

Cheshire West & Chester Council

Council Housing

Unacceptable Behaviour Policy

Issue date: June 2025
Review date: June 2028



Cheshire West
and Chester

1. Management Information

Approval Date:	June 2025
Next Review Date:	June 2028
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Housing Management Service
Responsible Director:	Director of Economy and Housing

2. Introduction

We are committed to providing a fair, consistent, and accessible service for all our customers, and welcome feedback, complaints, and comments as a learning opportunity. However, in a minority of cases, people pursue their interactions with us in a way that could affect the service we provide to other customers or cause offence or danger to staff. Where this occurs, we may seek to use this policy.

3. Aim of Policy

This policy sets out our approach to managing behaviour and/or actions by customers (tenants, leaseholders and third-party, including contractors/suppliers) that are considered unacceptable, and are either having, or likely to have, an impact on staff, absorb a disproportionate amount of their time, and limit their ability to provide a good service to other customers.

The criteria we will use to determine unacceptable behaviour is provided within this policy; however, it is not an exhaustive list and is intended to provide a guide to customers and staff on when this policy should be applied.

There are three key points which must be understood in line with this policy:

- We will not, as a standard, limit or apply restrictions to the contact customers have with us, where there is no justifiable cause.
- Raising legitimate queries, criticisms, complaints, or challenge against an enquiry should not in itself lead to someone being regarded as unacceptable. Any customers that are unhappy with the outcome of an enquiry should be encouraged to follow the designated escalation routes.
- We will consider the relevant needs of the customer and circumstances when deciding on how to proceed in cases of unacceptable behaviour. This is particularly important where a customer may act in ways deemed unacceptable due to an underlying health condition, such as a mental health issue or disability making it difficult for them to express themselves.

4. Strategic context

This policy helps the Council to meet the following national and national strategic aims.

Social Housing Regulations Act 2023 – Consumer Standards

- Neighbourhood and Community Standard
- Tenancy Standard

[CWAC Borough Plan 2024 – 2028](#) - sets out how the Council will work with all its residents to build a stronger future where the Council and residents all play their part in creating thriving, caring and sustainable communities.

The Borough Plan has six missions as follows:

- Starting well - The best start for the borough`s children and young people, with improved opportunity, a healthier start, greater resilience in families and the best possible support and care when it is needed.
- Tackling hardship and poverty - More people feel more financially secure as the causes and impact of hardship and poverty are addressed by working alongside residents.
- Resilient people living their best lives - Local people are enabled to flourish, be healthy, happy and independent for longer in supportive communities.
- Opportunity in a fair local economy - Local people and businesses contribute to and benefit from a strong and fair local economy.
- Neighbourhood pride - Residents live in well maintained, connected and safe places with good and affordable homes.
- Greener communities - Individuals, public services and businesses take action to move to tackle the climate emergency, achieve net zero, protect the natural environment and adapt to the impact of climate change.

[Together with Tenants Charter | Cheshire West and Chester Council](#)

5. Definition and legislation

There are different types of unacceptable behaviour and whilst this is not an exhaustive list, examples include:

- Aggressive, violent, offensive, abusive, derogatory, or discriminatory language or behaviour (actual or threatened) including unsubstantiated allegations, and malicious complaints towards or about our staff, or third parties/contractors working on our behalf.
- Unacceptable demands – e.g. requesting large volumes of information*, demanding unacceptable response times, refusing to speak to an individual, or insisting on speaking with another.
- Unacceptable persistence – e.g., refusing to accept the answer provided or outcome reached, continuing to raise the same issue without providing any new evidence, continuously changing, or adding to the subject matter of the enquiry.
- Persistently failing to identify the precise issues they wish to be resolved or investigated.
- Harassment through continuous and/or excessive contact (by any communication method, including social media posts.). This includes identifying individual staff or contractors within any media or social media posts.
- Unwillingness to accept documented evidence.

- Recording or filming of conversations, either over telephone or in person, without the consent of other parties.
- Threats to break clauses within a tenancy agreement or lease, such as refusing entry/access for required works, or withholding payments without good reason.

*Notwithstanding a person's right to make a subject access request, where it is not re-sending duplicate information which has been requested multiple times

Sexual harassment

We have zero tolerance for sexual harassment and will take all reasonable steps to protect our staff from any form of sexual harassment.

