

Dealing with Aggressive and Unacceptable Behaviour

Version: 4.0

Document owner: Head of Service Improvement

See also:

Date last reviewed: September 2021

Date due for next review: September 2024

This Policy will be applied in a way that will not discriminate on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It applies to all staff.

Version number	Amendment	Amended by	Date
2.2	Added reference to how Belmo should be advised of any aggressive behaviour/unacceptable behaviour.	Annette Morrison	12th September 2016
2.3	Added some guidance about how to manage aggressive behaviour when out and also what needs to be done as a follow up to any incidents of aggressive behaviour and who needs to know. Added workflow as reference.	Annette Morrison	13th December 2016
2.4	Added guidance on how to block emails to restrict access and added some clarification following update with SC TL and Tenancy Compliance TL, reducing warnings for terminating calls to 2.	Annette Morrison	17th Jan 2018
3.0	Reviewed policy as part of 3 yearly review.	Annette Morrison	15th May 2018
4.0	Reviewed policy as part of 3 yearly review – added reference to Skyguard and made clearer how cases should be managed and by whom.	Annette Morrison	1 st September 2021

1. Purpose

- 1.1 To provide all staff guidelines on how to deal with unacceptable and aggressive behaviour.

2. Definitions

- 2.1 Aggressive and threatening behaviour is defined as incidents and behaviour, implicit and explicit, which could produce damaging or hurtful effects, physical or emotional on people. In deciding what counts as aggressive and threatening behaviour it is important for the officer to consider what might reasonably be judged as likely to produce damaging or hurtful effects, not just what they personally are offended by.
- 2.2 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause officers to feel afraid, threatened, or abused
- 2.3 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory and sexist and racist remarks, and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.
- 2.4 We expect our officers to be treated courteously and with respect. Violence or abuse towards officers is unacceptable. Newlon officers understand the difference between anger and aggression. The anger felt by many complainants, for example, involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression directed towards Newlon officers.
- 2.5 Unacceptable behaviour is defined as that where a resident is making unreasonable demands on Newlon through the amount of information that they are seeking; unreasonable amount of contact causing significant impact on an officer's time or where a resident persistently refuses to accept a decision or follow through the route they have been advised to in order to have a decision reviewed.

3. Principles

Customer Care

- 3.1 All staff are to ensure that they provide good Customer Care at all times. We aim to have a 'contract' of mutual respect with our residents and treat them, as we would wish to be treated. This can help to minimise in the majority of cases a resident becoming aggressive.
- 3.2 Staff will on occasion experience difficult residents and staff need to recognise that where a resident has experienced a poor service from Newlon, such as broken appointments, repairs not being done on time that they may be irate. Staff should follow the guidelines below, bearing in mind that we should be aiming to provide a good service to all residents. However in exceptional cases this may not be possible.

Safety of staff members

- 3.3 When a resident either by telephone, in the office or at a resident's home is acting in an aggressive manner, the member of staff concerned needs to ensure their safety is the priority.
- 3.4 Staff need to ensure that all appointments are clearly indicated in their diary, as well as on any 'whereabouts board' in offices. Staff should follow the 'lone working' principles as outlined in the Trust Lone Working Policy and Procedure, which can be found on the intranet. This includes the use of the Sky guard system.
- 3.5 If in a resident's home and a resident becomes aggressive **the priority for the staff member is to remove themselves from the situation**. If in a supported housing scheme, the officer can also go to the office and close the door.
- 3.6 Staff are equipped with mobile phones which should be carried and kept fully charged at all times. Newlon provide personal alarms/Sky guard alarms for use in such circumstances.
- 3.7 Offices should be staffed by a minimum of two people when open to residents. Where this is not possible, the staff member should make an assessment of the risk that they will incur by letting a resident in. If they know the resident, the staff member may decide to let them in, but if not then an appointment should be made for an alternative time. A balance of customer care and staff safety needs to be met.

General Data Protection Regulation (GDPR)

- 3.8 Any notes or UDCs (unique descriptive code) made about a resident are subject to the GDPR and this should be borne in mind when following this procedure.

Recording incidents of aggressive behaviour and unacceptable behaviour

- 3.9 It is important that incidents are recorded regardless of whether action will be taken to ensure a clear picture is built up reflecting patterns of unacceptable behaviour/aggressive behaviour. The notes should be factual and reflect what was said, for example if they swore then the wording should be recorded.

