

## POLICY SCRUTINY COMMITTEE

**Tuesday, 19 November 2024**

**6.00 pm**

**Committee Rooms 1-2, City  
Hall**

Membership: Councillors Chris Burke (Chair), Calum Watt (Vice-Chair),  
Debbie Armiger, Liz Bushell, Natasha Chapman, Callum Roper  
and Rachel Storer

Substitute member(s): Councillors Dylan Stothard and Pat Vaughan

Officers attending: Democratic Services, Joanne Crookes and Emily Holmes

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### A G E N D A

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1. Confirmation of Minutes - 1 October 2024	3 - 6
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
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6. Health Scrutiny Update	Verbal Report
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**Present:** Councillor Chris Burke (*in the Chair*),  
Councillor Debbie Armiger, Councillor Liz Bushell,  
Councillor Natasha Chapman, Councillor Callum Roper  
and Councillor Calum Watt

**Apologies for Absence:** Councillor Rachel Storer

**9. Confirmation of Minutes - 29 July 2024**

RESOLVED that the minutes of the meeting held on 29 July 2024 be confirmed and signed by the Chair as a true record.

**10. Declarations of Interest**

No declarations of interest were received.

**11. Localised Council Tax Support Scheme 2025/26**

Tracey Parker, Revenues and Benefits Manager:

- a. presented the proposed scheme for Local Council Tax Support for the financial year 2025/26 and accompanying Exceptional Hardship Payments Scheme, as part of the formal consultation period
- b. gave the background to the scheme as detailed at paragraph 2 of the report and advised that there were currently 8,278 residents claiming Council Tax Support in Lincoln
- c. advised that there were 2,546 pensioners in receipt of Council Tax Support who protected under the legislation so that they would not be affected by any changes made to the Council Tax Support Scheme
- d. further advised that there were 5,732 working age claimants who could be affected by any changes made to the scheme. This figure included those working age customers considered 'vulnerable'
- e. highlighted the changes in caseload as detailed at paragraph 3 of the report and advised that there was potential that the number of claimants could rise due to the ongoing cost of living pressures on residents
- f. referred to paragraph 4 of the report and gave an overview of the current Council Tax Support Scheme
- g. advised that based on the current core elements of the existing scheme, caseload decreases of 1% and 0% change and an increase of 5% had been modelled, along with Council Tax increases of 1.9% and 2.9%. These were summarised in Appendix 1 of the report which gave an indication of the potential cost and savings to the City of Lincoln Council. Also included was the potential value for non-collection (based on projected collection in the tax base of 98.75%)

- h. explained that as a billing authority the Council could decide whether or not to amend core elements of its Council Tax Support scheme each year. Schemes being consulted on were summarised at Appendix 1 of the report
- i. referred to paragraph 5.3 and 5.4 of the report and explained the technical amendments and assumptions that had been made in developing the modelling for each Council Tax Support Scheme
- j. reported that the options considered for consultation by Executive on 16 September 2024 were as follows:
  - Option 1: No change to the current scheme;
  - Option 2: Introduction of a 'banded scheme' for all working age customers (as detailed at paragraph 5.6 of the report)
- k. referred to paragraph 5.8 of the report which detailed the Exceptional Hardship Payments Scheme and proposed an Exceptional Hardship Budget of £25,000 be put in place for 2025/26
- l. asked for Committee's consideration and comments as part of the formal consultation process.

**Question:** There was still work being undertaken on the modelling of a potential banded scheme. Would all of the information be available for Executive to make a decision in January 2025?

**Response:** Most of the information would be available in time for Executive, however, the cost of the scheme would not be available which was usual practice. The aim with the modelling would be to keep the bands similar to what the customer was currently receiving. If the work was not completed there was still the option of no change to the current scheme.

**Question:** There were concerns regarding the software. Would it be possible for the banded scheme to be implemented in the next financial year.

**Response:** The aim would be to implement the banded scheme in the next financial year. Testing of the software needed to implement the scheme was ongoing and was likely to take several months to complete. It was important to ensure that the software was thoroughly tested.

**Question:** Would there be a transition period to move to the proposed banded scheme?

**Response:** There would not be a transition period. The Exceptional Hardship fund would be used for those vulnerable people who had been disproportionately affected by changes made to the Council Tax Support Scheme.

**Question:** Would the Council consider helping those people who were just outside the eligibility criteria for receiving the winter fuel payment?

**Response:** This was not within the remit of the Council Tax Support Scheme.

**Question:** Could the proposed banded scheme include a formula for additional children to help mitigate the impact of the 2 child benefit cap?

**Response:** The Council Tax Support scheme was aligned with Universal Credit. The suggestion could be included as part of the consultation.

RESOLVED that:

1. The introduction of a 'banded scheme' for all working age customers be supported.
2. The provision of an Exceptional Hardship Fund of £25,000 for 2025/26 be supported.

**12. Health Scrutiny Update**

No update available.

**13. Policy Scrutiny Work Programme 2024-25 and Executive Work Programme Update**

The Democratic Services Officer:

- a. presented the report 'Policy Scrutiny Work Programme 2024-25 and Executive Work Programme Update'
- b. presented the Executive Work Programme September 2024-August 2025
- c. requested councillors to submit any items they wished to scrutinise from the Executive Work Programme and policies of interest
- d. invited members questions and comments:

The Business Manager – Corporate Policy and Transformation explained that a review of the Equality and Diversity Corporate Document Suite was currently being undertaken. It needed to be considered by the Equality and Diversity Advisory Panel prior to consideration by Policy Scrutiny Committee. She suggested that it be added to the work programme for March 2025.