The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Examples of sexual harassment

Sexual harassment can occur in many forms, and can take place either at work, outside work, in person, or online. While this is not an exhaustive list, examples include:

- physical conduct of a sexual nature, unwelcome physical contact or intimidation;
- persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions;
- showing or sending offensive or pornographic material by any means (eg by text, video clip, email or by posting on the internet or social media);
- unwelcome sexual advances, propositions, suggestive remarks, or gender-related insults;
- offensive comments about appearance or dress, innuendo or lewd comments;
- leering, whistling or making sexually suggestive gestures; and
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.

6. How the policy will be delivered

The steps that we will take to manage unacceptable behaviour will depend on the nature and extent of the behaviour.

Before restrictions are considered, we will advise the customer that this policy may be applied, what this could mean and, wherever possible, provide the opportunity for customers to change their behaviour before any restrictions are applied. If the unacceptable behaviour is from a representative of an organisation, we will request that the organisation ensure that the behaviour does not reoccur.

For those customers who need additional guidance or advocacy, support will be offered on a case-by-case basis, including those whose behaviour is because of their vulnerabilities such as mental health, disability or adverse childhood experiences. Where appropriate, we will offer to liaise directly with:

- Any support workers or 3rd parties/agencies engaging with the customer, including translating services;
- A nominated representative, such as a friend/family member, or Member of Parliament/Local Councillor.

Should the unacceptable behaviour continue past this initial warning, we may consider a wide range of restrictions to apply to the customer. These will be appropriate and proportionate to the nature and circumstances of the behaviour.

The decision to apply this policy will be made by the Senior Manager. The customer will be informed, in writing or other accessible formats, of the decision and reasons why the behaviour was deemed unacceptable, details of earlier warnings, any restrictions being imposed, and how long the restrictions will remain in place.

Restrictions

This may include any of the following. Please note, this list is not exhaustive.

- Staff ending all direct contact with the customer.
- Restricting contact with the customer, including:
 - Limiting the types of contact the customer can use.
 - Limiting the timeliness and frequency of contact.
 - Limiting the number of issues that can be raised within a specified period.
- Appointing a named staff who will co-ordinate all communication with the customer.
- Requiring the customer to communicate with us via a named representative.
- Declining to give any further consideration to an issue unless additional evidence or information is provided.
- Where the behaviour is from a representative of an organisation, we may raise a formal complaint.

Extreme Cases

In extreme cases such as physical violence or harassment, actions could include referrals to the police and taking legal action.

Continued instances of unacceptable behaviour

Should the unacceptable behaviour continue despite this policy being applied, this is likely to constitute as anti-social behaviour and therefore may be a reason for us to begin proceedings to terminate a customer's tenancy or lease.

Recording of unacceptable behaviour

We will keep accurate records on our housing management system which will detail any unacceptable behaviour as well as information on any decisions or actions that we have taken.

Reviews

Any restrictions placed on a customer will be reviewed after an agreed period – usually six months. A review period will not exceed 12 months from the date of the restriction(s) being applied. If the customer's behaviour is seen to have improved at the point of the review, consideration will be given to lifting some or all of the restrictions. A decision to lift the restrictions will be made by a Senior Manager.

The customer will be informed of the decision in writing, or other accessible formats if required.

If the behaviour has not improved, the customer will be informed of the reasons why the restrictions remain in place, and a further review date will be agreed. We may consider taking appropriate legal action at this point.

Appealing a decision

A customer who has restrictions placed on them is entitled to appeal that decision. Should the customer wish to appeal, they must do so within 10 working days of the restriction(s) being imposed.

Appeals will be reviewed by an impartial Senior Manager, and their decision is final. An unsuccessful appeal cannot progress through our complaint's procedure, unless it is directly related to restrictions put in place regarding unacceptable behaviour relating to safeguarding or health and safety.

Safeguarding

All safeguarding concerns and referrals will be dealt with by staff in line with our Safeguarding Policy.

