Section 4 Integrated Impact Assessment

Interim report		Final report	X	(Tick as appropriate)

1.   Title of proposal

The City of Edinburgh Council – Managing Customer Contact in Fair and Positive Way Policy.

2.   What will change as a result of this proposal?

The Council introduced an Unacceptable Use Policy and an 'Unreasonably Persistent and Vexatious Complainant Policy in 2005. These were largely based on recommendations and guidance from the Scottish Public Services Ombudsman (SPSO) and related to the Council's complaints process.

The two policies were refreshed in 2014 and amalgamated into one policy which was renamed as the 'Managing Customer Contact in a Fair and Positive Way Policy' by the Council's Policy and Strategy Committee. While this policy was again based on recommendations and guidance issued by the SPSO, its scope was wider than just the complaints process, with a focus on challenging difficult behaviours in any area of Council activity. As part of the policy process, a Record of Equality and Rights Impact Assessment and a Strategic Environmental Assessment Pre-Screening Report were carried out.

Since 2014, there have been various policy assurance reports confirming that the report is still 'fit for purpose', the most recent being in February 2021. However, there is a need to carry out a renewed assessment of impacts through the Integrated Impact Assessment process to ensure that the policy is used and implemented in an appropriate way, and that impacts (with particular regard to impacted population groups) are properly understood and communicated.

3.   Briefly describe public involvement in this proposal to date and planned

The public have not been directly involved in this refreshed IIA because the Coucil policy has not recently changed. The consultation group convened as part of this process consisted of highly experienced individuals from complaint or customer settings. The group was also representative of different areas of the Council and was able to offer practioner and strategic insight into customer behaviour and engagement. Some of the discussions identified potential areas for future improvement which may benefit from public involvement if implemented.

4.   Is the proposal considered strategic under the Fairer Scotland Duty?

No.

5.   Date of IIA

Wednesday, 27 October 2021.

6.   Who was present at the IIA? Identify facilitator, Lead Officer, report writer and any partnership representative present and main stakeholder (e.g. NHS, Council)

Name	Job Title	Date of IIA training
John Arthur, Facilitator	Head of Business Support (Corporate Services)	
Kevin Wilbraham, Lead Officer & Report Writer	Information Governance & Strategic Complaints Manager (Corporate Services)	
Sarah Hughes-Jones, Note Taker	Information Compliance Manager (Corporate Services)	
David Thomson	Statutory Compliance Officer (Corporate Services)	
Jon Ferrer	Quality, Governance & Regulation Manager (Communities & Families)	
Brian Henderson	Team Leader (Communities & Families)	
Frances Smith	Advice & Complaints Officer (Communities & Families)	
Stuart Woolgar	Customer Contact Team Leader (Corporate Services)	
Gavin Thomson	Senior Practitioner; Professional Adviser; Advice & Complaints Officer (Communities & Families)	
Stephanie Hayward	Customer Contact Officer (Corporate Services)	
Alasdair Oliphant	Advice and Complaints Lead (Edinburgh Health & Social Care Partnership)	

7. Evidence available at the time of the IIA

Evidence	Available – detail source	Comments: what does the evidence tell you with regard to different groups who may be affected?
2021 - CEC Managing Customer Contact in a Fair and Positive Way Policy.	Attached.	Current policy.
2021 - CEC Managing Customer Contact in a Fair and Positive Way Policy – annual review (Policy and Sustainability Committee, 23 February 2021).	Attached.	Policy assurance.
2019 - CEC Managing Customer Contact in a Fair and Positive Way Policy – annual review (Policy and Sustainability Committee, 6 August 2019).	Attached.	Policy assurance.
2017 - CEC Managing Customer Contact in a Fair and Positive Way Policy – annual review (Corporate Policy and Strategy Committee, 28 February 2017)	Attached.	Policy assurance.
2015 - CEC Managing Customer Contact in a Fair and Positive Way Policy – annual review (Corporate Policy and Strategy Committee, 29 September 2015)	Attached.	Policy assurance.
2014 - Unacceptable Actions and Behaviours Policy (Corporate Policy & Strategy Committee, 5 August 2014). Includes: Record of Equality and Rights Impact Assessment, and SEA Pre-screening report).	Attached.	Original approval of current policy, including assessments.
2008 - Unacceptable Actions Policy (Policy and Strategy Committee, 10 June 2008).	Attached.	Original unacceptable actions policy.
2021 - SPSO Engagement Policy	Attached.	Current SPSO policy that deals with challenging behaviours, with an emphasis on positive engagement.

Evidence	Available – detail source	Comments: what does the evidence tell you with regard to different groups who may be affected?
2021 - SPSO Guidance on Dealing with Problem Behaviour	Attached.	Detailed guidance which sets out various strategies on dealing with challenging behaviours.

