

Managed Contact Policy

Evidence based equality analysis

Main aims, purpose and outcomes and how does it fit in with the wider aims of the organisation:

This policy is somewhat different to most other policies adopted by the Council as its aims are to reduce / restrict contact by certain individuals who are deemed to be vexatious and / or persistent in their endeavours to contact officers and Members.

The Council has a duty to the safety and welfare of its officers and to ensure that its resources and public money are not misspent on pursuing unreasonably persistent complaints or managing contact from customers with unacceptable complaint behaviour.

The Managed Contact Policy sets out clear guidelines to officers on:

- who it applies to
- when to consider applying the policy
- provides examples of situations where it may apply
- gives options for the type of managed contact that could be applied
- takes a cautious and controlled approach when considering each case
- includes an appeal mechanism

Lead officer: Bev Wright, Senior Customer Relations Officer

Stakeholders: All officers and Members of Cheshire West and Chester Council, customers

Equality analysis is a valuable tool to help embed equality into everything we do

While process is important, equality analysis is essentially about outcomes

Lack of evidence of discrimination is not evidence of a lack of discrimination

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a positive, negative or neutral impact, and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a high, medium or low assessment. It is important to rate 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

	Neutral	Positive	Negative
Target group / area			
Race and ethnicity (including Gypsies and Travellers; migrant workers, asylum seekers etc.)	The policy will be applied consistently to all groups. Application of the policy will be determined by the actions of individuals and will only be implemented in exceptional circumstances. It still allows individuals to have contact in a	All Council services are available in other languages.	

	<p>variety of ways. It simply seeks to apply a degree of control where individual's communications have become unreasonable. Generally this means allocating a single point of contact and deciding on the best medium to use – telephone / letter / e-mail / in person. The Council would be sensitive to any particular requirements an individual had.</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 effect on their ability to carry out normal day-to-day activities)</p>		<p>If managed contact is initiated the policy allows for a variety of ways in which the individual can continue to contact the Council – see above. Where there appears to be a learning disability officers will seek advice and may consider the appointment of an advocate. In all cases where there appears to be a learning disability extra consideration will be given during the assessment stages to determine how best to communicate with the individual going forward. The intention is to seek better ways of communicating and all options will be considered</p>	

		for each case.	
Gender	There is no discrimination here. The policy will be applied consistently irrespective of gender.		
Gender identity (gender reassignment)	As for gender above. There is no reason to believe application of this policy would have any adverse impact on an individual under this category. Any particular concerns will be considered sensitively.		
Religion and belief	There is no reason to believe the policy will have any adverse impact on an individual due to their religion or belief. They will be able to continue to contact the Council albeit their enquiries may be channelled to a single point of contact but the Council would be sensitive to any particular requirements.		
Sexual orientation (including heterosexual, lesbian, gay, bisexual)	As above, the policy will only be applied where an individual becomes unreasonable, irrespective of sexual orientation. Any particular concerns will be considered sensitively.		
Age (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older older people 81+. The age categories are for illustration only as overriding consideration should be given to needs)	The service does not tend to come into direct contact with children and young people. However, any individual displaying unreasonable behaviour will be reviewed sensitively. The policy keeps open a variety of options for contacting the Council and as such should meet the needs of all individuals irrespective of their age.		
Carers	The policy will only be applied where an		

	<p>individual becomes unreasonable, irrespective of whether they are acting for themselves or on behalf of another. Again, the Council would be sensitive to any particular requirements.</p>		
Rural communities	<p>The policy allows for ongoing telephone / letter / e-mail / in person access, albeit with a single point of contact, so there should be no adverse impact on this category.</p>		
Areas of deprivation	<p>The policy will be applied consistently and sensitively. It stresses the need for officers to have a high level of tolerance when dealing with individuals who may have other issues in their / their family's lives which are impacting on their ability to communicate in a reasonable way.</p>		
Human rights	<p>Some individuals may feel aggrieved by the implementation of this policy. However the robustness of the approach - see stages 1 - 4 - safeguard against inappropriate application.</p>		
Health and wellbeing (consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)	<p>Officers will always work with individuals to assist with all reasonable enquiries. This policy will only be applied when an individual's contact becomes unreasonable. It will then be applied consistently and sensitively – see note under deprivation above.</p>		
Procurement/partnership	N/A		

(if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)			
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Evidence: Managed Contact Policy

Action plan:

Actions required	Key activity	Priority	Outcomes required	Officer responsible	Review date
Awareness of the policy	Training for key officers	High	Appropriate application	Bev Wright	June 2017

Sign off	
Lead officer:	Bev Wright
Approved by Tier 4 Manager:	Michelle Cross
Moderation and/or Scrutiny	
Date:	Corporate Equality Group 30 March 2017
Date analysis to be reviewed based on rating (high impact – review in one year, medium impact - review in two years, low impact in three years)	Low - March 2020