



**Worcester**  
CITY COUNCIL

# **PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE**

## **AGENDA**

**Date: Wednesday, 28th February, 2024**

**Time: 7.00 pm**

**Venue: The Guildhall**

## **PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE**

### **Information for Members of the Public**

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Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this part of the Agenda as well as background documents used in the preparation of these reports. Details of the background papers appear at the foot of each report. Part II of the Agenda (if applicable) deals with items of 'Exempt Information' for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

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At the start of the meeting under the item 'Public Participation' up to fifteen minutes in total is allowed for members of the public to present a petition, ask a question or comment on any matter on the Agenda. Participants need to indicate that they wish to speak by 4.30 p.m. on the last working day before the meeting by writing, telephoning or E-Mailing the officer mentioned below.

If you have any general enquires or queries about this Agenda or require any details of background papers, further documents or information, or to discuss arrangements for the taking of photographs, film, video or sound recording please contact the Lead Officer, Julian Pugh, Democratic Services Administrator, Guildhall, Worcester WR1 2EY. Telephone: 01905 722027 (direct line); E-Mail Address: [committeeadministration@worcester.gov.uk](mailto:committeeadministration@worcester.gov.uk).

This agenda can be made available in large print, braille, on PC disk, tape or in a number of ethnic minority languages. Please contact the above named officer for further information.

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**Personnel and General Purposes Sub-Committee  
Wednesday, 28 February 2024**

**Members of the Committee:-**

Chair: Councillor Steve Cockeram (G)  
Vice-Chair: Councillor James Stanley (C)

Councillor Zoe Cookson (L)  
Councillor Lynn Denham (L)  
Councillor Sarah Murray (LD)

Councillor Jabbar Riaz (L)  
Councillor Elena Round (G)

C= Conservative      G = Green      L = Labour      LCo = Labour and Co-operative  
LD = Liberal Democrat

**AGENDA**

**Part 1  
(ITEMS FOR DISCUSSION AND DECISION IN PUBLIC)**

1. **Appointment of Substitutes**  
To receive details of any Members appointed to attend the meeting instead of a Member of the Sub-Committee.
2. **Declarations of Interest**  
To receive any declarations of interest.
3. **Public Participation**  
Up to a total of fifteen minutes can be allowed, each speaker being allocated a maximum of five minutes, for members of the public to present a petition, ask a question or comment on any matter on the Agenda or within the remit of the Sub-Committee.
4. **Minutes**  
Page(s): 1 - 4  
Of the meeting held on 18<sup>th</sup> October 2023 to be approved and signed.
5. **Referral Report from Joint Consultative and Safety Committee: Revised Equalities Policy for Approval**  
Page(s): 5 - 12  
Ward(s): All Wards  
Contact Officer: Sian Stroud, Corporate Director, Planning and Governance  
Tel: 01905 722017  
  
That the Sub-Committee approves the revised Equalities Policy attached at Appendix 1.
6. **Unreasonable Customer Behaviour Policy**  
Page(s): 13 - 22  
Ward(s): All Wards

Contact Officer: Sian Stroud, Corporate Director, Planning and Governance  
Tel: 01905 722017

That the Sub-Committee approves the new Unreasonable Customer Behaviour Policy attached at Appendix 1.

7. **Any Other Business**

Which in the opinion of the Chair is of sufficient urgency as to warrant consideration.

8. **Item Involving the Disclosure of Exempt Information**

The Sub-Committee is invited to pass the following resolution:-

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of information as defined in Schedule 12A of the said Act.

**PART II  
(ITEM FOR DISCUSSION AND DECISION IN PRIVATE)**

9. **Appointment of Head of Service**

Page(s): 23 - 26

Ward(s): All Wards

Contact Officer: Shane Flynn, Corporate Director, Finance and Resources  
Tel: 01905 722536

To consider delegating authority to undertake an internal recruitment exercise in consultation with the Chair and Vice Chair of the Sub-Committee.

(Exempt – not for publication because the item contains information relating to any individual and also relating to the financial or business affairs of any particular person – categories 1 and 3)

**PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE****18th October 2023**

- Present:** Councillor Steve Cockeram in the Chair  
Councillors Allcott, Cookson, Denham,  
Round, Sadiq and Stanley (Vice-Chair)
- Officers:** Claire Chaplin, Democratic and Civic  
Services Manager  
Shane Flynn, Corporate Director – Finance  
and Resources  
Sian Stroud, Corporate Director –  
Planning and Governance
- Apologies:** David Blake, Managing Director

**11 Appointment of Substitutes**

Councillor Allcott for Councillor Murray; Councillor Sadiq for Councillor Riaz.

