

Equality Impact Assessment: *Review of 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.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 9 January 2024 Council 20 February 2024	Policy for Dealing with Unacceptable Customer Behaviour	That Executive supports and Council approves the revised Policy for Dealing with Unacceptable Customer Behaviour.	People with mental health or learning disabilities People from ethnic minority backgrounds Men Young people

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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>Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).</p>	<p>Positive impact</p>	<p>Medium impact</p>	<p>Customers</p> <p>The policies and procedures will have a positive impact on people from 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 how many Black, Asian and Minority Ethnic customers would be affected by the policies</p> <p>The Policy and supporting guidance provide clarity for customers on how cases will be dealt with.</p>

<p>Disability: 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>Customers 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. 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>Staff Staff who have mental health issues may experience an additional negative impact from the behaviour of abusive or aggressive customers. The intersectional impact for female staff with mental health issues who experience male customer abusive or aggressive behaviour should also be considered when providing support.</p>
<p>Sex/Gender</p>	<p>Negative impact</p>	<p>Medium impact</p> <p>High impact</p>	<p>Customers Of the 66 cases currently held on the Employee Protection Register, 82% of customers are identified 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>

	Positive impact Negative impact	High impact	The Policy and supporting guidance provide clarity for customers on how cases will be dealt with. Staff The staff base in some of the services that submit cases to the EPR is predominantly female: Housing needs = 86% Customer Services = 84% Housing Customer Services = 80% Payments and Collection = 69% This means that there is an imbalance of female staff experiencing abuse and aggression by men. If those women have previously experienced male abuse in other areas of their lives this could be an additional stress. If they are also experiencing hormone imbalances or fluctuations due to menopause or menstrual cycle, the behaviour of male customers could also have an additional negative impact.
	Positive impact	High impact	The Policy and supporting guidance provide clarity for staff on how cases will be dealt with and what support is available.
Gender reassignment			
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).			
Sexual orientation (including heterosexual, lesbian, gay, bisexual).			
Age (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)	Positive	High impact	Customers The policy has been updated to recognise that occasionally young people under the age of 18 may behave in unacceptable way towards staff but that as children they are vulnerable and need to be dealt with in a different way that is mindful of existing procedures to protect and work with children.

as overriding consideration should be given to needs).	Negative	High impact	<p>Staff Middle aged female staff who are experiencing hormone imbalances or fluctuations due to menopause, could experience additional stress from the unacceptable behaviour of male customers.</p> <p>The Policy and supporting guidance provide clarity for staff on how cases will be dealt with and what support is available.</p>
Pregnancy and maternity including new and breast feeding mothers	Positive	High impact	<p>Staff Middle aged female staff who are experiencing hormone imbalances or fluctuations due to menopause, could experience additional stress from the unacceptable behaviour of male customers.</p> <p>The Policy and supporting guidance provide clarity for staff on how cases will be dealt with and what support is available.</p>
Marriage and civil partnership status	Negative	High impact	<p>Staff As stated in the section on sex/gender above, there is an imbalance in some teams of female staff experiencing male customer abuse and aggression. Women who are experiencing hormone fluctuations due to pregnancy could be more negatively impacted by this behaviour.</p> <p>The Policy and supporting guidance provide clarity for staff on how cases will be dealt with and what support is available.</p>
<p><u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u></p> <ul style="list-style-type: none"> • 			

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