7. Equity and reasonable adjustment statement

We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more. Through our activities we aim to remove systemic barriers to equal opportunities and eliminate all forms of discrimination, harassment, and victimisation within our organisation.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavour to understand and make any reasonable adjustments required for customers in line with our Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

8. Related Documents

- Equality and Diversity Inclusion Policy
- Safeguarding Policy
- Complaints Policy

9. Equality Analysis

Results of EA / Actions taken forward to mitigate any potential negative impacts	Inform that this policy can be provided in alternative formats. Inform about the ongoing equality and diversity training for staff in the delivery of this policy.
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See appendix 1 for full Equality and Diversity Impact Assessment.

10. Consultation and Business Intelligence

The policy was created in consultation with the Council's tenants leaseholders and staff.

11. Monitoring and review

The Council Housing Management Board has responsibility for the monitoring and review of this policy. This policy will be reviewed every three years starting from the date it is approached and adopted.

12. Approval and Review History

The approval route for all policies and procedures is via the Cabinet Member for Homes and Planning who has delegated powers for policy approval from the Council's Executive Cabinet.

Date	Version	Approved by
26/06/2025	V1.3	Cabinet Member for Homes and Planning
19/09/2025	V1.4	Cabinet Member for Homes and Planning

13. Document Revision History

Date amended	Version	Key Changes
02/012025	V1	New policy
05/05/2025	V1.2	Revised version following tenants from the CHMB feedback: <ul style="list-style-type: none">• Utilise Council template and provide an introduction for the policy• Include the following:• Various headings throughout the policy

		<ul style="list-style-type: none"> • Information about how landlord record unacceptable behaviour • Information about safeguarding <p>Information about monitoring and review</p>
17/6/2025	V1.3	<p>Revised version following wider tenant and leaseholder consultation:</p> <p>Review a paragraph in “How the policy will be delivered’ section and include the support offered on a case-by-case basis to those with disabilities.</p>
19/09/2025	V1.4	<p>Revised version to take into account the insourcing of the housing management service from ForHousing to the Council.</p>

Appendix 1 – Equality and Diversity Impact Assessment

Area of activity or change	Unacceptable Behaviour Policy
IMDF Approval	Allan Batty, Senior Housing Policy Officer

STAGE ONE - SCOPING	Outlines the decision that is being made any why
STAGE TWO - RESEARCH	Outlines the collaboration and research that will inform this decision
STAGE THREE - FINDINGS AND NEXT STEPS	Considers how learnings from research and engagement are being embedded, the potential impact of the decision on different people and how these can best be managed.

STAGE ONE – SCOPING	
Consider points such as: <ul style="list-style-type: none"> Where has the proposed activity or change come from and why is it needed? Why is it important to the Council? How will this affect the tenant / customer journey or colleague experience? 	What activity or change is being proposed and why? <ul style="list-style-type: none"> Review new policy to ensure it meets the requirements of staff, Cheshire West and Chester Council and its tenants and leaseholders Review new policy to ensure that it complies with best practice guidance including Housing Ombudsman Consult with tenants and leaseholders
	What benefits are you trying to achieve? <ul style="list-style-type: none"> Policy to consider all requirements Policy to be clear about being developed by best practice guidance Policy to be informative, to be clear and in plain English Meet the needs of staff, tenants and leaseholders
STAGE TWO – RESEARCH	
Consider points such as: <ul style="list-style-type: none"> What groups or individuals will you approach to discuss this? How will you ensure that these people are diverse and representative? (See Equity and Diversity table in stage three) Is there any data you can look at to support you? 	Who will help develop your thinking so that different experiences and perspectives are included? <ul style="list-style-type: none"> Consultation with tenants and leaseholders using closed facebook page. Undertake an equality impact assessment to identify any positive and/or negative impacts on protected characteristics.
	What research will you do to inform your understanding? <ul style="list-style-type: none"> Review all relevant requirements, including good practice

STAGE THREE – FINDINGS AND NEXT STEPS	
Consider points such as: <ul style="list-style-type: none"> • What have people told you are some of the key issues? • What good practice is happening in other organisations? • What changes are you planning to make because of the things you've found out? 	What have you learnt from your research and engagement? <ul style="list-style-type: none"> • Consultation with tenants and leaseholders informed on minor changes to the policy which is recorded in the final document.
	How will you embed what you've learnt into your activity or change? <ul style="list-style-type: none"> • Make relevant minor changes to the policy • Inform within the document that this can be provided in alternative formats. • Inform about the ongoing equality and diversity training being provided to staff in the delivery of this policy.