**12 Declarations of Interest****13 Public Participation**

None.

**14 Minutes**

**RESOLVED: That the minutes of the meeting held on 12<sup>th</sup> July 2023 be approved as a correct record and signed by the Chair.**

**15 Elections Act 2022 - Update Report**

The Sub-Committee considered an update report on the Elections Act 2022. The Democratic and Civic Services Manager presented the report and Officers responded to questions from Sub-Committee Members.

The report included an overview of the individual provisions coming into force during 2023 and 2024 and the overarching considerations for the corporate implementation of the provisions of the Act, together with progress made to date by the Returning/Registration Officer to facilitate the implementation of each provision.

Members raised several question on detailed aspects of the provisions of the Act. The Democratic and Civic Services Manager stated that in many cases, detailed guidance is still awaited. a written response will be provided to Members.

**RESOLVED: That the Sub-Committee agree to note the further provisions in the Elections Act 2022, the respective implementation dates and the considerations and progress for implementation made to date.**

**16 Local Government Boundary Commission - New Electoral Arrangements for Worcester City Council**

The Sub-Committee received a report on the final recommendations of the Local Government Boundary Commission for England following their review of electoral arrangements for Worcester City Council. The Corporate Director – Planning and Governance presented the report and explained that the Commission’s final recommendations were published on 29 August 2023. In summary, the recommendations were for Worcester to be represented by 35 councillors, the same number as currently, with 16 wards (one more than there is currently), made up of 3 wards represented by 3 councillors and 13 wards represented by 2 councillors. The boundaries of 12 wards will change, and 3 will stay the same. A summary of the final recommendations was appended to the report.

Officers responded to questions and comments from Committee Members.

Members were advised that more information can be provided on how many electors are affected by ward changes or changes to their polling station location.

On a connected theme, the Corporate Director advised Members that the consultation on the electoral cycle for the City’s Parish Councils had now ended and a report on the outcome will be presented to Policy and Resources Committee and Council in November.

**RESOLVED: That the Sub-Committee agree to note the final recommendations of the Local Government Boundary Commission for England following their review of electoral arrangements for Worcester City Council.**

**17 Referral Report from the Joint Consultative and Safety Committee: Revised Employee Policies for Approval**

The Sub-Committee considered a report on two staff policies which had been subject to review. The Corporate Director – Planning and Governance presented the report and explained that the Joint Consultative and Safety Committee, at its meeting on 28 September 2023, had considered two unrelated policies: the Capability Policy and the Alcohol and Drugs Policy.

The Capability Policy, which provides a mechanism for the Council to deal with performance issues of employees, had last been reviewed in 2017.

The Alcohol and Drugs Policy sets out clear boundaries relating to unacceptable misuse of substances. The Policy also allows for drug testing in specified circumstances and sets out disciplinary as well as health procedures that should be followed when cases of misuse are identified or suspected.

The policies, as agreed by the Joint Consultative and Safety Committee, were appended to the report. The Corporate Director summarised the main points of each.

**RESOLVED: That the Sub-Committee agree to approve:**

**1. the revised Capability Policy attached at Appendix 1 to the report; and**

**2. the revised Alcohol and Drugs Policy attached at Appendix 2 to the report.**

**18 Any Other Business**

None.

**Duration of the meeting:** 7.00p.m. – 7.57p.m.

Chair at the meeting on  
28<sup>th</sup> February 2024

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**Report to: Personnel and General Purposes Sub-Committee, 28<sup>th</sup> February 2024**

**Report of: Corporate Director - Planning and Governance**

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**Subject: REFERRAL REPORT FROM THE JOINT CONSULTATIVE AND SAFETY COMMITTEE: REVISED EQUALITIES POLICY FOR APPROVAL**