RESOLVED that:

1. The work Policy Scrutiny work programme be noted.
2. The Executive work programme be noted.
3. The Review of the Equality and Diversity Corporate Document Suite be scheduled into the work programme for 18 March 2025.

**14. Exclusion of Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 19.

**15. Lincoln Big Ballot**

Simon Walters, Strategic Director for Communities and Environment:

- a. presented the Lincoln Business Improvement Group (BIG) ballot arrangements in advance of seeking Executive views on how the

nominated officer should vote in the ballot using the votes attributable to council properties within the Business Improvement District (BID) designated area

- b. explained the BID Ballot process and provided details of the BID Levy mechanics
- c. advised that an all Member Workshop was held on 18 November 2024 and gave an overview of the key themes explored during the session
- d. summarised the impact of an overall 'yes' vote and also the impact of an overall 'no' vote
- e. invited members questions and comments.

The committee discussed the contents of the report in detail and acknowledged the extensive services that Lincoln BIG provided to the City. They were unanimously in support of the nominating Officer casting a 'yes' vote in the upcoming BID Ballot on behalf of City of Lincoln Council properties.

RESOLVED that the proposal to instruct the Chief Finance Officer to cast a 'yes' vote on behalf of City of Lincoln Council properties for the continuation of Lincoln BIG for the next 5 years be supported.

**POLICY SCRUTINY COMMITTEE**

**19 NOVEMBER 2024**

**SUBJECT: DEPARTMENT OF HOUSING AND INVESTMENT  
REMEDIES POLICY**

**DIRECTORATE: HOUSING AND INVESTMENT**

**REPORT AUTHOR: JOANNE CROOKES, CUSTOMER SERVICES MANAGER**

**1. Purpose of Report**

- 1.1 To present the new Department of Housing and Investment (DHI) Remedies Policy (Appendix 1) for comment.

**2. Background**

- 2.1 The council now has a statutory duty to handle customer complaints in line with the Housing Ombudsman Service (HOS) Complaint Handling Code. (The Code)
- 2.2 Section 7.1, of the Code self- assessment states that where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.
- 2.3 Section 7.2 states that any remedy offered must reflect the impact on the resident as a result of any fault identified.
- 2.4 Section 7.3 states that the remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.
- 2.5 Finally, Section 7.4 of the self-assessment states that Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.
- 2.6 Whilst there are existing procedures for offering small sums to compensate loss there was not a formal policy document which was in line with the HOS Guidance on Remedies and therefore, a new one needed to be developed and agreed to ensure compliance with The Code.
- 2.7 LTP have been consulted about this report and have made the following comments:
- 1) Recommend the remedies policy reviewed annually.  
Response: This has been noted and reflected in the review date information.
  - 2) LTP request that they are provided with annual report on the volume of compensation administered and areas of service related to.  
Response: This has been noted and can be provided.
  - 3) Agree with the proposed compensation amounts and increments system relating to qualifying improvements, gesture of goodwill and payment of

compensation to customers.

This has been noted.

- 4) Recommend rent refund for disturbance allowance amount is reduced.

This has been noted however, the amounts have been suggested based on the Housing Ombudsman award thresholds.

2.8 This report and policy were shared with Housing Scrutiny Sub Committee on 31 October 2024 and it was supported that the policy goes to Executive on 18 November for approval.

2.9 It is presented to Policy Scrutiny Committee for further consideration and feedback.

### **3. Organisational Impacts**

Strategic Priority: High Performing Services

Finance – Compensation payments and allowances should be met from within existing budget provision. These payments should be monitored to assess the effect of the introduction of a published policy.

Legal – There are no direct legal implications arising from this report.

Equality and diversity –The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

To ensure that we deliver our Equality Duty we accept complaints from customers via all communication channels. Customers can complain in person, verbally, in writing or via our online complaints template. Customers who need assistance to log a complaint can get help from Customer Services to ensure that they are heard. All complaints received are dealt with equally regardless of how they are made.

Community engagement and communications. We welcome feedback from customers and clearly promote the Complaints procedure on our website and in our public buildings.

### **4 Recommendations**

4.1 Members to consider and provide comment on the new DHI Remedies Policy.

4.2 Any feedback and suggestions will be approved by the City Solicitor in conjunction with the Portfolio holder for Quality Housing as delegated by the Executive. If they are major changes they will be referred to the next Executive meeting.

4.3 Members to note the assistance given by the Lincoln Tenant's Panel in developing this policy.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** One

**List of Background Papers:** None

**Lead Officer:** Joanne Crookes,  
Customer Services Manager  
Email: [jo.crookes@lincoln.gov.uk](mailto:jo.crookes@lincoln.gov.uk)

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## **DEPARTMENT OF HOUSING AND INVESTMENT REMEDIES POLICY**

#### Document Control

<b>Organisation</b>	City of Lincoln council
<b>Title</b>	Remedies Policy
<b>Author</b>	Paula Burton
<b>Filename</b>	
<b>Owner</b>	DHI
<b>Subject</b>	
<b>Classification</b>	
<b>Review date</b>	March 2026 and then on an annual basis

#### Revision History

Revision Date	Author	Previous Version	Description of Revision

#### Document Approvals

This document requires the following approvals:

<b>Sponsor Approval</b>	<b>Name</b>	<b>Date</b>
Executive		
CMT		
SIRO		

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## DHI REMEDIES POLICY

<b>1.</b>	<b>Purpose</b>
1.1	We recognise that occasions do arise when we may make a payment in recognition of loss or detriment suffered, in the form of compensation to a customer who has an interest in a property owned and/or managed by the City of Lincoln Council under the terms of a tenancy or lease agreement on HRA assets.
1.2	This policy also details who is entitled to make a request for compensation and how the amount of compensation awarded will be determined.
1.3	This policy does not cover payments to settle claims for personal injury. These are dealt with separately by our insurers.
1.4	This policy does not cover the provision to financially compensate for reasonable expenses incurred when a tenant is temporarily decanted to another property whilst their home received major repair works, refurbishment, or undergoing remedial work; this will be set out within the City Councils' Decanting Policy.
1.5	This policy is intended to provide general guidance only. Each individual request for compensation will be considered on its merits against the statutory and policy framework.
1.6	This policy should be read in conjunction with the City of Lincoln Council's Corporate Complaints Policy which may be used by customers who feel they have experienced a service failure.
<b>2.</b>	<b>Key Principals and Service Standards</b>
2.1	<p>We are committed to achieving the highest possible standards in the services we provide. This policy will ensure that a consistent and fair approach to compensation, gestures of goodwill and ex-gratia payments is taken by:</p> <ul style="list-style-type: none"> <li>• Ensuring that tenants and leaseholders are not materially disadvantaged as a result of asset management, repairs or service failures.</li> <li>• Applying this policy effectively and proportionately.</li> </ul>
<b>3.</b>	<b>Equalities Statement</b>
3.1	We will ensure that this policy is applied fairly and consistently to customers. The council will not directly or indirectly discriminate against any person or groups of people because of their age, disability, gender, gender reassignment, marital or maternity status, race, religion or sexual orientation.

3.2	When applying this policy, we will act sensitively towards the diverse needs of individuals and communities.
<b>4</b>	<b>Policy Detail</b>
<b>4.1</b>	<b>Right to Compensation for Improvements</b>
4.1.1	<p>Secure tenants with the City of Lincoln Council are entitled to compensation for certain improvements they have made, following a move from their property, they may be entitled to compensation if:</p> <ul style="list-style-type: none"> <li>• They have carried out qualifying improvements to their property;</li> <li>• They have obtained the written consent of the City of Lincoln Council; and</li> <li>• The cost of an improvement is £50 or more; and</li> <li>• The works were started after 1 April 1994.</li> </ul>
4.1.2	A qualifying improvement is one that is listed in the table details in Appendix A.
4.1.3	The maximum compensation that can be paid for any single improvement is £3000.
4.1.4	<p>To make a claim the tenant must write to the council, within the period starting 28 days before, and ending 14 days after the tenancy end date and provide the following information:</p> <ul style="list-style-type: none"> <li>• Name and address, including a forwarding address.</li> <li>• Details of the improvements made.</li> <li>• How much each improvement cost, together with the invoices and receipts.</li> <li>• The date the improvements began and finished.</li> <li>• Copies of all relevant certificates to demonstrate that the improvement met with the required legislation and building control standards, where relevant.</li> </ul>
4.1.5	<p>Our contact details are as follows:</p> <ul style="list-style-type: none"> <li>• Email: customer.services@lincoln.gov.uk</li> <li>• Call: 01522 873333 (Housing)</li> <li>• Write to: City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DE</li> </ul>
4.1.6	We will inspect the improvement and information provided to ensure that the works have been completed to an acceptable standard before considering whether to make an offer of compensation. If works fail to meet this standard, or relevant safety certificates are not provided, no compensation will be

	offered, and the customer may be asked to re-instate the property to its original condition at their own expense or pay for the damage to be rectified if the work is not completed.
4.1.7	<p>We will consider the following factors when determining the level of compensation:</p> <ul style="list-style-type: none"> <li>• The cost of the improvement.</li> <li>• The time since the improvement was completed; and</li> <li>• The notional lifespan of the improvement.</li> </ul>
4.1.8	<p>The level of the compensation payable may be reduced or increased if:</p> <ul style="list-style-type: none"> <li>• The cost of the improvement was excessive</li> <li>• The improvement is of higher / lower quality than it would have been had the landlord completed the works.</li> <li>• The improvement has deteriorated at a greater/lesser rate than the expected notional life, as detailed in Appendix A, for normal wear and tear.</li> <li>• If the improvement was funded by a grant.</li> </ul>
4.1.9	Tenants will not be entitled to claim compensation if they have assigned their tenancy to someone else, purchased the property under the Right to Buy scheme, moved through a Mutual Exchange, or if the tenancy was ended by way of a court order. In addition, the City of Lincoln Council may refuse claims for compensation if the improvements were not authorised.
<b>4.2</b>	<b>Disturbance Allowance</b>
4.2.1	We undertake many improvement programmes during each year and recognise that these may disrupt tenants. To compensate for this disruption, we have introduced a Disturbance Allowance payment scheme. This applies only to works done as part of an improvement programme and not repairs a tenant has asked for.
4.2.2	We will grant a decoration voucher to compensate for any damage to decoration.
4.2.3	The Disturbance Allowance is calculated as a percentage of weekly rent charges, refunded either as a rent credit if you are in arrears, or BACS payment into a bank account.
4.2.4	<p>You may qualify for a Disturbance Allowance if:</p> <ul style="list-style-type: none"> <li>• You lose the use of part of your home for more than one week.</li> <li>• You are not rehoused during the works.</li> <li>• You lose the use of part of your garden for more than one week.</li> <li>• You have scaffolding up for longer than 4 weeks.</li> </ul> <p>See further details on how we define these terms in the section below.</p>

