

Managing unreasonable behaviour Policy

Summary

The Managing Unreasonable Behaviour Policy specifically focuses on our statutory duty as a Landlord. This complements Portsmouth City Councils unreasonable customer behaviour policy.

Effective date

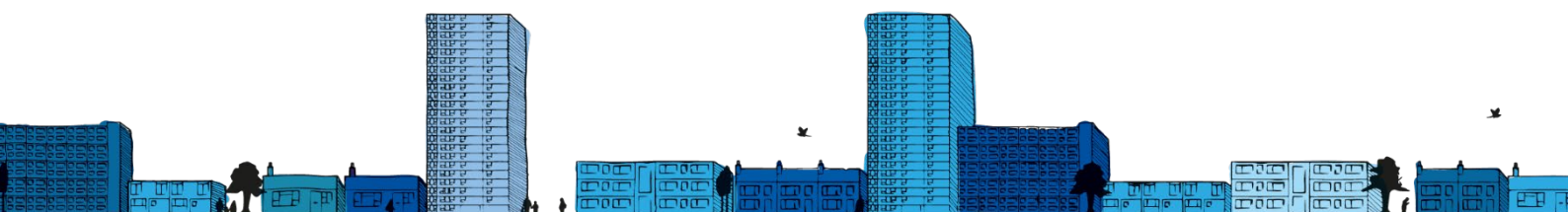
1 June 2025

Review

We will review this Policy every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.0



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Scope

This policy applies to anyone who receives services from us as the Landlord, which include:

- Tenants, Leaseholders, shared owners, members of their household and visitors
- Someone acting on behalf of the above with their consent

Any reference in this policy to 'we', 'our' or 'us' refers to Portsmouth Homes.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to a Portsmouth Homes tenant, leaseholder, shared owner, household members or visitors.

Any reference in this policy to 'condition/s' or 'restriction/s' refers to us adapting a customer's contact / service on a temporary basis due to unreasonable behaviour.

Purpose

The purpose of this policy is to set out clearly for customers and staff what is expected of them, what options are available and what we consider to be unreasonable customer behaviour and the management of any contact conditions we put in place. We will follow a process and manage, respond and review concerns in a consistent and fair way in line with this policy.

We are committed to providing high quality customer services and we deal with a large volume of telephone calls, letters, emails, web based and face to face enquiries from customers.

We aim to respond to most enquiries first time, and to resolve enquiries to the customer's satisfaction. If the customer is not satisfied with the outcome, they are able to raise a complaint via the Landlord Complaints policy, or direct to the Housing Ombudsman Service.

Our approach

We are committed to providing a safe environment for staff and contractors and we do not expect them to tolerate abusive behaviour.

We recognise that sometimes there may be situations that may be upsetting or distressing to the customer for a number of reasons and this can cause customers to become upset, angry and frustrated.

Our staff are experienced to manage and support customers in these situations, however, there may be occasions where staff are not able to resolve issues to the customer's satisfaction, and the customer's behaviour can become unreasonable to the extent that it:

- takes up a disproportionate amount of time for our staff
- causes a concern and impacts on their ability to provide services to other customers.
- is intimidating or threatening

If we consider behaviour as unreasonable, we will communicate this and ask for the behaviour to change, this will involve working with the customer, offering support and



considering whether any reasonable adjustments would need to be considered in line with our Communication and Reasonable adjustment policy.

It's important to manage expectations and this can sometimes result in having difficult conversations, any outcomes, key updates will be communicated in a timely manner.

We will look at all relevant information on a case-by-case basis, however, we may put certain conditions in place around how an individual can contact us, if it is assessed as proportionate, appropriate and necessary to address the inappropriate behaviour and to support our staff.

Where an individual's behaviour is inappropriate it may be a breach of their tenancy or lease conditions and so we may need to refer to our Anti-Social Behaviour Policy to understand if additional actions are needed, however we will make you aware of this.

Your service may be adapted on a temporary basis for the duration of the contact condition monitoring period, there will be a case review at the end of this period and customers will be made aware of the outcome.

In exceptional circumstances, there may be a requirement to rebuild relationships with neighbours and / or the landlord and tenant. This process would be supported, by impartial mediation services with the aim to support.

As part of the tenancy / lease agreement, it states that residents must not cause nuisance or harassment to other people and therefore if the behaviour were to continue, it could be a breach of the tenancy or lease.

In relation to Supported and Sheltered Housing, the nature of the service provisions and the support provided means they may apply their own processes, in addition to this policy.

Examples of unreasonable behaviour and contact conditions

This unreasonable behaviour may include one or two isolated incidents, or it could be unreasonably persistent behaviour, which is usually a build-up of incidents over a longer period.

We have outlined examples of some behaviour that may be considered unreasonable, along with examples of contact conditions that may be considered to enable us to manage this type of behaviour.