## **1. Recommendation**

**That the Sub-Committee:**

### **1.1 Approves the revised Equalities Policy attached at Appendix 1.**

## **2. Background**

- 2.1 The Council's management undertake periodic reviews of the Council's employment policies to ensure that they remain fit for purpose and reflective of current working practices. These policies are then referred to the Joint Consultative and Safety Committee which comprises councillors and trade union representatives. Recommendations are then made to the Personnel and General Purposes Sub-Committee ("JCSC") which has authority under the Constitution to approve and adopt these new versions of employment policies.
- 2.2 The Council's existing Equal Opportunities Policy is 10 years old. While it is still legally adequate, the context has changed: the Council adopted a new Equality Diversity and Inclusion Strategy for 2022-25 and this now is the key document which sets out the Council's aims and planned activities to be an excellent local leader as measured against the LGA framework for EDI. The Strategy is a comprehensive document which is supported by a series of improvement actions and is reported back to Policy and Resources Committee at least annually. It can be viewed on the Council's website, see: [Equality, Diversity and Inclusion - Worcester City Council](#)
- 2.3 Several years into the delivery of the new EDI Strategy, it is clear that there is still a need for a supporting Policy document. This is so there is a straightforward mechanism to set standards and enforce compliance with the Equality Act, in accordance with the Council's legal duties in this respect.
- 2.4 At its meeting on 31 January 2024, the JCSC considered a new Equalities Policy and approved the version appended to this report.

## **3. Preferred Option**

- 3.1 The preferred option is to approve the new Equalities Policy set out in **Appendix 1**. It has been drafted with reference to the ACAS policy template (see: [Equality, diversity and inclusion policy template | Acas](#)) but has been widened out from having an employee-only perspective to take account of the Council's public sector equality duty.

- 3.2 The new Policy sets out a set of expectations on employees, other Council representatives (eg volunteers, councillors, suppliers) and customers, so that it provides an underpinning standard for Equalities compliance across all Council activities. The Policy adheres and effectively re-states the current legal obligations which are on the Council for example in relation to discrimination, harassment and victimisation. It also explains the Council's enhanced responsibilities under the public sector equality duty.
- 3.3 As compared to the Council's original policy, the new Policy is not considered to alter the balance of responsibilities as between the Council and employees or customers. The main changes amendments can be summarised as:
- Renamed "Equalities" instead of "Equal Opportunities";
  - Simpler set of expectations of behaviour, reserving statements about strategic intent and planned corporate actions for the Council's overarching EDI Strategy;
  - Reference to other Council policies which may be relevant;
  - Section explaining how potential breaches of the Equality Act will be dealt with.
- 3.4 It should be noted that this is an overarching policy and the Council operates a number of other policies where the implications of the Equality Act 2010 are taken into account. For example, in relation to employment policies: the suite of "family friendly" policies covering maternity, paternity, adoption leave etc; working carers policy; flexible working requests; capability; dignity at work; sickness absence; menopause policy. Many of these policies have been reviewed by JCSC recently and others are scheduled for consideration during the forthcoming committee cycles.

## **4. Alternative Options Considered**

- 4.1 The alternative option, to leave the Policy as is or only approve certain changes, is not recommended for the reasons set out above.

## **5. Implications**

### **5.1 Financial and Budgetary Implications**

None identified.

### **5.2 Legal and Governance Implications**

A fair, reasonable and enforceable set of policies is an essential foundation of the employer's legal relationship with its employees. A fair, reasonable and enforceable set of policies is an essential foundation of the employer's legal relationship with its employees. In the context of the Equality Act, the Council has wider duties, including for example to customers, which this Policy helps support.

### **5.3 Risk Implications**

The risk of not reviewing and updating the Council's policies periodically is that they become difficult to enforce or apply consistently and fairly.

### **5.4 Corporate/Policy Implications**

If the new Policy is approved it will be publicised on the Council's website as well as to employees, volunteers, contractors and suppliers. It will also be publicised to

councillors, who are already duty bound to comply with the Council's equalities policies as a principle of their adopted Code of Conduct.

5.5 Equality Implications

As set out above.

5.6 Human Resources Implications

As set out above.

5.7 Health and Safety Implications

None identified.

5.8 Social, Environmental and Economic Implications

None identified.