4.2.5	<b>Losing the use of part of your home</b> means you are unable to use a room or amenity because building work is going on during the day, or you are unable to use a room or amenity outside normal working hours because of the type of work being done. See <b>Appendix B</b> for details.
4.2.6	<b>Losing the use of part of your garden</b> means you may be entitled to compensation if the council or our contractor uses either your front or back garden to store materials. The allowance would be 20% of the weekly property rent for each full week of loss. If both the front and back gardens are used, the allowance will be 50% of the weekly rent for each full week of loss (part weeks do not count).
4.2.7	<b>Having scaffolding up for more than 4 weeks</b> means you may be entitled to compensation. The allowance would be 20% of the weekly property rent for either the front or back walls of your property. If both the front and back of the property have scaffolding up for longer than 4 weeks, the allowance would be 50% of the weekly property rent (part weeks do not count).
4.2.8	To claim please use the disturbance allowance claim form at <b>Appendix C</b> or write to the City of Lincoln Council.
4.2.9	It is important that even when a request for compensation has been made, rent must continue to be paid or a tenancy may be at risk.
<b>4.3</b>	<b>Gesture of Goodwill</b>
4.3.1	We may consider making a payment as a gesture of goodwill where service delivery failings cause exceptional inconvenience, stress, disturbance or annoyance.
4.3.2	Any requests for compensation as a result of a service delivery failure will be investigated and payment may be offered in line with our goodwill payment matrix. See <b>Appendix D</b> .
<b>4.4</b>	<b>Payment of Compensation to Customers</b>
4.4.1	Any offer of compensation will be made to a customer in writing. The tenant must confirm in writing if they accept the payment as full and final settlement of their request. Any payment of compensation offered under this policy is not an admission of liability by the Council.
4.4.2	Compensation payments to customers through this could be offset against any housing debts owed to the council, including rent arrears, or re-charges for rectification of damage. Following the offset, any balance remaining will be paid directly to the customer via BACS transfer.

<b>4.5</b>	<b>Review of Decisions</b>
4.5.1	Customers can appeal against a decision not to award compensation and can request that the decision is reviewed within 14 days of the decision being made. The decision will be reviewed by a more senior Manager who was not involved in the original decision.
<b>4.6</b>	<b>Disputes</b>
4.6.1	If a customer remains dissatisfied with the offer the case can be considered through the Corporate Complaints Policy.
4.6.2	In the event that the Council is unable to resolve matters of dispute through our internal processes, the case can be referred to the Housing Ombudsman Service.
<b>4.7</b>	<b>Insurance Claims</b>
4.7.1	<p>If the customer suggests that they have suffered damage or loss of belonging as a result of something the Council, or its agents/contractors, have done or not done, the matter is handled as an insurance claim.</p> <p>Insurance claims for tenants property valued at less than £750 will be handled by the Directorate of Housing with support from the CX Insurance Team where required.</p> <p>These claims are evidence based. The tenant must be visited as soon as possible after the incident to assess the damage incurred. Damaged goods must be available to be inspected and receipts/evidence of value provided wherever possible.</p> <p>The payment must be paid as a 'without prejudice' discretionary payment and signed documentation obtained from the tenant before payment is made.</p> <p>Claims against Contractors will be referred to the Contractor for resolution and monitored accordingly.</p>
4.7.2	<p>Any cases that exceed £750 in value or have <u>any</u> potential for personal injury must be referred immediately to the Insurance Team. It is for the Council's insurers nominated claims handlers to assess liability</p> <p>Personal injury claims, whether pursued by tenants in person or their legal representatives, must not be handled under this policy.</p>
4.7.3	Tenants and leaseholders are expected to take out appropriate contents insurance for damage to their contents caused by insured perils not insured by the Council, as set out in the tenancy agreement. Examples of this include fire,

	flood, escape of water. There are insurance providers who offer low-cost schemes.
<b>4.8</b>	<b>Housing Disrepair Claims</b>
4.8.1	<p>In an instance where we have been notified of a need for repair to one of our residential dwellings or blocks of flats, but have failed to rectify the problem, a customer may wish to make a claim against the City of Lincoln Council for disrepair. This includes claims for damp and/or mould being present in a property.</p> <p>We urge anyone who feels they might have such a claim against City of Lincoln Council to contact us directly.</p> <p>We will investigate and aim to resolve your complaint quickly and promptly.</p> <p>Any remedies due will be processed and actioned in accordance with the Gesture of Goodwill procedure under 4.3 and 4.4.</p>
4.8.2	<p>There is a pre-action protocol published by the Ministry of Justice, which sets out a process for customers (whether tenant, leaseholder, or resident member of their family), and the Council to follow. The details of the pre-action protocol for disrepair can be found on the Ministry of Justice website, <a href="https://www.justice.gov.uk/pre-action-protocol/housing-conditions-claims">Pre-Action Protocol for Housing Conditions Claims (England) – Civil Procedure Rules (justice.gov.uk)</a></p>
4.8.3	<p>The protocol aims to avoid the need to go to Court by finding an appropriate solution via alternative methods of resolution. We will robustly defend such claims where there is no evidence that the Council is in breach of our repair responsibilities as Landlord.</p>
4.8.4	<p>Details of how to contact us can be found below:</p> <ul style="list-style-type: none"> <li>Email: <a href="mailto:customer.services@lincoln.gov.uk">customer.services@lincoln.gov.uk</a></li> <li>Call: 01522 881188</li> <li>Write to: City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DE</li> </ul>

