



Managing Unacceptable Behaviour Policy

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POLICY SUMMARY

Please note that where we use EPIC within this policy, we refer to EPIC Limited.

We are committed to providing clear and prompt responses to people who contact us wishing to make a complaint or service request.

A complaint is defined as an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the organisation, its staff or those acting on its behalf, affecting an individual or group of individuals. We believe people have a right to be heard, understood and respected and we work hard to be open and accessible to everyone.

A service request is different from a complaint and is defined as a formal or informal request for a service by a tenant to address an issue in a home, such as a repair.

Sometimes the way an individual pursues a complaint or service request becomes unreasonable because the level or nature of contact places a disproportionate demand on EPIC and affects the service we can provide to others. This policy explains how we will respond in those situations.

Separately, there may be situations where a person's behaviour may present a risk to the safety, welfare or wellbeing of staff, contractors or representatives acting on our behalf. Where this happens, we may take additional steps to protect people's safety, including use of the Safety Information Register (SIR).

When this happens, EPIC will take action to protect the health, welfare and wellbeing of our staff who have a right to do their jobs without fear of being abused or harassed.

1. APPLICABILITY

The Policy applies to:

- All full-time, part-time, and temporary staff employed by or working for or on behalf of EPIC.
- Volunteers.
- Contractors, consultants, and third parties working for or on behalf of EPIC.
- Tenants.
- Members of the Public
- Board Members.

2. INTRODUCTION

- 2.1. This Policy explains how EPIC will respond to unreasonable behaviour including where behaviour creates a risk to staff safety.
- 2.2. We recognise that behaviour is not unacceptable just because a person is upset, assertive or determined. We also understand that the events leading to someone making a complaint may have been difficult or, distressing and that their behaviour may be out of character.
- 2.3. However, where behaviour becomes abusive, threatening, excessively persistent or otherwise unreasonable, we may take steps to manage contact and protect our staff, their welfare and services.
- 2.4. Where behaviour affects how a complaint or service request is being handled, we will respond in line with the complaint-related parts of this policy. Where behaviour creates a risk to safety, we will respond in line with the safety-related parts of this policy.

- 2.5. We will support staff in these circumstances by ensuring that staff have access to managers and members of the Senior Leaders for advice and support, and to EPIC's Employee Assistance programme where appropriate.
- 2.6. Where concerns are raised about the conduct of an EPIC employee, these will be considered properly and in line with the relevant internal policies and standards of conduct.

3. CONTEXT

- 3.1. For the purposes of formal complaints, we define an unreasonable and persistent complainant as:

"Complainants who, because of the frequency or nature of their contacts with EPIC, hinder our consideration of their or other people's complaints."

An individual may still have a valid complaint even if their behaviour is unreasonable or persistent. Before treating complaint related behaviour in this way, EPIC must be satisfied that:

- The complaint is being or has been investigated in line with our complaint's procedure.
- The decision reached was reasonable based on the information available.
- Communication with the complainant has been clear, adequate and reasonable.
- The complainant is not providing any significant new information that could affect the outcome.

Examples of complaint related unreasonable behaviour include:

- Excessive phone calls, emails or letters, disproportionate to the issues being raised.
- Insistence on repeated personal attention from members of staff or demanding to only speak to or deal with staff at a senior level.
- Persistent complaints to raise "new" issues which are in fact service requests, even when this distinction has been clearly explained before.
- Persistent refusal to accept a decision or information provided.
- Repetition of the issue complained about without presenting new information, and/or referring back to old issues that have already been dealt with.
- Continuing to pursue a complaint that has exhausted the complaints process.
- Repeatedly changing the substance of the complaint, or raising unrelated concerns, adding new issues to complaints that are ongoing.
- Use of derogatory remarks or rudeness, verbally or in writing.
- Threatened or actual use of social media channels in an attempt to pursue otherwise an unfounded or closed complaint.
- One or a combination of these behaviours may lead us to place restrictions on how we manage a complaint.

- 3.2. If any one of these conditions are met, and the issues relates to complaint-handling behaviour, the Member Responsible for Complaints (MRC) will be advised of the issue before escalating the matter further. Details of the role of the MRC can be found here: [MRC-Role-Profile-May-2025.pdf](#)
- 3.3. Following this a member of the Executive Team will decide whether the complainant should be treated as unreasonable, persistent, or unacceptable for the purpose of complaint handling.

- 3.4. Any restrictions placed on complainants will be reviewed every six months. We will decide whether the restrictions should continue, change or be removed, and we will tell the complainant in writing.
- 3.5. All complaints will be dealt with in accordance with EPIC's Complaint Policy.
- 3.6. We handle complaints as part of EPIC's regulatory responsibilities and the Housing Ombudsman Complaint Handling Code as well as the Housing Ombudsman guide on managing unacceptable behaviour.