**Ward(s):** All  
**Contact Officer:** Sian Stroud, Corporate Director - Planning and Governance, 01905 722019 [sian.stroud@worcester.gov.uk](mailto:sian.stroud@worcester.gov.uk)

**Background Papers:** None

**Appendix 1: Revised Equalities Policy**

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# Worcester City Council

# EQUALITIES

# POLICY



<b>Title</b>	Equalities Policy
<b>Status</b>	Draft
<b>Document Version</b>	V0.1
<b>Author</b>	Rich Morris
<b>Sponsor</b>	Sian Stroud
<b>Owner</b>	Sian Stroud
<b>Approved by</b>	
<b>Approved date</b>	
<b>Review frequency</b>	3 years
<b>Next Review:</b>	January 2027

<b>Version History</b>		
<b>Version</b>	<b>Date</b>	<b>Description</b>
0.1	24.01.2024	Draft for JCSC
	28.02.24	P&GP

## **1. Purpose of this Policy**

1.1 Worcester City Council is committed to promoting and achieving excellence in equality, diversity and inclusion through all of its actions. The Council has a comprehensive Equality, Diversity and Inclusion Strategy which sets out four Excellence Aims:

- Understanding and working with our communities;
- Leadership, partnership and organisational commitment;
- Responsive services and customer care;
- Diverse and engaged workforce.

1.2 To support the delivery of the Excellence Aims of the EDI Strategy, this policy's purpose is to set out a brief and enforceable mechanism to ensure the Council can meet its obligations under the Equality Act 2010.

1.3 This policy and the Council's overarching EDI Strategy relate to the Equality Act 2010 "Protected Characteristics" which are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

1.4 Everyone could be affected by one or more of the Protected Characteristics at some point in their life. It is against the law to discriminate, victimise or harass people because of these Protected Characteristics.

1.5 Additionally, public bodies such as the Council have a positive legal duty to promote equality of opportunity and foster good relations between people with different Protected Characteristics. The Council expects any person undertaking Council activities, whether that is employees, representatives and service providers, to comply with these duties under the Equality Act.

## **2. Scope**

2.1 This policy applies to anyone who acts on behalf of the Council, works with the Council or is entitled to receive services from the Council. This

includes (but is not limited to) all of the Council's employees, volunteers, contractors, councillors and customers.

### **3. Policy commitments**

3.1 The Council makes the follow commitments which everyone covered by this policy is expected to contribute to, as applicable to their circumstances:

- Encourage equality, diversity and inclusion within the Council, on the basis that this is good practice and make business sense;
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all are recognised and valued;
- Support a culture of training, learning, trust, tolerance, and respectful debate and challenge;
- Recognition that individuals, as well as the Council, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, against Council employees, representatives, customers, suppliers and any others;
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination made by employees, representatives, customers, suppliers and any others in the course of the organisation's work activities;
- Support opportunities for training, development and progress available to all Council employees and representatives, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation;
- Understand the equality implications of decisions while still ensuring that decisions concerning individuals are based on merit and do not unlawfully discriminate on the basis of Protected Characteristics;
- Ensure employment practices and procedures are fair and regularly reviewed to comply with the Equality Act;
- Recognise the value of collecting an appropriate level of workforce and customer data regarding Protected Characteristics for the purpose of informing better decision-making.

3.2 The Council has a number of specific policies where these overarching Equality Act commitments are also relevant. These policies include:

- Dignity at Work (anti-harassment policy)
- Employment policies relating to recruitment, working conditions, acceptable conduct and raising concerns at work;
- Councillor Code of Conduct;
- Customer policies relating to complaints and acceptable levels of service;
- Supplier policies relating to procurement;
- Policies relating to customer and employee accessibility, reasonable adjustments.

#### **4. Potential breaches of the Equality Act**

- 4.1 If in relation to a Council activity, a breach of the Equality Act is suspected or alleged, then the Council will follow the relevant policy (see examples above) to take investigate and take action as appropriate.
- 4.2 Anyone can report a concern about a breach of the Equality Act in relation to a Council activity, as follows:
- For employees - the Council's Dignity at Work Policy or Grievance Policy;
  - For customers/suppliers- the Council's Complaints Policy;
  - Anyone can report serious concerns under the Whistleblowing Policy.
- 4.3 Anyone can provide feedback or ask for a response about the Council's performance on equality, diversity and inclusion by emailing: [equality@worcester.gov.uk](mailto:equality@worcester.gov.uk).
- 4.4 In the cases of employees, breaches of the Equality Act will ordinarily be dealt with as misconduct under the Council's disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.
- 4.5 If the Council suspects there is evidence of a criminal offence being committed (for example in relation to harassment or hate crime) then the matter will be referred to the police.