## Appendix A – Qualifying improvements

Qualifying improvement	Notional life
Bath or shower	12 years
Wash-hand basin	12 years
Toilet	12 years
Kitchen sink	10 years
Storage cupboards in kitchen or bathroom	15 years
Work surfaces for food preparation	10 years
Space or water heating	12 years
Thermostatic radiator valves	7 years
Insulation of pipes, water tank or cylinder	10 years
Loft insulation	20 years
Cavity wall insulation	20 years
Draught proofing of external doors or windows	8 years
Double glazing, other window replacement, or secondary glazing	20 years
Rewiring, the provision of power and lighting or other fittings such as smoke detectors	15 years
Security measures (excluding burglar alarm systems)	10 years

## Appendix B – Rent refund for Disturbance Allowance

Room not in use	% of rent
Kitchen or bathroom or toilet plus one room	100
3 living rooms or 3 bedrooms	100
2 living rooms or 2 bedrooms	50
One living room or bedroom in 1 bedroom accommodation	50
Kitchen or bathroom or toilet	30
One living room or bedroom in 2 bedroom accommodation	20

Appendix C

# Disturbance Allowance Claim Form

Please state what the claim is for:

Date work started

Date work ended

Number of days

Total claim £

Date of claim

Bank details: Bank name

Sort code

Account number

Your name and address

Signature

## Appendix D – Gesture of goodwill payment matrix

	Issue resolved within 24 hours of being made aware. Payment of up to	Issue resolved within a week of being made aware. Payment of up to	Issue resolved within 2 weeks of being made aware. Payment of up to	Issue resolved within 4 weeks of being made aware. Payment of up to	Issue resolved over 4 weeks of being made aware. Payment of up to
Low level inconvenience, without financial impact	£25	£50	£50	£100	£100
Low level inconvenience, with financial impact	£25 + costs	£50 + costs	£50 + costs	£100 + costs	£100 + costs
Medium level inconvenience, without financial impact	£100	£150	£200	£250	£600
Medium level inconvenience, with financial impact	£100 + costs	£150 + costs	£200 + costs	£250 + costs	£600 + costs
High level inconvenience, without financial impact	£200	£300	£400	£500	£1000
High level inconvenience, with financial impact	£200 + costs	£300 + costs	£400 + costs	£500 + costs	£1000 + costs
Personal injury of any kind	Pass to Insurance Team immediately - no offer to be made				

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**POLICY SCRUTINY COMMITTEE**

**19 NOVEMBER 2024**

**SUBJECT: UNACCEPTABLE CUSTOMER ACTIONS POLICY**  
**DIRECTORATE: CHIEF EXECUTIVE AND TOWN CLERK**  
**REPORT AUTHOR: JOANNE CROOKES, CUSTOMER SERVICES MANAGER**

**1. Purpose of Report**

- 1.1 To seek comments of the new Unacceptable Customer Actions Policy (Appendix 1)

**2. Background**

- 2.1 The council now has a statutory duty to handle customer complaints in line with the Housing Ombudsman Service (HOS) Complaint Handling Code. (The Code)
- 2.2 Section 5.14 of the Code self- assessment states that –  
Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.
- 2.3 Whilst we had existing procedures for reporting incidents and handling reports of unacceptable behaviour it was not a formal policy document and therefore, we needed to develop and agree one.
- 2.4 The new policy has been developed with the assistance of Lincoln Tenant's Panel who were keen to help ensure that while protecting staff the policy was also proportionate in terms of the action taken.
- 2.5 The policy was reviewed at Housing Scrutiny Sub Committee on 31 October 2024 and it was supported that the policy goes to Executive on 18 November for approval.
- 2.6 It is presented to Policy Scrutiny Committee for further consideration and feedback.

**3. Organisational Impacts**

Strategic Priority: High Performing Services

Finance – There are no direct financial implications arising from this report.

Legal – There are no direct legal implications arising from this report.

Equality and diversity –The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

To ensure that we deliver our Equality Duty we accept complaints from customers via all communication channels. Customers can complain in person, verbally, in writing or via our online complaints template. Customers who need assistance to log a complaint can get help from Customer Services to ensure that they are heard. All complaints received are dealt with equally regardless of how they are made.

Community engagement and communications. We welcome feedback from customers and clearly promote the Complaints procedure on our website and in our public buildings.

#### **4. Recommendations**

- 4.1 Members to consider and provide comment on the new Unacceptable Customer Actions Policy. Any recommendations will be considered and approved by the City Solicitor in conjunction with the Portfolio Holder for Customer Experience, Review and Resources, unless they are major changes which will be referred to Executive.
- 4.2 Members to note the assistance given by the Lincoln Tenant's Panel in developing this policy.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** Three

**List of Background Papers:** None

**Lead Officer:** Joanne Crookes, Customer Services Manager  
Email: [jo.crookes@lincoln.gov.uk](mailto:jo.crookes@lincoln.gov.uk)

## Appendix 1



### Unacceptable Customer Actions Policy

#### Document Control

<b>Organisation</b>	City of Lincoln Council
<b>Title</b>	Unacceptable Customer Actions Policy
<b>Author</b>	Joanne Crookes
<b>Filename</b>	
<b>Owner</b>	Corporate policy
<b>Subject</b>	
<b>Classification</b>	
<b>Review date</b>	April 2026

#### Revision History

Revision Date	Author	Previous Version	Description of Revision

#### Document Approvals

This document requires the following approvals:

Sponsor Approval	Name	Date
Executive		
CMT	Angela Andrews	22/10/2024
SIRO		

**Summary of the Policy for Quick Reference –  
Potential actions we can take following a report of unacceptable or vexatious customer actions.**

**1. No Action**

Where we assess the incident or incidents, and the decision is that the customer's action is not considered to be unacceptable.

