

REPORT TO CABINET

This issue is being considered as an urgent key decision in accordance with Access to Information procedure rule 15. The decision cannot be delayed until publication of the next Forward Plan because it concerns matters of staff health and safety.

REPORT OF: John Smith Healthy Environment Portfolio holder

REPORT NO: ENV 464

DATE: 4 January 2010

TITLE:	Unacceptable Behaviour Policy	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr John Smith Healthy Environment	
CONTACT OFFICER:	David Price Healthy Communities Manager 01476 406328 d.price@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out on 13 th November , no further action required	
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Attached copy of Policy	

1. RECOMMENDATIONS

That the unacceptable behaviour policy appended to this report be adopted

2. PURPOSE OF THE REPORT/DECISION REQUIRED

To enable the approval of the revised unacceptable behaviour policy and achieve the health and safety of staff and others as set out in the council's health safety policy.

3. DETAILS OF REPORT (SUMMARY – USE APPENDICES FOR DETAILED INFORMATION)

The unacceptable behaviour policy replaces the previous violence to staff policy. It confirms the definition of unacceptable behaviour to be actions such as:

- Physical attack, whether visible injury occurs or not
- Sexual or racial attack
- Verbal abuse, where an employee feels that an unacceptable threat has been made against them
- Animal attack, where an animal is used to threaten or as a tool
- An attack against property as a means of intimidating or threatening a member of staff
- Placing unreasonable demands on the council eg continual phone calls or visits
- Unreasonable persistence eg refusal to accept a decision made or accept explanations
- Harassment eg unwelcome and unwarranted behaviour which affects the dignity of an individual or group

The policy sets out the process for managing unacceptable behaviour and how the council will minimise risk to its employees and others. A recording system for incidents of unacceptable behaviour is specified and a process of review of the incident set out. The process includes the provision of an “Exercise with Caution” list. This list is subject to an independent review by the safety adviser and a corporate head prior to any individual being placed on it. Any individual placed on this list is advised of this by letter and remains on the list for a minimum of 3 years. This list is reviewed at regular intervals and made available to staff via service managers.

The revised policy has been through an extensive consultation process with staff, service managers and the management team as well as the JCNG and others such as the police.

4. OTHER OPTIONS CONSIDERED

The policy will enable the statutory responsibilities of the council to be discharged and failure to clarify the council’s policy in respect of unacceptable behaviour could lead to the council breaching its statutory duty.

5. RESOURCE IMPLICATIONS

Implementation of the policy will be within existing budgets

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The policy will clarify the council’s approach to dealing with unacceptable behaviour and assist in securing compliance with health and safety legislation.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

No issues

8. CRIME AND DISORDER IMPLICATIONS

N/A

9. COMMENTS OF DEPUTY SECTION 151 OFFICER

As part of this report it has been confirmed by the Service Manager for Healthy Communities that any resource implications can be met from within the approved budget framework. Therefore, adoption of this policy should not result in any additional budget requirement.

10. COMMENTS OF MONITORING OFFICER

<p>The proposed policy incorporates the provisions of the violence to staff policy and extends the types of behaviour and sanctions available to deal with unacceptable behaviour from internal and external customers.</p> <p>It is proposed the policy is introduced as a matter of urgency to effect the procedures which are required to protect employees of the Council</p>

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

12. APPENDICES: a copy of the policy is attached