The individual circumstances of each case will be considered and assessed informally before decisions and outcomes are considered.

If formal contact conditions / restrictions have been identified as necessary, they should be applied and managed in line with the policy.

Where a customer's behaviour, threatens the immediate health, safety and welfare of our staff, or employees or contractors working on our behalf, we reserve the right to consider how we manage this using a contact condition. Examples of contact conditions include but are not limited to, asking the customer to come into the office for contact rather than visiting them in their homes, limiting the amount of contact, staff / contractors visiting in pairs or even



reporting matters to the police, taking legal action, or reviewing how we engage with the customer overall. This will be referred to as a contact condition.

Unreasonable behaviour

These are examples of behaviour that may be considered unreasonable and may lead to us taking action however it may also be considered as unreasonable amongst a pattern of other behaviours. The list is not exhaustive.

- Persistently adopting a 'scattergun' approach, for example pursuing an enquiry with several service areas at the same time or contacting several individual staff members and councillors with the same issue.
- Unreasonable demands (eg requesting large volumes of information, asking for responses within a short space of time)
- Verbal abuse, aggression, violence, harassment, intimidation, electronically i.e. via email, via social media etc., and damage to council property (housing offices etc) (this is not just limited to actual physical or verbal abuse but can include derogatory remarks / language, rudeness, threats, inflammatory allegations and threats of violence.)
- Insisting that an issue is dealt with in a way that is not consistent with our policies.
- Submitting documents that are potentially falsified or materially irrelevant.
- Refusal to accept our decision after all appeal options have been exhausted.
- Refusal to accept that certain issues are outside our responsibility and control.
- Refusal to accept that certain issues are not within the remit of the statutory duty, policy or procedures.
- Electronically recording meetings and conversations without prior knowledge and consent of the other parties involved.
- Filming or recording of staff / contractors without their consent

Contact Conditions / Restrictions

The most likely options where contact conditions could be considered are asking the customer to: (this list is not exhaustive)

- Come into the office for contact rather than visiting them in their homes or visiting in pairs.
- Staff and / or Contractors visiting in pairs.
- Use a particular method of communication (for example by letter only).
- Contacting us on specific days and times.
- Limit contact to us (for example one email per week)
- Contact a named officer (or deputy in their absence) as a single point of contact (SPOC).



If a contact condition is put in place, we will:

- Notify the customer of the contact condition that has been put in place and explain the reasons for this condition.
- Inform the resident of the appeal procedure where they disagree with the contact condition/s applied.

It is important to note, these sorts of problems happen rarely. This policy exists to ensure that all parties understand how we will deal with contact of this nature and how we apply and review contact conditions / restrictions in a transparent way.

Any contact conditions / restrictions applied will be appropriate and proportionate.

It is important to follow a contact condition / restriction that has been put in place, failing to do so could be a breach of tenancy or lease. We may take action in line with our tenancy / lease agreement and our responsibilities as a social housing provider.

Where anti-social behaviour cases or ongoing matters are identified, we may consider the use of this policy in conjunction with our Anti-Social Behaviour (ASB) policy.

Where there are environmental hazards such as drug paraphernalia, weapons, unsanitary conditions, hoarded homes, identified by us or contractor or external agency, we may deem it appropriate to include a contact condition to ensure the health and safety of our staff is maintained.

The process

Where it is identified that a customer's behaviour has become or is becoming unreasonable in terms of their contact with us, the first step in the process is for the appropriate officer to try to resolve the matter by communicating with the customer and will be offered the opportunity to appoint a representative to contact us on their behalf.

We will communicate the concerns we have regarding the behaviour, and we will discuss the situation and suggest a way forward to prevent escalation and manage the ongoing issues.

This may include proposing a single point of contact (SPOC) for the customer's communications with us and an agreed method for that communication, for example, agreement for weekly / fortnightly specified contact or any communication style deemed appropriate and proportionate in the circumstances of each individual case, including any agreed reasonable adjustments to be made.

The purpose of the communication is to seek agreement on a way forward and if the situation cannot be resolved, we may escalate the process and impose contact conditions on the customer's contact with us.

If agreement is reached around on going contact between the customer and us, the SPOC / manager will monitor the on-going contact and keep records to ensure the arrangement is adhered to and the behaviour that is considered unreasonable stops.

Monitoring periods are typically 6 months, however this will be confirmed following the review and we will take all relevant information into account when making the decision. In some circumstances there may be a requirement to have a longer monitoring period due to a customer's long term health condition impacting their behaviour, this will be confirmed in



writing and we will review this in line with the communication and reasonable adjustment policy.

If an agreement cannot be reached or unreasonable behaviour continues, the officer will refer the matter to the appropriate manager.