4. Dealing with aggressive behaviour

4.1 Summary of approach

- Aggressive and threatening behaviour against staff is not acceptable.
- When dealing with such behaviour staff should ensure that they follow the guidelines below, to try and calm the person down, such as speaking slowly, not responding angrily, not standing over residents when you are talking to them.
- Staff should also ensure that they have a clear exit when in an interview room or the resident's home.
- The Homes and Lettings Team are responsible for assessing vulnerability and whether a resident should be visited alone at the commencement of tenancy and ensuring that a UDC/Alert on Dynamics is created to reflect this.

- Where it is recorded on the file or it becomes known to a staff member that a resident is violent or prone to volatile behaviour, how this person is communicated with should be discussed with the Investigations Manager who will assess the risk with the officer. In some cases it may be appropriate that the staff do not visit certain residents alone and joint visits are carried out. In other severe cases it may be agreed that it is not appropriate to visit the property without involving the police;
- It is vital that we consider at all times how we will continue to provide a service to any affected residents where access has been restricted;
- Staff should also be aware that they have a responsibility to keep other staff safe, by ensuring that all incidents are recognised, reported and noted. Failure by a member of staff to report an incident could mean that another staff member could then unknowingly put themselves in danger.

4.2 Telephone calls

When a caller appears to be becoming irate, the staff member needs to ensure that they remain calm and that their voice does not rise in line with the resident's. They should issue two clear warnings, initially asking the resident to refrain from raising their voice/swearing/using inappropriate language.

If the resident does not stop this behaviour, the staff member should warn (second warning) the resident that if this behaviour continues, then the staff member would have to terminate the call.

If the caller does not change their behaviour, the staff member should say 'I am terminating the call now'. A file note/diary note on CX/Dynamics should be made accordingly.

4.3 What to do after the telephone call

Wherever possible the call subject matter should be noted and actioned. If it is not possible to get clear details or if the resident's request will not be actioned, the resident needs to be made aware of this and the reasons why. This should be noted also on the CX/Dynamics by the officer dealing with the query.

After the call has ended, the staff member should speak to their manager and agree on what action should be taken, this will be determined by the severity of the incident. Where the incident is not regarded as severe and is not being passed to the Investigations Team, this may involve writing to the resident outlining why their behaviour was unacceptable and what the consequences of this are.

Where staff are working at home in particular, it is important that they talk to their manager to ensure that such incidents are recorded and also that staff have the opportunity to discuss how this impacted on them.

This should be done within five working days. This will be the responsibility of the relevant Team Leader.

4.4 Dealing with aggressive visitors to the office

If a resident is acting in an irate and aggressive manner, the officer dealing with them, should wherever possible take the person into an interview room. This can help to diffuse the situation away from the other people who may be in reception. The individual staff member will need to assess the situation to decide what is most appropriate.

Where a resident is in the interview room and becomes aggressive, the staff member should use the panic alarm to alert other staff in the building of the situation.

Upon hearing the panic alarm, managers on the ground floor should attend to reception immediately and where possible enter the interview room in an attempt to calm the person down. If this is not possible, it may be appropriate to call the police.

Where it may be inappropriate to enter the interview room, due to the fear of personal safety, all attempts should be made to calm the person down and deal with the person's query. If they continue to act in a threatening and aggressive manner, they should be warned about behaving in this manner and advised that they will be asked to leave the office.

If the person fails to leave the office when requested, you should inform the police, requesting their attendance. The staff and manager involved should ensure that they are safe, and that other members of staff or the public are, where possible free from potential harm.

4.5 Dealing with aggressive/unacceptable behaviour outside the office

Before carrying out a visit to a resident's home or a viewing, the officer is responsible for ensuring that they comply fully with the Lone Working policy, which can be found on the intranet. This includes the use of the Sky guard system. In addition they should ensure that they check Dynamics to ensure that they are aware of any issues that may impact on their visit and in particular whether there are any alerts around the resident's behaviour

When at the property the officer is responsible for ensuring that they have a 'clear exit' i.e. in sight of the door, knowing your way out of the building, being aware of other people in the property who might block your exit from the property and if at any stage the officer feels that their safety is at risk they should make an excuse to leave the property. If this is not possible then they should use the Sky guard system to raise the alarm.