8. In summary, what impacts were identified, and which groups will they affect?

Equality, Health and Wellbeing and Human Rights	Affected populations
Positives	**Population groups**
The review panel provides an opportunity to ensure that a person's context is known and fully considered when applying the policy.	
The review panel consists of individuals external to the service and ensures impartiality in applying the policy.	
The policy can be used in a preventative way. It sets out very clearly what behaviours are considered as unacceptable, and can lead to moderated behaviours and more positive engagement.	
Negatives	
People on the periphery of society are often in receipt of Council services. If restrictions are placed on individuals it may create barriers around accessing Council services. Policy use needs to be carefully considered in this context.	
Diagnosable mental health conditions can create behaviours which can be difficult for Council staff to manage without prior knowledge. This should be acknowledged within the policy, and content created to promote greater awareness of conditions which might cause unacceptable behaviours.	
Vulnerable and anxious individuals have shorter periods of conscious time; this can manifest in them	

making repeated contact in a shorter time than would generally be expected. Policy use needs to be carefully considered in this context with a full understanding of an individual's circumstances.	
Policy (or associated guidance) needs to ensure that young people who are not engaging positively can access advocacy services and support.	
The policy needs to be more trauma informed to help to ensure that people are not re-traumatised by restricting contact and a lack of understanding around an individual's behaviours.	
Cultural dynamics or practices of communication may be interpreted, in some circumstances, as unacceptable behaviours. This may lead to use of the policy which, in this context, could be considered as discriminatory.	
Positives	**Staffing groups**
The policy recognises that Council staff are subjected to challenging behaviours and provides a process by which such behaviours can be properly managed. In highlighting that certain behaviours will not be tolerated; it provides staff with appropriate protection.	
By highlighting the policy to challenging customers, it can be used in a preventative way to help promote successful engagement rather than limit or prevent it altogether.	
Application of the policy and limiting contact may free up staff time to deal with other customers.	
Negatives	
The policy does not highlight the support(s) available to staff for responding to and processing unacceptable behaviours.	
There needs to be greater staff awareness around the policy and its potential application.	

There needs to be organisational awareness around who is being managed through the policy to ensure an appropriate consistency of approach.	

Environment and Sustainability including climate change emissions and impacts **Positive** No positive impacts were identified. **Negative** No negative impacts were identified.	**Affected populations**

Economic including socio-economic disadvantage **Positive** Policy is published on-line and divided into sections to promote greater accessibility and understanding. **Negative** Policy is only published on-line.	**Affected populations** **All populations.**

9. **Is any part of this policy/ service to be carried out wholly or partly by contractors and if so how will equality, human rights including children's rights, environmental and sustainability issues be addressed?**

   No.

10. **Consider how you will communicate information about this policy/ service change to children and young people and those affected by sensory impairment, speech impairment, low level literacy or numeracy, learning difficulties or English as a second language? Please provide a summary of the communications plan.**

    An annual communications plan will be developed through the auspices of the Council's Corporate Complaints Group. The plan will include elements of public engagement, including key audiences of children and adult service users, as well as approaches to reach audiences without on-line access.

11. **Is the policy likely to result in significant environmental effects, either positive or negative**? If yes, it is likely that a [Strategic Environmental Assessment](#) (SEA) will be required and the impacts identified in the IIA should be included in this.

No.

12. **Additional Information and Evidence Required**

   If further evidence is required, please note how it will be gathered. If appropriate, mark this report as interim and submit updated final report once further evidence has been gathered.

   The Panel did not consider that they required any further evidence to consider.

13. **Specific to this IIA only, what recommended actions have been, or will be, undertaken and by when? (these should be drawn from 7 – 11 above) Please complete:**

Specific actions (as a result of the IIA which may include financial implications, mitigating actions and risks of cumulative impacts)	Who will take them forward (name and job title	Deadline for progressing	Review date
A trauma informed statement to be added to the Policy.	Kevin Wilbraham	Feb 2022.	
Additional content to be added to the policy recognising physical, mental and cultural issues which can have an impact on behaviours.	Kevin Wilbraham	Feb 2022.	
Revise website guidance to ensure sources of advocacy and support are clearly stated.	Kevin Wilbraham	Mar 2022.	
Issue communications to ensure appropriate levels of awareness around the policy.	Sarah Hughes-Jones	Mar 2022.	
Ensure there is oversight and monitoring of policy use to ensure appropriate levels of organisational awareness.	Kevin Wilbraham	Mar 2022.	

14. **Are there any negative impacts in section 8 for which there are no identified mitigating actions?**

   No.

15. **How will you monitor how this proposal affects different groups, including people with protected characteristics?**

    Use of the policy requires that independent review panels are established to ensure that the policy is applied fairly, including the affect it will have on that individual. More broadly, the Council's Corporate Complaints Group can act as a forum to monitor policy use and application.

16. **Sign off by Head of Service/ NHS Project Lead**

    Name: Nick Smith, Service Director for Legal & Assurance

    Date: 9 December 2021

17. **Publication**
    Completed and signed IIAs should be sent to strategyandbusinessplanning@edinburgh.gov.uk to be published on the IIA directory on the Council website www.edinburgh.gov.uk/impactassessments

    Edinburgh Integration Joint Board/Health and Social Care
    sarah.bryson@edinburgh.gov.uk to be published on the www.edinburghhsc.scot/the-ijb/integrated-impact-assessments/