In some cases, we reserve the right to block telephone calls and electronic contact (including email and social media) with us, and to take steps to apply contact conditions and restrict access to our premises.

If this option is considered necessary it will be agreed by the appropriate Manager within Portsmouth Homes, dependent on a review of the case.

Any response to unreasonable behaviour or contact conditions will be confirmed to the customer in writing and will be recorded on the customer's electronic account to advise other relevant staff and / or appropriate service areas that may come into contact with the customer.

Escalation

If the customer continues to show unreasonable behaviour or contact conditions are not met this may be referred for escalation.

In making the referral, the manager will include details of the behaviour that is considered unreasonable, and information regarding the case undertaken by the service to resolve the situation with the customer, including copies of any correspondence in relation to managing their contact with us.

If an arrangement was made with the customer to manage contact, details of the arrangement should be provided, along with supporting documentation of on-going monitoring of the customer's contact.

This information will be confirmed to the customer in writing and will be recorded on their electronic account to advise other relevant staff and / or appropriate service areas that may come into contact with the customer.

Applying the conditions / restrictions

If it is considered necessary to impose conditions / restrictions on the customer's contact with us, we will contact the customer to explain what action is being taken and why, how long the conditions / restrictions will be in place for and how to appeal against the decision. This will be referred to as a contact condition monitoring period.

We may alter the ways staff and contractors hold any interactions and / or services with you for an agreed term in line with the risk assessment.

The decision to apply any conditions / restrictions can be reviewed, during the contact conditions monitoring period, if requested by the customer in writing to the appropriate Manager.



How we manage case reviews and appeals

Case review

During the contact conditions monitoring period, you have a right to request a case review prior to the end date. If you wish to do so, it should be made in writing to the appropriate Manager who will carry out the review. The request should explain why the customer considers a review is necessary.

During the contact conditions monitoring period, if we assess that there has been a significant change to the customer behaviour, we may decide to review the contact conditions before the end date.

The aim of the review is to remove any conditions / restrictions as soon as possible, where it can be shown that the situation has improved and there is no likelihood of a recurrence. However, if further unreasonable behaviour has occurred during the monitoring period, the outcome may be to extend the conditions / restrictions for a further period, or to impose new or amended conditions.

If we carry out a review and make changes, we will contact the customer to explain what action is being taken and why, how long the amended contact conditions / restrictions will be in place for, and how to appeal against the decision.

Case Appeals

If a customer disagrees with our decision to apply contact conditions / restrictions, there is an appeals process. The Appeal should be made in writing within 28 days, explaining why they disagree with the decision.

We reserve the right not to consider appeals made after 28 days and to refer the customer to the review process outlined in this policy.

An impartial investigating officer from another area of Portsmouth Homes will consider the information relating to the decision, as well as the customer's appeal and will decide whether the conditions should be continued, amended, or removed.

Outcome of cases

In relation to all outcomes, we have reached as part of this process, we will always communicate the decision in writing, and where possible in line with any communication needs previously identified or requested. Our communication will clearly explain the following in the letter:

- Incident that led to the contact condition / restriction
- the length of time they will be in place for
- what the condition / restriction is and next steps



- how to appeal the decision and copy of this policy

We may manage this by enlisting contract of expectations to introduce an Acceptable Behaviour Contract, Good neighbourhood agreement or additional conditions of tenancy or lease.

- The outcome of a decision on how customers can access services will be communicated.

In all circumstances, the decision will be recorded on their electronic account this will be shared for relevant purposes and will be available to relevant staff who provide a service.

Information retention

Any documents used in the decision-making process will be retained by us securely for the duration of any contact condition/s / restriction/s.

The record will then be archived and subsequently removed in line with the Council's Retention Policy and retentions rules on our IT systems.

Your voice

We provide tenants a wide range of meaningful opportunities to engage, influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk
- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)

What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.



Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Equality Act 2010.](#)
- [Human Rights Act 1998](#)
- [Landlord and Tenant Act 1985](#)
- [Housing Act 2004](#)
- [Social Housing \(Regulation\) Act 2023](#)
- [Regulatory standards for landlords](#)
- [Care Act 2014](#)
- [Data Protection Act 2018](#)
- [Health and Safety at Work etc. Act 1974](#)
- [The Management of Health and Safety at Work Regulations 1999](#)
- [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013](#)

Related documents

This policy should be read in conjunction with:

- Portsmouth Homes Landlord Policies, Strategies and Reports - [Housing policies, strategies and privacy notices](#)
- Tenancy Agreement / Leasehold Agreement
- [Corporate complaints policy - Portsmouth City Council](#)

How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information.](#)



Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints

If a customer is unhappy, they can refer to our Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk
- [Landlord Complaints Policy](#)

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000
- For more information, visit [Housing Ombudsman's Complaint Handling Code](#)

