

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**  
**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE**  
**CABINET**

**Date: 5<sup>th</sup> March 2014**

**REPORT TITLE** Case Management Policy for Councillors- Unacceptable Behaviour and Actions by Members of the Public

**Submitted by:** Chief Executive

**Portfolio:** Communications, Policy and Partnerships

**Ward(s) affected:** Non specific

**Purpose of the Report**

To seek Cabinet approval of the Case Management Policy for Councillors.

**Recommendation**

That Cabinet approve the Case Management Policy for Councillors.

**Reasons**

- (a) The existing corporate Customer Case Management Policy and guidance on unacceptable customer behaviour, approved by Cabinet on 22<sup>nd</sup> May 2013, provides a guide to staff in dealing with unreasonable customers in a fair and consistent way. However, it does not specifically extend to providing guidance for councillors in dealing with unreasonable behaviour or actions by members of the public, when undertaking Council work.
- (b) A Case Management Policy specifically designed for councillors will provide guidance and support on how to deal with members of the public who display unacceptable behaviour and actions which infringe the normal relations that exist between councillors and constituents.

**1. Background**

1.1 The Council has adopted procedures for dealing with unreasonable complainant behaviour within its Corporate Complaints, Comments and Compliments Policy (3Cs Policy). Additionally, it has an approved Customer Case Management Policy in place which seeks to address the small number of customers who make unreasonable demands on the Council either in the way that they behave towards staff and/or Council property, or the resource that is required to deal with their demands.

1.2 Councillors have a representative role in considering the views of constituents and communicating with them. Therefore, they will normally wish to give members of the public unlimited contact to them.

**2. Issues**

2.1 Occasionally, a member of the public will make unreasonable demands on a councillor or display unreasonable behaviour or actions without apparent good reason, act in a manner to

cause annoyance, or infringe the normal relations which exist between a member of the public and a councillor. These circumstances are not addressed in the current Customer Case Management Policy.

- 2.2 A considered policy-led approach is to guide councillors in a clear understanding of what can be defined as unacceptable behaviour, what options for action are available, and who can authorise these actions. This information can be shared with members of the public if they start to behave unreasonably and can assist in managing their expectations and their behaviour, as far as possible, while the substance of their issue is addressed.
- 2.3 Currently there is no agreed process to manage this kind of contact between councillors and members of the public and therefore there is a risk of consistency and fairness not being maintained across all cases.
- 2.4 The Case Management Policy for Councillors attached as Appendix A, details the proposed measures to be put into place to ensure the Council deals with unreasonable behaviour in a consistent and fair way, and is in accord with the existing Customer Case Management Policy wherever possible.

### **3. Outcomes linked to Sustainable Community Strategy and Corporate Priorities**

The outcome supports 'Becoming a Cooperative Council delivering high quality community driven services', by providing a Case Management Policy for Councillors which enhances transparency and provides consistency in their dealings with members of the public.

### **4 Legal and Statutory Implications**

Although there are no legal or statutory requirements for the Council to adopt such a policy, it is considered good practice to provide a framework that provides for consistency and fairness in councillors dealings with these instances.

### **5 Equality Impact Assessment**

An equalities impact assessment was undertaken prior to approval of the Corporate Complaints, Comments and Compliments Policy and this is reviewed regularly. This Policy will operate alongside the Corporate Complaints, Comments and Compliments Policy and the same equality impact assessment will be relevant to both.

### **6 Financial and Resource Implications**

There are no financial or resource implications associated with the approval of this Policy.

### **7. Major Risks**

There are no major risks associated with this report.

### **8. Earlier Cabinet Resolutions**

Customer Case Management Policy, Cabinet 22<sup>nd</sup> May 2013  
Corporate Complaints, Comments & Compliments Policy, Cabinet 21<sup>st</sup> May 2008  
Corporate Complaints, Comments & Compliments Policy (amended), Cabinet 23<sup>rd</sup> May 2012

## **9. Recommendation**

That Cabinet approve the Case Management Policy for Councillors, as detailed in the report.

## **10. List of Appendices**

Appendix A: Case Management Policy for Councillors - Unacceptable Behaviours and Actions by members of the public.

Appendix B: Sample Case Management Letter.

## **11. Background Papers**

The approved Customer Case Management Policy is available to view on the Council's Intranet site at:

[http://svint/utilities\\_page.asp?id=SXE9B9-A78068D2](http://svint/utilities_page.asp?id=SXE9B9-A78068D2)

The approved Corporate Complaints, Comments & Compliments Policy (amended) is available to view on the Council's Intranet site at:

[http://svint/utilities\\_page.asp?id=SX7874-A77FF1B0](http://svint/utilities_page.asp?id=SX7874-A77FF1B0)