If the person becomes aggressive, the officer should try and calm the person down, but their priority will be to get out of the property safely.

4.6 What to do after the incident

After a resident/visitor has left, or the staff member has returned to the office, the staff member should speak to their manager and agree with their manager on what action should be taken, this will be determined by the severity of the incident. An incident form should be completed in all serious incidents which are regarded as

severe by the staff member within 24 hours and passed to the staff member's manager or their manager in their absence. The manager should consider what action they would like taken and also how Newlon can continue to deliver a service to the resident. The manager must consider Newlon's obligations as a landlord and what can be realistically achieved. If the manager is requesting another teams' involvement in the delivery of this service then this should be agreed with the manager of that team first. The manager is responsible where appropriate to write to the resident outlining why their behaviour was unacceptable and what the consequences of this are. This should be done within five working days.

The Aggressive or Unacceptable behaviour incident form is on the intranet in the same section as this policy. Staff need to ensure that severe incidents are documented for their own safety and that of their colleagues using this form. Serious incidents should be reported to the police by the person involved. This would include incidents likely to be considered as a crime, such as threats of violence to staff or others, verbal abuse (swearing or offensive name calling directed at a person - not just swearing in frustration), hate related incidents based on racial/religious/disability/sexual orientation or transgender identity comments/threats/abuse. This would also include sexual harassment.

All incidents should be recorded as an 'Information and Advice' case, the outcome may be as follows:

- Note made but no further action at this stage.
- Note made and manager writes regarding incident.
- Note made and manager having checked case history on Dynamics has concerns that there is a pattern, so arranges meeting with Investigations Team to agree how best case can be managed.
- Note made and incident classified as severe and case is assigned to Investigations Team on Dynamics called 'Aggressive Behaviour', attaching the form within 24 hours of the incident for consideration of what action should be taken. Managers should keep a copy of the form so they can follow up any actions with the staff member.

The Investigations Team will take the necessary action in response to that incident of aggressive behaviour but it is not their responsibility to act as a contact point thereafter. The officer responsible for delivering the service will still maintain responsibility for delivering the service having agreed with the Investigations Team how this can be done safely.

4.7 Where the incident has been referred to the Investigations Team

For both incidents in the office and outside the office the Investigations Team will consider the following course of action:

a) Write to the tenant regarding their behaviour

The resident should be, at a minimum, written to, outlining why their behaviour was unacceptable and what the consequences of this are. This should be done within five working days.

b) Restrict access to service

It may be that if they caused criminal damage to the office or threatened to physically harm a member of staff that the resident would be banned from visiting the office or phoning staff and asked to communicate in future in writing only.

c) Setting up a UDC

A UDC (unique descriptive code) on CX/Dynamics needs to be set up to indicate that there has been aggressive behaviour. This is to be set up by the Investigations Team. This will only be used in instances where a letter has been sent to the resident. The Alert on Dynamics should be attached to the Person, so that it can be followed through to the tenancy and property on Dynamics.

d) Do not visit alone

Where it is felt that an officer should not visit alone, this should be clearly indicated on Dynamics and a copy of the letter saved to SharePoint. This should be shared with relevant staff, such as surveyors, as well as contractors. Again a UDC must be set up for this. Property Services are responsible for informing maintenance contractors of this.

All bans/UDCs should be reviewed annually by the Investigations Team to ensure that they are still appropriate. Where there have been no further incidents, the UDC should be removed, unless the initial incident was very serious. The resident should be advised of this.

e) Serving a NOSP

Where the behaviour is severe, the Investigations Team will need to assess whether it is appropriate to follow the ASB procedure and whether any further action against the resident is appropriate such as reporting the matter to the police, serving a NOSP/ABA/ASBO, injunction etc.

4.8 Where the incident has not been referred to the Investigations Team

The team leader/manager should consider the following actions:

a) Write to the resident regarding their behaviour

If the officer and manager decide that the incident is of sufficient severity the resident should be, at a minimum, written to, outlining why their behaviour was unacceptable and what the consequences of this are. This should be done within five working days. Where this is not a significant/severe incident it will be the

responsibility of the relevant team leader, it may be that they are asked to refrain from behaviour that they have used.

b) Take no further action/make file note

Where the officer and manager decide that the incident does not warrant a follow up letter to the resident, a file note should be made, so that a clear history can be built up where there are any further incidents.

