

Newry, Mourne and Down District Council Policy Equality and Good Relations Screening Form

Policy Information

Name of the policy	Policy on Unacceptable Actions or Behaviour by Complainants
Is this an existing, revised or new policy?	New
What is it trying to achieve (aims/outcomes)	<p>a. To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions or behaviour it considers to be unacceptable.</p> <p>b. All complainants have the right to be heard, understood and respected. However, Council also believes that it must balance the rights of an individual to register a complaint with the rights of the staff of the Council not to be subjected to unacceptable actions or behaviour.</p> <p>c. Where it considers a complainant's actions or behaviour to be unacceptable, to restrict or change access to service.</p> <p>d. To ensure that complainants by their behaviour or conduct do not disadvantage other complainants or Council staff.</p>
Are there any Section 75 categories which might be expected to benefit from the intended policy?	All
If so, explain how.	Council staff will be operating on a more consistent basis.
Who initiated or wrote the policy?	Gerry McBride
Who owns and who implements the policy?	Alison Robb owns the policy Implementation is by all staff particularly those in frontline positions.

Implementation factors

	Yes	No
Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?	Yes .	
If yes, are they financial		No
If yes, are they legislative		No
If yes, and they are other please specify:	Inconsistent implementation of the policy by staff would detract from its	

	implementation. Staff should be aware of the policy and how to implement it. Training and awareness raising should assist with encouraging a consistent approach across all departments and services	
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Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

	Yes	No
Staff	X	
Service users	X	
Other public sector organisations	X	
Voluntary/community/trade unions	X	
Other, please specify:		

Other policies with a bearing on this policy

What are they	<ul style="list-style-type: none"> • Complaints, Compliments Comment Policy • Freedom of Information Policy • Health and Safety Policy documents which contains further general advice on personal health and safety issues.
Who owns them	Chief Executive

Available evidence

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for relevant Section 75 categories.

	Available evidence
Political opinion	I am aware from government reports published on customer care and ombudsman cases across members in the British Irish Ombudsman Association and the European Ombudsman's Office suggest a similar approach to the one adopted in this policy document. These organisations publish best practice guides which emphasise the need to ensure access to the complaints

	<p>process and for organisations to deal fairly and consistently with all complainants.</p> <ul style="list-style-type: none"> • N I Public Sector Ombudsman - Unacceptable Behaviour Policy • Northern Ireland Ombudsman's Principles of Effective Complaints Handling (2009). These aim to provide consistency in approach to, and accountability for, complaint handling across government. • Northern Ireland Policing Board – Unacceptable Customer Behaviour Statement • Scottish Public Sector Ombudsman's Office Unacceptable Behaviour Policy • More complaints please! – Westminster Public Administration Committee (http://www.publications.parliament.uk/pa/cm201314/) <p>Evidence of a number of recent cases involving local councils throughout the UK. In particular these highlight the need for a consistent policy on dealing with unacceptable behaviour from complainants. Further evidence from individual cases emphasise the need to review restrictions on complainants at an appropriate level within Council and these restrictions should not be open ended.</p>
Racial group	As above
Age	As above
Marital status	As above
Sexual orientation	As above
Men and women generally	As above
Disability	As above
Dependants	As above

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of evidence /information
Political opinion	The policy has been designed to facilitate the provision of services and transaction of business in a way which is consistent with the provision of a quality service to all irrespective of their S75 category while safeguarding the interests of staff dealing with complainants. It draws on the evidence of Customer care practitioners, and the approach adopted by public bodies and regulatory authorities dealing with complaints.
Racial group	As above

Age	As above
Marital status	As above
Sexual orientation	As above
Men and women generally	As above
Disability	As above
Dependants	As above

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 grounds? **Minor/Major/None**

Section 75 category	If Yes, provide details	If No, provide details
Religious belief		None
Political opinion		None
Racial group		None
Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability	Yes	The Policy raises awareness among staff of the types of predictable behaviour, such as assertiveness, which are associated with making a complaint and those which are unacceptable. This should help improve the experience of those with a disability who make a complaint to Council.
Dependants		None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?

Section 75 category	If Yes, provide details	If No, provide details
Religious belief		No
Political opinion		No
Racial group		No
Age		No
Marital status		No
Sexual orientation		No
Men and women generally		No
Disability	Yes	Customer care/complaints training
Dependants		

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? **Minor/Major/None**

Good relations category	If Yes , provide details	If No , provide details
Religious belief		No impact as the policy deals with behaviour not with the religious belief of an individual.
Political opinion		No impact
Racial group		No impact

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Good relations category	If Yes , provide details	If No , provide details
Religious belief		None
Political opinion		None
Racial group		None

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities? (For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

I do not consider there is any discernible impacts of this policy on people with multiple identities

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

Screening Decision

In light of your answers to the previous questions, do you feel that the policy should (please underline one):

1. Not be subject to an EQIA (with no mitigating measures required)
2. **Not be subject to an EQIA (with mitigating measures /alternative policies)**
3. Not be subject to an EQIA at this time
4. Be subject to an EQIA

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

The Policy on Unacceptable Actions or Behaviour by Complainants should facilitate people's access to the Council's complaints process and also offer

protection to staff who may be subject of unacceptable behaviour. In the exceptional circumstances where there is evidence of unacceptable behaviour staff will be aware of their responsibilities under the policy to act in a fair and consistent manner. Decisions to restrict access to Council and the complaints process will be made at a senior level.

Copies of the Policy will be made available staff and training incorporated into customer care and complaints handling training.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

In light of these revisions, is there a need to re-screen the revised/alternative policy? Yes / No. If No, please explain why

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and prioritising EQIA

If 3. or 4, is the policy affected by timetables established by other relevant public authorities? YES / NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for EQIA.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	

Relevance to a public authority's functions	
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Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA: _____

Monitoring

Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development.

Please detail proposed monitoring arrangements below:

Referrals for restrictions of staff and complaints terminated will provide evidence of the impact of the policy.
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Approval and Authorisation

Screened by:	Position/Job Title	Date
Gerry McBride	Customer Services Manager	12 May 2016
Approved by:		
Alison Robb	Assistant Director (Administration)	12 May 2016

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on your website as soon as possible following completion and made available on request.