

EQUALITIES IMPACT ASSESSMENT

Final

Name of policy_✓.

Persistent or Vexatious Complaints Policy

1. Is this policy, strategy or function new _✓.**1a. Briefly describe the reasons for developing or reviewing this?****Eg: change in legislation or requirements, results of consultation, part of a regular review cycle, etc.**

The Council receives complaints as a matter of routine. Some of these can involve persistent or vexatious complainants. Having reviewed the Information Commissioner's Office guidance it would be best practice for the Council to deal with such complainants consistently and in conjunction with an approved policy.

2a. Describe the main aim or purpose of this item? Who will it benefit? Why is it needed?

The aim is to address complaints which are vexatious, abusive or unreasonably persistent. It will benefit staff by providing a consistent approach to how such complaints are dealt with, showing that they are supported and will not be exposed to unreasonable behaviour by complainants without such complainants facing the possibility of their communication with the Council being restricted.

It will also benefit complainants by ensuring that there is an approved policy basis for how their complaint will be dealt with and the policy will be shared with them if they are to be treated as persistent or vexatious so that they are informed as to the basis on which any communication with the Council might be restricted.

3a. The Public Sector Equality Duty is part of the Equality Act 2010. The Duty requires the Council to have due regard to the following three aims:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equal opportunities between people from different groups
- foster good relations between people from different groups.

Having due regard means considering how this policy, strategy or function has or will advance equal opportunities for each of the protected groups below.

It will ensure that there is a consistency of approach which would eliminate unlawful discrimination. The policy will be applied consistently to all, taking into account the circumstances and characteristics of complainants in each case.

3b Identify how this item demonstrates due regard to the three aims above for each of the protected groups below.

(For marriage and civil partnership, legislation requires you only need to demonstrate how you would eliminate unlawful discrimination, harassment and victimisation)

Protected characteristic	This item demonstrates due regard by: Describe how it furthers equal opportunities. You can cite examples of any disadvantage this item removes or minimises, how it meets the specific needs of any groups, how it encourages participation, promotes understanding or integration between groups	Describe any negative impact or potentially negative impact of this item for any group. For any negative impact identified, describe actions already taken to address it. Any planned actions must be identified in section 4.	List data sources/ evidence used to assess impact and whether this item furthers the aims of the Equality Duty. Insert links to data used where possible
Age	As previously stated, the policy will be applied consistently taking into account any protected characteristics to avoid unlawful discrimination which is more likely with an approach not based on the	None identified	This policy is applied in accordance with the Council's Statement of Commitment to Equality &

	consistent application of a policy. It therefore demonstrates a proportionate and fair approach to complaints handling which will assist in showing different groups that they are all treated fairly and equitably.		Diversity which has this proviso "Complaints received by the Council with a focus on any related to equality and diversity issues are also shared with the corporate lead officer for equality and diversity in order to assess and make recommendations for corporate actions to address them." This policy is also aligned with the Council's Accessible Communication Guidance which provides information and resources to communicate effectively in different formats and languages to best suit the needs of customers
Disability	As above		
Gender reassignment	As above		
Marriage and Civil Partnership	As above		
Pregnancy and Maternity	As above		
Race (ethnic or national origin, colour, nationality)	As above		
Religion or Belief (and lack of belief)	As above		
Sex	As above		
Sexual Orientation	As above		

3c. Are there any other groups in addition to those above which could be impacted (e.g. socially or financially excluded) by this item? Possibly those experiencing mental health issues or other conditions impacting on their ability to send or receive communication to resolve an issue. Again, these would be taken into account and considered if implementing this policy.

4. Please identify any further actions you will take resulting from this assessment.

Action	Officer Responsible	Completion date
This policy and its application to persistent and or vexatious complainants, along with any staff and customer feedback, are reviewed at least every two years and the policy is updated as needed.	Borough Solicitor & Monitoring Officer	March 2023

5. Do you have any additional comments? If so, please add.
NONE

6. Date 16.03.2020	Officer(s) completing assessment Paul Grant	Section Date Approved
7. Name of Section Head: Paul Grant	Date review completed. 16.03.2020	
8. Date submitted to Board/Full Council	24.03.2020	

E &D Lead officer Recommendation:

- This assessment form is incomplete and requires additional information for its review by EDSG.
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This assessment has been successfully reviewed with the following outcome:

- No major change** – The assessment of this policy/strategy/function shows no potential for discrimination and the aims of the Equality Duty have been met.
- Review the policy regularly** – This item will meet the aims of the Equality Duty if actions identified in Sections 3 and 4 to remove barriers or to better advance equality are implemented.

- Continue the policy/strategy/function** – There is some potential for adverse impact or missed opportunities to promote equality, but no unlawful discrimination has been identified. Ensure effective equality monitoring is in place to regularly assess the actual impact on different groups
- Stop and Rethink** – Adverse equality impacts have been identified/ may not be justified and have not been sufficiently mitigated. Unlawful discrimination could be taking place. Do not adopt or continue until a full equality investigation has been completed.