

## Equality Impact Assessment: *Policy for Dealing with Unacceptable Customer Behaviour*

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

<b>Committee name and date:</b>	<b>Report Title</b>	<b>Decisions being recommended:</b>	<b>People with protected characteristics potentially impacted by the decisions to be made:</b>
Executive 3 November 2020	Policy for Dealing with Unacceptable Customer Behaviour		People with mental health or learning disabilities People from ethnic minority backgrounds Men

**Factors to consider in the assessment:** For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

**High impact** – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

**Medium impact** –some potential impact exists, some mitigating measures are in place, poor evidence

**Low impact** – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
<p><b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers; asylum seekers).</p>	<p>Positive impact</p>	<p>Medium impact</p>	<p>The policies and procedures will have a positive impact on people with minority cultural backgrounds for whom body language carries different meaning. The Step Away Guidance (para 2.2), which supports this policy, makes it clear that staff should be mindful of both their own and the customer’s body language which may be interpreted to be aggressive when it is not.</p> <p>The documents can be translated into other formats and languages on request and interpreters will be used in meetings with the customer as needed.</p> <p>The Employee Protection Register does not record ethnic background so it is not possible to say for certain how many Black, Asian and Minority Ethnic customers would be affected by the policies however anecdotal evidence from the members of the Safety of Employees Review Group suggests this is less than 10% of the current cases on the register.</p> <p>The Policy and supporting guidance provide clarity for customers on how cases will be dealt with.</p>

<p><b>Disability:</b> as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.</p>	<p>Positive impact</p>	<p>High impact</p>	<p>The Employee Protection Register does not record whether the customers have a disability however anecdotal evidence from the members of the Safety of Employees Review Group suggests that the majority have mental health issues or drug or alcohol dependency.</p> <p>The Unacceptable Customer Behaviour Policy section 9 states that officers must be mindful of the impact of disability, mental health and drug and alcohol dependency on behaviour and the Council's duties under the Equality Act 2010 and Safeguarding Policy.</p> <p>The Step Away Guidance (para 2.2) which supports this document makes it clear that staff should be mindful of both their own and the customer's body language which may be interpreted to be aggressive when it is not. Customers with disabilities including mental health and learning disabilities may have difficulty communicating and become frustrated which may be perceived as aggressive.</p> <p>The Policy and supporting guidance provide clarity for customers on how cases will be dealt with.</p>
<p><b>Sex/Gender</b></p>	<p>Negative impact</p>	<p>Medium impact</p>	<p>Of the 66 cases currently held on the Employee Protection Register, 82% of customers identify as male. However this number still represents a tiny proportion of our customer base so will not impact on men as a large group affected by potential risk assessments and subsequent mitigating actions.</p>
	<p>Positive impact</p>	<p>High impact</p>	<p>The Policy and supporting guidance provide clarity for customers on how cases will be dealt with.</p>
<p><b>Gender reassignment</b></p>			
<p><b>Religion and belief</b> (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).</p>			
<p><b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual).</p>			

<p><b>Age</b> (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).</p>			
<p><b>Pregnancy and maternity</b> including new and breast feeding mothers</p>			
<p><b>Marriage and civil partnership status</b></p>			
<p><b><u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u></b></p> <ul style="list-style-type: none"> <li>•</li> </ul>			

**Officer: Melinda Pogue-Jackson**

**Date: 27 August 2020**