**2. Log of incident kept – anonymous actions.**

We record the date and time of the incident as well as details of what occurred. We may not know the customer's details, or we decide that we will not retain them. The purpose of this is to monitor the numbers of unacceptable incidents that are taking place.

**3. Log of incident kept – with customer details & informal notice.**

This will usually be as the result of a singular, isolated incident that we consider to be 'low level' (classified as 'blue' in our incident reporting scheme), but that caused distress to a colleague or customer.

**4. Log of incident kept – with customer details & send a warning letter.**

This may be because of a one-off incident (classified as 'Amber' or 'Red' in our incident reporting scheme.) or as a further incident following an informal notice.

**5. Restricting access to Council services – Sanctions and/or inclusion on the Exercise with Caution Register**

If the actions of the customer are sufficiently serious that we assess there to be a risk to staff and/or members of the public, we may agree one or more control measures and it may be appropriate to restrict access. This may also apply following a warning where the unacceptable actions continue, or we record a further incident.

**Restrictions imposed could include:**

- Placing time limits on telephone conversations
- Restricting number of telephone calls (specified times e.g., morning or afternoon per week).
- Limiting the customer to one method of contact e.g., phone, letter, or e-mail.
- Requiring the customer to communicate only with one named member of staff referred to as a single point of contact. (SPOC).
- Requiring any personal contacts to take place in the presence of a witness and/or with the staff member using a safety alarm or device.
- Refusal to register and process further service requests/complaints about the same matter. Where we take this action and inform the customer, any future correspondence that we receive about the same matter, can simply be read, and acknowledged with a response stating that we have noted the correspondence and placed on file. This does not apply to FOI or SAR requests which we will fulfill in line with policy.
- Exclusion from the council housing register.
- Banning a customer from one or more of the authority's premises. This step will need consultation and collaboration with other City Hall tenants to ensure we do not restrict the customer's legitimate access to other services.
- Requiring visits only to take place with more than one officer present.

- We will consider other suitable options, in the light of the customer's circumstances or additional needs.

#### 6. Issuing of a Community Protection Notice and/or reporting the incident to the police.

- A Community Protection Notice (CPN) is a two-stage process and is used to deal with a range of behaviours. (See full ASB policy)
- It may be appropriate to issue a CPN. This can be considered at any time but will be instigated if, following sanctions or being added to the Exercise with Caution Register, the individual persists with unacceptable behaviour.
- This will only be used when we believe that other avenues have been exhausted.

#### 7. Consideration of applying for an injunction.

An injunction is a court order which if granted can impose restrictions on an individual, limiting their contact with the Council. Any application for an injunction will only be requested where all other actions have been considered and implemented or in the most extreme cases.

An injunction can only be sought once legal advice had been obtained and will require supporting evidence to present to the court to show why and an injunction is reasonable in each case.

## Introduction and Scope

City of Lincoln Council are committed to dealing with all our customers and interactions to a high standard, including the handling of complaints. As part of this service, the Council does not normally limit the contact that customers have with its Officers and Members. However, a small minority of customers may act in an unacceptable way while dealing with us, and while there may be a number of reasons for such behaviour to reveal itself, we will take all reasonable steps to ensure that staff, Elected Members and partners are supported when they feel they have been subject to acts which make them feel threatened or mistreated. We will ensure that they are protected from foreseeable risks associated with their work activities and people with whom they come into contact.

As an employer, the Council has a legal duty in relation to the Health and Safety at Work act “to ensure, so far as reasonably practicable, the health, safety, and welfare of workers. This includes protecting them from work-related violence.”

This policy seeks to detail:

- What the Council considers to be unacceptable customer actions.
- How staff are supported to raise concerns with their manager about customer actions.
- How customer actions will be categorised to ensure an appropriate level of response.
- The responses available and how customers will be informed that their actions have been considered unacceptable.

This policy will be used along with other appropriate control measures (such as CCTV, a safe working environment, effective security, lone worker devices and appropriate training and our powers under the Anti-Social Crime and Policing Act 2014) to protect colleagues from work-related violence and distress.

This policy does not cover the behaviour or conduct of staff or Elected Members; these will be dealt with under existing Human Resource procedures and Elected Member Standards.

### Stakeholders

In terms of key contacts for the management of this policy, the expertise and professional knowledge of the following officers may be involved in determining the final decision in respect of actions taken.

- The Customer Services Manager
- Human Resources Manager
- Corporate Health and Safety Adviser
- Tenancy Services Manager
- Housing Solutions Manager
- Housing Maintenance Manager
- PPASB
- Legal Services

Other appropriate Managers & colleagues have been consulted in the development of this policy and will be asked to join discussions about individual cases when appropriate.

This policy seeks to benefit all colleagues & elected Members of City of Lincoln Council as well as partners & contractors who work with our customers on our behalf. These include but are not limited to: · LiNK – the Revenues and Benefits partnership; Lincoln Job Centre+; Citizens Advice Lincoln and Lindsey and Lincoln Voluntary Centre Services. Any information shared as a result of this policy will be in line with existing data sharing agreements.