4.9 Support to staff

The manager of the staff member involved in the incident will need to make an assessment of the severity of the incident and offer a 1:1 meeting to discuss it with the member of staff where appropriate. It may be necessary to consider what policy implications there are, whether there are training needs for the member of staff, what support the staff member needs or whether counselling is needed by the staff member, this should be recorded. They should be made aware that there is a counselling helpline available for staff.

4.10 Where there are incidents of aggressive behaviour involving an operative

Contractors are responsible for ensuring that operatives complete an incident form within 24 hours of an incident where a resident has been aggressive. The manager responsible for managing the contract are responsible for ensuring that this is completed and passed to the Investigations Team.

5. Dealing with unacceptable behaviour

5.1 Examples of unacceptable behaviour are (this is not an exhaustive list):

- Continual/excessive telephone calls/e-mails/letters which are disproportionate to the issue being raised.
- Persistent refusal to accept a decision made by Newlon and continually returning to Newlon, without presenting any new information.
- Persistent refusal to accept what services Newlon can and cannot provide.
- Repeatedly changing the substance of the complaint or raising unrelated concerns.
- Asking for responses within an unrealistic timescale, which are disproportionate to the issue being raised.
- Insisting on communicating with a particular staff member(who is not responsible for areas of queries) or not following requests to use particular email addresses;
- Use of derogatory remarks and rudeness (this can be in email or vocal).

5.2 All of these may be considered unacceptable and unreasonable if they start to impact substantially on Newlon's officers' work and wellbeing, and therefore other residents will be disadvantaged, as the officer has less time to deal with other residents.

5.3 Whilst there are very few residents who will fit this description, these situations do need to be managed well as they can have an adverse effect on staff's ability to carry out their duties and provide a service to other residents.

6. Options available for dealing with unacceptable behaviour and aggressive behaviour

6.1 The options available depending upon the severity of the actions and behaviour of the resident will be:

- Restrict the person's contact with our office, whilst still allowing a means to communicate with Newlon. This could be by restricting contact in person; by telephone; letter, e-mail or via the website using the contact form or any combination of this.
- Where a resident has been advised that they can only contact specific email addresses, the Investigations Team should ask IT to block the residents' access to all other email addresses and set up an auto-response so that the resident receives an auto-response, advising them that the email will not be looked at and they should contact the email address they have been advised to.
- We could restrict the person's contact with Newlon to a specified amount per day/week; and/or at a set time or with a specified person only.
- Require the person to only attend the office when a prior appointment has been set and agreed.
- When a person continues to correspond on a wide range of issues and this is considered excessive, then we can inform them that only a certain number of issues will be considered in a given period and ask them to limit their contact accordingly.
- Where their language is offensive and unacceptable, we should write clearly stating that this is unacceptable and they must stop, otherwise we will not respond. We could also state that contact would be through a third party.
- All visits to the resident must be carried out by two staff members or operatives.
- Where a person has exhausted our internal complaints process or been dealt with thoroughly and appropriately through other channels, and continues to dispute the decision we have made, we should advise them that we will not respond unless there are new issues being raised.

6.2 Decision making process

- Newlon staff will need to respond to verbal or face to face examples of aggressive and unreasonable behaviour through the means outlined above in 6.1. in the first instance.

- Where an immediate decision is not necessary, the staff member should discuss the matter, outlining examples of the behaviour, with their manager. The decision about restricting contact should be done by the relevant manager and the Investigations Team. Wherever possible we should provide the resident with the opportunity to amend their behaviour. Where the decision has been taken to restrict contact then the resident must be informed why this decision has been made and what means of contact they are restricted to, also for how long this restriction will last and when it will be reviewed.
- This should be done promptly (no later than five working days) to ensure that the behaviour is addressed.
- A copy of the letter outlining this decision must be saved on SharePoint and a UDC on CX/Dynamics, the notes must reflect what contact arrangements have been put in place.
- This decision must be reviewed periodically but no less than bi-annually. The person making this decision to restrict contact should diarise for six months' time to re-visit this decision.

If a person is unhappy with how their contact has been restricted, they can make a stage 1 complaint and this will be reviewed through this channel.