4. MANAGEMENT STRATEGIES

- 4.1. Managing Behaviour
- 4.2. Where behaviour affects our ability to manage fairly and effectively, we may take reasonable steps to manage contact. In serious cases, further tenancy or legal action may also be considered.
- 4.3. If we decide that the behaviour is unacceptable, we will write to the person to explain the reasons and set out how the future contact will be managed. This may be by:
 - Providing a single point of contact.
 - Limiting contact to a single form i.e., to writing, email, or telephone only.
 - Limiting contact to certain times or to a limited number of times per week or month.
 - Declining to give any further consideration to an issue unless any additional evidence or information is provided.
 - Only considering a certain number of issues in a specific period.
 - Requiring contact to be made through an advocate or representative.
- 4.4. These measures may be supported by an 'Acceptable Behaviour Contract' which sets out behaviours and what may happen if the agreement is breached.
- 4.5. If the person's behaviour gives rise to concerns about their health or wellbeing, a referral will be made as per EPIC's Safeguarding Policy.
- 4.6. Where behaviours involve violence, threats harassment or other risks to safety, wellbeing or welfare of individuals we may contact the police, take legal action, limit or end direct contact with the tenant and record details on the Safety Information Register where appropriate.
- 4.7. **Safety Information Register (SIR)**
 - 4.7.1. Purpose and criteria for inclusion.
 - 4.7.2. The SIR is a safety measure used to record and manage information about individuals whose behaviour presents, or may present, a risk to the safety, welfare or wellbeing of staff, contractors, or representatives acting on behalf of EPIC. It is separate from complaint handling restrictions.
 - 4.7.3. Inclusion may be considered following a serious incident, repeated incidents, or receipt of credible information indicating a potential risk.
 - 4.7.4. Examples include verbal abuse, intimidation, threats, harassment, stalking, attempted or actual physical assault, damage to property, weapon use, or threats to use a weapon.
 - 4.7.5. Credible information of concern received from the Police or other relevant partner agencies may also justify inclusion where this is necessary and proportionate.
- 4.8. If a member of staff, contractor, or representative believes that an individual presents a risk, they must report the concern to their Line Manager, Housing Manager or a member of the Senior Leadership Team immediately, or as soon as is reasonably practicable.
- 4.9. Following an incident, those affected or directly involved must complete the appropriate near-miss report and provide all the relevant supporting information.
- 4.10. The Housing Manager will review the circumstances of the incident, consider any relevant evidence and decide whether to call a Safety Information Register meeting.
- 4.11. A decision to add someone to the SIR must be based on a reasonable belief, supported by evidence or credible information, that behaviour presents a foreseeable risk to safety.
- 4.12. The Housing Manager will arrange a meeting no later than the following business day of the incident taking place to review the information with the Safety Information Team.

- 4.13. The Safety Alert Team will consist of a minimum of four members of staff representative of different areas of the organisation to ensure that there is a fair assessment of each individual case and decide whether or not a threshold has been met of the individual to be added to the SIR.
- 4.14. All meetings will be recorded including detailing reasons for additions or removal of individuals on the SIR.
- 4.15. It will also be the Safety Information Team's responsibility to decide upon the outcome of any appeals.
- 4.16. Any restrictions of safety measures applied under this policy will not prevent access to essential services or the right to raise a complaint.
- 4.17. Placement on the SIR does not imply criminal guilt or wrongdoing but reflects a risk management decision based on available information.
- 4.18. **Emergency Measures**
- 4.19. In urgent situations an interim alert may be authorised by the Director of Housing Management, Director of Asset Management and Building Compliance, Housing Manager or another member of the Senior Leadership Team pending formal review.

5. NOTIFYING THE INDIVIDUAL

- 5.1. Where it is agreed that an individual will be added to the SIR, it will be the responsibility of the Housing Manager to contact (and follow up formally in writing) the individual within 24 hours of the decision being made and advise them of:
 - the reasons for the decision,
 - the length of time they will remain on the SIR,
 - any controls to be applied,
 - any relevant support or tenancy management action being taken,
 - right to appeal.

6. RETENTION, REVIEW AND REMOVAL OF AN ALERT

- 6.1. Alerts will normally remain in place for an initial period of six months and will be reviewed at least every six months thereafter. Higher-risk cases may remain active for longer where justified and proportionate.
- 6.2. Alerts will be removed where the risk is no longer considered necessary, proportionate or credible.

7. RISK ASSESSMENT AND DECISION MAKING FRAMEWORK

- 7.1. **Risk Factors Considered.**
 - Severity of behaviour
 - Likelihood of recurrence
 - Known history of aggression or violence
 - Indicators of escalating risk
 - External intelligence from Police or support agencies.
 - Contextual factors (trauma, distress, disability, service failure)
- 7.2. **Risk Rating Matrix**
- 7.3. Individuals are typically placed on a safety information register for a time limited period most commonly:
 - six months
 - sometimes 12 months for more serious incidents
 - with a formal review at regular intervals (usually every six months)

Risk Level	Typical Duration	Review
Low-level verbal aggression	6 months	Review at 6 months
Repeated intimidation/aggression	12 months	Review every 6 months
Serious violence/threats/weapons	12–24 months	Senior management review
Ongoing criminal risk	Until risk demonstrably reduced	Multi-agency review

7.4.