## Roles and Responsibilities

### **Senior Management Team**

- To support the Unacceptable Customer Actions Policy and ensure sufficient resources are allocated to facilitate its effective implementation.
- To receive information about incidents occurring within their service.
- To satisfy themselves that incidents have been investigated and appropriate measures have been implemented.

### **Line Managers, Supervisors and Team Leaders**

Line Managers and Supervisors are responsible for ensuring that everyone they are responsible for (including partners, contractors, temporary staff, visitors, and agency staff)

- Knows how to report and record unacceptable customer actions.
- Understands the definitions and scope of the Unacceptable Customer Actions Policy
- Provide support, in conjunction with HR where appropriate, to the affected colleague.
- Investigate reports of unacceptable actions

### **Staff**

Staff who experience unacceptable customer actions must discuss the issue with their line manager or supervisor and:

- Report it using the Council's electronic form found on the Hub (Intranet).
- Cooperate fully in the investigation process and, if required to do so, provide written statements to enforcing officers such as the Police or ASB Team.

### **Corporate Health and Safety**

Corporate Health and Safety are responsible for:

- Supporting investigations into offensive incidents.
- Updating the Exercise with Caution Register and ensuring the contents are relevant, reviewed and communicated.
- Supporting and assisting line managers regarding risk assessment of tasks and locations following an offensive incident.
- Providing the Corporate Management Team with information about incidents through Quarterly Reports.
- Notifying Managers, Members and Partners of any updates to the Exercise with Caution Register

## Defining Unacceptable Actions

For the purposes of this policy, a customer is any individual that staff may interact with because of their work who is not an employee or Elected Member of the Council or any of its partners. The customer may be accessing a Council service either in an individual or business capacity.

Customers may act out of character in times of trouble or distress and there may have been upsetting or distressing circumstances leading up to a customer contacting the Council. The Council does not view actions as unacceptable just because a customer is forceful or determined, however, the actions of customers who are unpleasant or disagreeable, demanding or unreasonably persistent, and/or, aggressive or threatening may result in unacceptable actions towards Council colleagues that will fall under this policy.

For the purposes of this policy the Council defines unacceptable actions under three specific headings, which reflects a scale of the severity of the behaviour:

### Category 1 Actions: Aggressive language, tone, or body language.

This may include, but is not limited to:

- The use of a raised voice or shouting directed at the colleague.
- Name calling towards a colleague (that is not linked to a protected characteristic)
- passive aggressive behaviour, for example in an attempt to be derisory or belittle a colleague and/or their actions.

Further details are in Appendix 2

### Category 2: Persistent & Unreasonable behaviour.

This may include but is not limited to:

- Requests for excessive amounts of information.
- Repeated requests for level of service or types of service that are beyond the Council's capacity to deliver.
- Continual and/or repeated phone calls, letters, emails or visits to the Council.

Further details are in Appendix 2

### Category 3: Offensive incidents

This may include (but not be limited to)

- Name calling or verbal assault towards a colleague that is linked to a protected characteristic.
- Verbal threats towards Council colleagues, Members or Council property – even if the customer does not act on the threat.
- Verbal threats towards other individuals or organisations even if the customer does not act on the threat.
- Physical assaults to colleagues or Members
- Intentional physical damage to Council property

Further details in Appendix 2

Any staff or Elected Member that suffers stress, distress or fear due to the actions or behaviour of a customer should report the issue so that a decision can be taken as to whether they are unacceptable actions, in line with this policy's definitions. At the point that behaviour is taking place, they have the right to end the transaction, in a professional way and then report the matter immediately to their line manager,

regardless of how 'severe' the interaction may or may not have been. Through this reporting mechanism, the Council will have the opportunity to:

- Have an overall view of the level of unacceptable actions and behaviour being experienced by its colleagues, regardless of the level of severity.
- Take an appropriate level of action (as defined by this policy) in respect of the perpetrator.
- Identify repeated unacceptable actions that may have taken place over a period of time across multiple departments.
- Support colleagues and empower them to deliver their roles in a safe working environment, free from abuse and threat.

### **Process followed in cases of Unreasonable Customer Actions**

If any member of staff is subject to actions or communication from a customer that caused stress, distress, or fear, the first and most crucial step is to take action to end the interaction in a professional and safe way.

#### **Step 1 - Ending interactions where the customer is acting in an unreasonable way.**

We do not deal with contact from a customer where staff feel that the customer is being abusive, shouting, swearing, threatening, or making derogatory personal comments directly to the staff member or about other staff.

When this happens, colleagues are empowered to advise the customer that they consider the customer's actions to be unacceptable, explain exactly what they consider unacceptable and ask them to stop. If this is happening over the telephone, the colleague has the right to end the telephone call if the customer does not change their behaviour after the colleague has made it clear that they consider it unacceptable.

An incident report (see step 2) should be completed without delay.

In cases where it is considered that a criminal offence has been committed (e.g., assault on staff or criminal damage), where assault is threatened, or where the complainant refuses repeated requests to leave the authority's premises, the Police must be called without delay.

#### **Step 2 –Completing an Incident Report**

After an incident staff should use the 'Report Unacceptable Behaviour' form found on the Reporting section of the Hub to log it. This should be done regardless of how 'serious' the individual may feel the incident was or whether they have all the customer's details; the added purpose of this process is to start to collate overall numbers of incidents over a period, regardless of severity.