#### **5. Related Documents:**

- 5.1 The City Council's Equality, Diversity & Inclusion Strategy can be found in full on this dedicated webpage, along with other supporting documents. <https://www.worcester.gov.uk/council/equality-inclusion>





**Report to: Personnel and General Purposes Sub-Committee, 28<sup>th</sup> February 2024**

**Report of: Corporate Director - Planning and Governance**

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**Subject: UNREASONABLE CUSTOMER BEHAVIOUR POLICY**

## **1. Recommendation**

**That the Sub-Committee:**

### **1.1 Approves the new Unreasonable Customer Behaviour Policy attached at Appendix 1.**

## **2. Background**

- 2.1 The Council engages with customers across a wide range of services and channels. At a service level, teams have local protocols in place for dealing with customers whose behaviour is, or becomes, unreasonable. The Council does not currently have an overarching corporate policy in place, however; while there is a section on unreasonable or persistent behaviour within the Council's complaints policy, naturally this only applies to complaints, a similar regime applies to information requests under the Freedom of Information Act.
- 2.2 This report recommends adopting a new overarching Council-wide policy to support anyone acting on behalf of the Council, to deal consistently and fairly with a customer's behaviour when it is considered to be unreasonable. It aims to provide clarity for customers on what they can expect and where possible to provide mechanisms for de-escalation and review.
- 2.3 Feedback from frontline staff and their managers has highlighted a demand for a corporate standard approach to help manage increased trends for customers to present with behaviour which adversely impacts either other customers, or staff. Councillors and volunteers for the Council have also reported concerns. Those representing the Council are generally reluctant to restrict customers' access to services or terminate contacts, which can in some cases lead to protracted and stressful situations for those concerned.
- 2.4 Unreasonable customer behaviour can take a number of forms. At one end of the scale there is the challenge of dealing with persistent or excessively lengthy contacts, which may not be threatening or offensive to others but may consume substantial resources. At the other end of the scale, there can be instances of verbal abuse and occasionally physical assault. In between, there may be a range of other potentially unreasonable behaviours.

- 2.5 Since 2020 the Council has recorded an annually increasing trend in the frequency and severity of abusive and aggressive customer interactions; incidents are reported through in the quarterly health and safety report to the Joint Consultative and Safety Committee.
- 2.6 Behaviour which is non-threatening can still have an adverse impact on Council resources. This may include for example, customers choosing to make repeated contacts to the Council when they are not requiring services, or where a service request has been dealt with, or customers choosing to bypass the given channels or processes in order to continue to pursue issues which the Council considers that it has dealt with.
- 2.7 There are a number of legal considerations for the Council in managing and acting on unreasonable customer behaviour. In some instances the Council will need to find appropriate means of continuing to deal with those customers. In other cases it may be reasonable for the Council to withdraw access to services and/or sites completely. Occasionally the customer may have additional needs or requirements relating to their mental or physical health. In relation to behaviour which threatens harm to others, the Council has a duty of care to those who are acting on its behalf, and those who are seeking its services, to provide a safe working environment.

### **3. Preferred Option**

- 3.1 The preferred option is to approve the new Unreasonable Customer Behaviour Policy, as set out **in Appendix 1**.
- 3.2 This policy has been subject to consultation with frontline staff and managers to ensure it aligns with current best practice within the Council. It also draws from examples found at other councils and from guidance from the Local Government and Social Care Ombudsman.
- 3.3 The policy applies to anyone acting as a representative of the Council, which includes employees, volunteers, councillors and suppliers. The policy defines a customer as anyone seeking or receiving contact from the Council.
- 3.4 Three types of unreasonable behaviour are described for the purposes of the policy: unreasonably persistent or vexatious; unreasonable; high risk. The ways in which the Council expects to deal with these behaviours are then described in the policy.
- 3.5 The policy supplements a number of other relevant Council policies, the key ones of which are listed at the end of the document. Where action is taken to restrict customers' access to services or sites, these decisions will be made at a senior officer level ie Head of Service.

### **4. Alternative Options Considered**

- 4.1 The alternative option, to not adopt a Policy, is not recommended for the reasons set out above.

### **5. Implications**

#### **5.1 Financial and Budgetary Implications**

None identified.