- Decision Outcomes
- No further support
- Support based intervention
- Time limited alert
- Immediate alert with control measures
- Legal action

8. ACCESS TO THE REGISTER

- 8.1. Access to the SIR will be restricted to EPIC staff, with a redacted version made available to relevant contractors. Contractors receiving SIR information must treat it as confidential and comply with any control measures communicated by EPIC.

9. FORMAL ACTION AND LEGAL REMEDIES

- 9.1. Decisions to implement any of the following measures will be taken by the Director of Housing Management, with due regard to an individual's circumstances, any vulnerabilities and whether reasonable adjustments should be made at every stage.
- 9.2. An injunction may be sought through the Courts to oblige the tenant to stop from nuisance behaviour if the management strategies have failed and the behaviour persists.
- 9.3. A Notice to Quit or a Notice of Seeking Possession may be served, and legal proceedings taken to repossess the dwelling in extreme cases if all other steps to remedy the problem have been unsuccessful.

10. APPEALS

- 10.1. Appeals must be submitted within 14 days and will be reviewed by a senior manager not involved in the original decision. Existing controls may remain in place pending the outcome of the appeal.

11. DATA PROTECTION

- 11.1. All information recorded within the SIR (Safety Information Register) will be processed in full compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Access to such information will be strictly limited to individuals who have a legitimate need to know in order to fulfil their role.
- 11.2. Personal data will only be collected, used, and shared where it is necessary and proportionate for the legitimate purpose of safeguarding and protecting the health, safety, and wellbeing of staff, contractors, residents, and any other relevant parties.
- 11.3. Any person receiving information derived from the SIR is responsible for ensuring that it is:
- handled in the strictest confidence;
 - stored securely in accordance with organisational data security requirements; and
 - retained only for as long as is necessary to manage identified risks and meet legal or regulatory obligations.

- 11.4. Unauthorised disclosure, misuse, or inappropriate retention of SAR information may result in disciplinary action and, where applicable, legal consequences.

12. RESPONSIBILITIES

- 12.1 All staff and tenants are responsible for:
- Ensuring that they adhere to this Policy.
 - Escalate complaints in accordance with the Complaints Policy and Procedure where appropriate.
- 12.2 The Director of Housing Management is responsible for ensuring that the Policy and Procedure are effective and does not detract from the Housing Ombudsman's Complaint Handling Code.

13. TRAINING & LEARNING

- 13.1 All staff must complete training in de-escalation, lone working, trauma-informed practice and data protection.
- 13.2 Refresher Training should be scheduled on an annual basis.
- 13.3 Lessons learned will be shared and embedded into practice.
- 13.4 Staff must comply with EPIC's Lone Working Procedures when engaging with individuals subject to safety controls.

14. REVIEW AND MONITORING

- 14.1. The Director of Housing Management will oversee the periodic audits of the SIR decisions to ensure consistency, proportionality and compliance with this policy.
- 14.2. This policy will be reviewed every three years, or sooner if there are significant changes to legislation, regulation, or EPIC's ways of working.
- 14.3. Use of the Safety Information Register and complaint restrictions will be periodically monitored to ensure they remain fair, proportionate and non-discriminatory.

15. EQUALITY AND DIVERSITY IMPLICATIONS

- 15.1 We are committed to equality of opportunity and to treating people fairly and with respect. We do not tolerate discrimination, and we will take people's individual needs into account when delivering services. We also work in line with the Equality Act 2010.
- 15.2 We recognise that some people may face disadvantage because of their personal or socio-economic circumstances. We will work to make sure no person or group is treated unfairly, and we will deliver services in line with human rights legislation, including the Human Rights Act 1998.
- 15.3 We recognise that some people may face disadvantage because of their personal or socio-economic circumstances. We will work to make sure no person or groups of persons is treated unfairly, and we will deliver services in line with human rights legislation including Human Rights Act (1998).
- 15.4 An Equality and Impact Assessment has been completed in conjunction with this policy and has been found to have no adverse impact on particular group or individual.

16. ASSOCIATED DOCUMENTS

- Complaints Policy
- Safeguarding Policy
- Housing Ombudsman Complaint Handling Code
- Housing Ombudsman Managing Unacceptable Behaviour guidelines
- Consumer Standards
- EPIC Code of Conduct
- Violence and Aggression Policy
- Equality Diversity and Inclusion Policy

- Lone Working Procedure
- Data Protection Policy
- Managing Unacceptable Behaviour Procedure

Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
December 2024	Director of Housing Management	Version 1.0	n/a	December 2027	Board
May 2025	Director of Housing Management	Version 2.0	Minor changes to remove the word vexatious to enable ease of reading and understanding.	May 2028	Board
September 2026	Director of Housing Management	Version 3.0	Inclusion of Safety Information Register and changes to wording	September 2029	Board