relevant information is available).
- Stopping all communication with a customer.
- In exceptional circumstances, notifying relevant public authorities, including the police.
- In extreme cases, raising an injunction to limit contact.

## **9 Imposing Restrictions**

- 9.1 In the first instance we will normally warn the customer about their behaviour, explaining why we find it unacceptable and requesting that they modify their behaviour in their future contact with us. This may be done verbally, but will be followed up in writing, explaining what behaviour was found unacceptable or unreasonable and why, as well as what our expectations for future contact are. It should also set out actions we may take if behaviour continues to be unacceptable.
- 9.2 Where it is decided that formal action must be taken, we will inform the customer in writing (letter or email) and a note will be placed on our records to this effect. The letter will explain the appeals process, should the customer wish to challenge the decision or restrictions (see 6.4).
- 9.3 The customer can appeal against any decision by raising a formal complaint, which will follow the normal Complaints process and will be managed by the Customer Experience Manager at Stage 1 and Head of Customer Experience at Stage 2. Any restrictions will be maintained until that process is exhausted.
- 9.4 The decision to take formal action can be taken by any customer facing manager or team leader. Advice and guidance will be provided by the Customer Experience Manager and sign off of sanctions will be agreed by the Head of Customer Experience. Cases should be reviewed as and when due by either another manager or team leader who has not previously been directly involved in the case.

## **10 How long restrictions remain in force**

- 10.1 We will normally impose restrictions for a period of one to a maximum of three months. After the initial period, the justification for the restrictions will be reviewed every one to three months thereafter. Consideration will be given to lifting restrictions where the customers behaviour has improved, and they have complied with the restrictions.
- 10.2 If after reviewing the decision is made not to lift any restrictions, an explanation should be provided to the customer as to why the restriction remains, how long for and what the next review date will be.

## **11 Equality and diversity, and reasonable adjustments**

- 11.1 We understand that some customers may find it difficult to express themselves or communicate clearly, especially when they are anxious or upset. We will always consider making reasonable adjustments for a resident if we are asked to do so. To enable us to support customers we ask that wherever possible they explain what adjustments they feel they need and how those adjustments would support them to access our services, so that we can work with them on making those reasonable adjustments.
- 11.2 Examples of adjustments we can consider are:
- using different methods of communication.

- providing written communications in large print, on coloured paper.
- providing translated copy of our policies and communications.
- giving clear warnings if conversations become unproductive and allowing customers the opportunity to modify their behaviour before ending a call.

11.3 We may still use this Policy to manage customer interactions even where a reasonable adjustment has been made.

## **12 Representation and Advocacy**

12.1 Where restrictions are in force it may be appropriate for other individuals to represent the customer for the period - for example a family member, friend or support worker. Please refer to the Complaints Policy regarding the use of advocates.

## **13 Review**

13.1 This policy will be reviewed every three years unless there are major changes in legislation or good practice.

## **14 Consultation**

14.1 Leadership Team sub group

14.2 Executive Team July 2023

## **15 Responsibilities**

### **Responsible body**

15.1 Formulation, amendment and approval of policy Executive Team

Monitoring of policy Leadership Team

Operational management of policy/policy author Head of Housing

15.2 **Date of formulation of policy** July 2023

15.3 **Dates of policy reviews**

15.4 **Date of next review** July 2026

**Associated documents**

Internal – Rooftop policies and procedures

- Customer Complaints Policy