5.2 Legal and Governance Implications

As set out above.

5.3 Risk Implications

The risk of not reviewing and updating the Council's policies periodically is that they become difficult to enforce or apply consistently and fairly.

5.4 Corporate/Policy Implications

If the new Policy is approved it will be publicised on the Council's website as well as to employees, councillors, volunteers, contractors, and suppliers.

As a new policy, it will be reviewed after one year of operation based on experiences.

5.5 Equality Implications

As set out above.

5.6 Human Resources Implications

As set out above.

5.7 Health and Safety Implications

None identified.

5.8 Social, Environmental and Economic Implications

None identified.

**Ward(s):** All  
**Contact Officer:** Sian Stroud, Corporate Director - Planning and Governance, 01905 722019 [sian.stroud@worcester.gov.uk](mailto:sian.stroud@worcester.gov.uk)

**Background Papers:** None

**Appendix 1: Unreasonable Customer Behaviour Policy**

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## Worcester City Council

# UNREASONABLE CUSTOMER BEHAVIOUR POLICY

Title	Unreasonable Customer Behaviour Policy
Status	
Document Version	V1.1
Author	Sian Stroud
Sponsor	Sian Stroud
Owner	Governance
Approved by	Personnel & General Purposes Sub committee
Approved date	
Review frequency	1 year
Next Review:	2025

Version History		
Version	Date	Description
0.1	Feb 2024	Drafted

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## **Unreasonable Customer Behaviour Policy**

### **1. Introduction**

- 1.1 Worcester City Council provides a wide variety of services to customers across the city and uses a range of different ways to do so: face to face, by telephone and in writing.
- 1.2 All Council representatives have the right to work in an environment which is safe and protects their wellbeing. Also, the Council has a duty to manage its resources carefully so that good levels of service delivery can be offered to all customers who require it.
- 1.3 Sometimes behaviour by individual customers becomes unreasonable. This Policy sets out how this will be managed. The other Policies set out in section 8 below may also be used, depending on the circumstances.
- 1.4 Where a customer has special access requirements under the Equality Act 2010, these will be fairly taken into account by the Council's representatives when they apply this Policy.

### **2. Scope and definitions**

- 2.1 This Policy applies to all Council representatives, who are people undertaking Council responsibilities, whether they are employees, workers, councillors, volunteers, contractors. This Policy applies to customers and anyone representing them in their contact with the Council. For the purpose of this Policy, a customer is anyone who is seeking or receiving contact from the Council.
- 2.2 This Policy applies to all forms of contact with customers, whether face to face in a Council building or elsewhere in the city. It applies to all telephone calls, emails, letters, online contact including social media and any other forms of contact between a Council representative and a customer.
- 2.3 The Council uses this Policy to define unreasonable behaviour so that Council representatives and customers can have a clear and shared understanding. Any definition of unreasonable behaviour, and policy on how it should be managed, must always be read alongside current law and best practice guidance including from regulatory organisations such as the Local Government and Social Care Ombudsman. Legal advice will be sought in individual cases as necessary.
- 2.4 The Council defines three categories of unreasonable behaviour. These may in some cases overlap. Recognising the potential differences between them, and how they should be managed, is intended to be helpful to Council representatives as well as to customers.

- Unreasonably Persistent Behaviour
- Unacceptable Behaviour
- High Risk Behaviour

2.5 The examples given below are not an exhaustive list.

### **3. Unreasonably Persistent or Vexatious Behaviour**

- 3.1 Unreasonably Persistent or Vexatious Behaviour is described as someone trying to dominate the Council's attention with frequent, lengthy contacts and/or repetitive information. It also includes frequent requests which are frivolous in nature or based on fictitious claims or a distortion of factual information.
- 3.2 If a Council representative thinks the nature or frequency of a customer's contact is unwarranted and unhelpful, they should normally discuss this with their supervisor who will consider appropriate steps towards moderating the customer's behaviour. This can include a referral to the relevant Head of Service who can decide whether to restrict their access to the service.
- 3.3 Wherever possible, a customer will be told in writing if their behaviour is considered to be Unreasonably Persistent or Vexatious. It is not necessary for the Council's representatives to respond in order to re-state this fact in every following contact that the customer attempts to have with the Council.
- 3.4 Appropriate notes will be placed on the relevant service case recording system in order to alert other Council representatives within that service area, who may have to deal with the person in question. Ordinarily, this information will not be shared across multiple Council service areas unless the relevant Head of Service considers it necessary to do so.