Equity and Diversity - Not everyone has the same access to opportunities or services, and the things that make us different – such as the characteristics listed below – can affect our experiences and outcomes. Therefore, it is important to consider how different people could be impacted by any activity or change we want to bring about.	
How could the proposed activity or change affect people with these characteristics (positively or negatively)?	
Age (Younger or older people)	
Caring responsibilities (Parents and those looking after an older or disabled person)	
Digital inclusion (People without access to digital platforms or devices)	
Educational attainment (People who have experienced barriers to formal education)	
Ethnicity, race and nationality (Including migrants, refugees and asylum seekers)	
Financial inclusion (People experiencing financial barriers or challenges)	
Marriage / civil partnership (Legal union between different-sex or same-sex couples)	
Mental health (People with a mental disability or ill-health)	Both
Neurodiversity (Such as people with ADHD, Autism, Dyslexia, Dyspraxia)	Both
Physical health (People with a physical disability or ill-health)	Both
Pregnancy and maternity (Someone who is pregnant or has recently given birth)	
Religion, faith or belief (All religions and faiths, including people with no religion)	
Sex (Men and women)	
Gender identity (Including trans and non-binary people)	
Sexual orientation (Such as Lesbian, Gay and Bisexual people)	
Any other characteristic	

Managing positive and negative effects

<p>Consider points such as:</p> <ul style="list-style-type: none"> • Do you need to escalate any issues or seek legal advice? • Can you see any opportunities to promote or celebrate positive outcomes? • How will you build monitoring into the implementation of your activity or change and who will you report to? 	<p>If potential negative effects have been identified, how will any harm be reduced or avoided?</p>			
	<p>Identified Characteristics</p>	<p>Reduce or avoid potential negative effects</p>		
		<p>We will consider the relevant needs of the customer and circumstances when deciding on how to proceed in cases of unacceptable behaviour. This is particularly important where a customer may act in ways deemed unacceptable due to an underlying health condition, such as a mental health issue or disability making it difficult for them to express themselves.</p>	<p>For those customers who need additional guidance or advocacy, support will be offered on a case-by-case basis, including those whose behaviour is because of their vulnerabilities such as mental health, disability or adverse childhood experiences. Where appropriate, we will offer to liaise directly with:</p> <ul style="list-style-type: none"> • Any support workers or 3rd parties/agencies engaging with the customer, including translating services. • A nominated representative, such as a friend/family member, or Member of Parliament/Local Councillor. 	<p>All safeguarding concerns and referrals will be dealt with by staff in line with our Safeguarding Policy.</p>
	Mental health	✓	✓	✓
	Neurodiversity	✓	✓	✓
Physical health	✓	✓	✓	

If potential positive effects have been identified, how can we ensure these are realised?

Identified Characteristics	Realise positive effects			
	<p>We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more.</p>	<p>We will consider the relevant needs of the customer and circumstances when deciding on how to proceed in cases of unacceptable behaviour. This is particularly important where a customer may act in ways deemed unacceptable due to an underlying health condition, such as a mental health issue or disability making it difficult for them to express themselves.</p>	<p>For those customers who need additional guidance or advocacy, support will be offered on a case-by-case basis, including those whose behaviour is because of their vulnerabilities such as mental health, disability or adverse childhood experiences. Where appropriate, we will offer to liaise directly with:</p> <ul style="list-style-type: none"> • Any support workers or 3rd parties/agencies engaging with the customer, including translating services. • A nominated representative, such as a friend/family member, or Member of Parliament/Local Councillor. 	<p>All safeguarding concerns and referrals will be dealt with by staff in line with our Safeguarding Policy.</p>
Mental health	✓	✓	✓	✓
Neurodiversity	✓	✓	✓	✓
Physical health	✓	✓	✓	✓

	<p>How and when will the impacts of your activity or change be monitored moving forward?</p>
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- The policy will be available to tenants, leaseholders, partners on the website and all staff through the intranet.
- The implementation and management of this policy will be carried out by the Performance Management Team (HMC).
If staff become aware that there are problems with effective operation of the policy or the associated procedures, they should report this to the policy owner. This feedback will be incorporated into the policy / procedural review process.