### **4. Unacceptable Behaviour**

- 4.1 Unacceptable Behaviour includes behaviour which is deceitful, offensive, abusive, personally intrusive, threatening, or similar actions that adversely affect the capacity and /or well-being of Council representatives or customers.
- 4.2 Unacceptable Behaviour could also include insisting on dealing with, or not dealing with, a particular Council representative. It could also include insisting on video or audio recording of Council representatives unless it is a reasonable adjustment under the Equality Act 2010.
- 4.3 Any breach of one of the other Policies listed below could constitute Unacceptable Behaviour.



- 4.4 If a customer shares offensive or abusive material with a Council representative, it should be discussed with [their supervisor] who will then consider whether it is necessary to write to the person to draw attention to the offensive remarks and ask them to stop.
- 4.5 In addition, the behaviour of complainants during telephone calls may be deemed to be unacceptable. Where offensive or abusive remarks are made, the Council's representative is entitled to highlight this and ask the caller to stop otherwise their call may be brought to a close. If this continues, then it is acceptable for the Council's representative to prematurely finish the call. If a Council representative ends the contact with the customer for these reasons, they will record the incident and flag it with their supervisor.
- 4.6 If a Council representative thinks the customer is exhibiting Unacceptable Behaviour, then they will discuss this with their supervisor who will consider appropriate steps towards moderating the customer's behaviour. This can include a referral to the relevant Head of Service who can decide whether to restrict their access to the service.
- 4.7 Wherever possible, a customer will be told in writing if their behaviour is considered to be Unacceptable Behaviour and what restrictions this will mean for them contacting the Council. It is not necessary for the Council's representatives to respond in order to re-state this fact in every following contact that the customer attempts to have with the Council.
- 4.8 Appropriate notes will be placed on the relevant service case recording system in order to alert other Council representatives within that service area, who may have to deal with the person in question. Ordinarily, the only information which will be shared across multiple Council service areas will be the name of the customer and the fact of the behaviour designation, unless the relevant Head of Service considers it necessary to share additional information.

## **5. High Risk Behaviour**

- 5.1 High Risk Behaviour is behaviour by a customer which poses a threat to the personal safety or wellbeing of individuals, who may be Council representatives, the customer themselves, or other people. This may include actual or threatened violence, aggression, intimidation, personal harassment, or other harm.
- 5.2 Any Council representative who feels their personal safety is immediately at risk is entitled to withdraw themselves from contact with the customer. All concerns about potential High-Risk Behaviour from customers will be referred to the relevant Head(s) of Service who will assess and determine what safeguards should be put in place. These could include withdrawing Council services, limiting or ceasing

personal contact and/or specifying how or where customer interactions can take place.

- 5.3 Wherever possible, a customer will be told in writing if their behaviour is considered by the Council to be High Risk. The customer will also be informed what steps are considered necessary by the Council to share their information within the Council to keep people safe.
- 5.4 At any time, the Council may also refer allegations about the customer's behaviour to the police or other statutory agencies as appropriate.

## **6. Warnings, Reviews and Appeals**

- 6.1 The Council recognises that some customers will want to change their behaviour if they are advised that it is a concern and is likely to limit their access to Council services. So, where it is appropriate to do so, the Council's representatives will give the customer a warning that their behaviour is likely to be designated as unreasonable under this Policy. Sometimes however, it will not be appropriate or safe for the Council's representatives to provide a warning.
- 6.2 Any behaviour designated in one of the three categories above will be reviewed by the relevant Head of Service at least annually. Records will be kept in accordance with the Council's records management policy.
- 6.3 A customer may appeal any initial designation using the Council's Customer Feedback and Complaints Policy. They may also use that policy to request and provide evidence that their behaviour has subsequently changed, and that the designation should be lifted.

## **7. Data Protection**

- 7.1 The Council's data protection privacy notice accompanies this Policy.

## **8. Relationship to other Council Policies**

- Customer Feedback and Complaints
- Customer service standards and local charters
- Equalities Policy
- Dignity at Work
- Corporate Health Safety and Welfare Policy
- Data Protection
- [Access to Information- FOI, EIR]

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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