This will start the process to allow for the appropriate action to be taken and formally notify the line manager that an incident has taken place. The details will be assessed by the manager, discussed with the staff member affected, and they will classify whether they consider the incident to be Blue, Amber or Red.

It is also essential at this point that if the colleague is distressed by the incident that they are offered support by their supervisor or manager. If staff feel unable to

continue working – even for a brief time, their line manager should ensure that they take an appropriate break.

As a result of the completion of the report, the appropriate action will be decided by the line manager or the line manager with advice from the Corporate Health and Safety team or other appropriate colleagues.

### **Step 3 – Processing the incident.**

All reported incidents will be managed internally by following the Unacceptable Behaviour Procedures (Revised July 2023) which sets out in detail how each category of incident is handled.

## **Review**

We will not keep information recorded on the Exercise with Caution Register for any longer than is detailed in the Council's retention policy.

Corporate health and Safety is responsible for conducting annual reviews of all customers registered on the Exercise with Caution Register to ensure the information remains relevant and appropriate.

## **Relevant Legislation - Glossary**

### General Data Protection Regulations (GDPR)

The General Data Protection Regulation and Data Protection Act 2018 requires that data protection principles be followed in the handling and storing of personal and special category (sensitive) data.

These are the data that must: -

- Be processed lawfully, fairly, and transparently
- Be obtained for a specified, explicit and legitimate purpose
- Be adequate, relevant, and limited to what is necessary
- Be accurate and, where necessary, kept up to date
- Not be kept for longer than is necessary
- Have appropriate security measures in place.

Further information on how customer data will be processed in relation to this policy can be found in Appendix 1 – Unacceptable Behaviour Privacy Notice.

### Health and Safety Legislation

The Health and Safety at Work Act 1974 places duties and responsibilities on organisations to ensure the health, safety and welfare of their employees and others including, but not limited to visitors, contractors, partner agencies and Elected Members as far as is reasonably practicable. This includes protecting them from work-related violence. The arrangements for ensuring health and safety includes providing safe systems, a safe place of work, providing information, instruction and supervision and suitable arrangements for employee's welfare.

### The Management of Health and Safety Regulations

The Regulations require that a suitable and sufficient assessment of risks arising out of, or in connection with a work activity be assessed. The Council has a range of generic job-based risk-assessments, which will, on the whole satisfy this requirement. It is the responsibility of managers to ensure that risk assessments are appropriate to the work activities of their team members. If the generic job risk assessments are not suitable line managers should arrange to conduct a job or activity specific risk assessment.

### The Human Rights Act

This Act requires the Council not to act in a manner, which contravenes a person's human rights except 'in the interest of national security, public safety, or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.' Any such action must be clearly justifiable, and records kept demonstrating the need for action.

### Protection from Harassment Act

Harassment is a term used to describe unwanted and unwarranted behaviour, which affects the dignity of an individual or a group of individuals and relates to causing harm or distress. Harassment can include repeated attempts to impose unwanted attention, communications and contact upon a victim in a manner that could be expected to cause distress or fear

### The Equality Act 2010 (including Worker Protection (Amendment of Equality Act 2010) Act 2023)

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The 2023 amendment highlights an employers' duty to prevent sexual harassment of employees, defined as unwanted conduct of a sexual nature. It also places a duty on public authorities known as the Public Sector Equality Duty to ensure that they do not discriminate in how they make decisions, provide services and implement policies.

### Anti-Social Behaviour Crime and Policy Act 2014

This act gives local authorities the power to tackle and address anti-social behaviour. It allows the local authorities to issue Community Protection Notices, take out anti-social behaviour injunctions, apply for Criminal Behaviour orders and make Public Space Protection Orders.

## Appendix 2 Our Definition of Unacceptable Customer Actions

### Category 1 - Aggressive language, tone or body language

- Using a raised voice or shouting directed at staff,
- Repeated use of expletives
- Using inappropriate language on social media – both by direct message and in response to posts made by the Council
- Name calling towards a colleague (that is not linked to a protected characteristic)
- Passive aggressive behaviour, for example in an attempt to be derisory or belittle a colleague and/or their actions.
- Seeking to coerce, intimidate or threaten staff or other people involved, whether by use of language, tone of voice or behaviour including body language.

### Category 2 - Persistent & unreasonable behaviour

In a minority of cases people may pursue their service requests or complaints in a way that is unreasonable. This can impede how the Council handles the interaction and also have a negative impact on the Council's capacity to deal with other customers due to the unreasonable demand on resources.

Some customers may have justified reasons for their complaint or interaction but may pursue them in inappropriate ways. Others may pursue complaints which appear to have no substance, or which have already been investigated and determined.

Their contacts with council staff may be amicable but still place heavy demands on staff time, or they may be emotionally charged and distressing for all involved. Examples of unreasonable demands include, but are not limited to:

- Requests for excessive amounts of information
- Repeated requests for levels of service or types of service that are beyond the Council's capacity to deliver.
- Making repeated approaches in a 'piecemeal' way, which could have been presented as a singular request.
- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular person
- Continual phone calls, letters, emails, or visits
- Repeatedly changing the subject of the contact or raising unrelated concerns
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved.
- Further demands relating to a specific issue where the Corporate Complaints Policy has already been followed.

The definition of Unreasonable Demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

We consider demands as unacceptable and unreasonable if they start to impact substantially on the work of the Council, such as taking up excessive amounts of staff time to the disadvantage of other customers or functions.

Where the customer has submitted a request under the Freedom of Information Act, the Data Protection Act or the Environmental Regulations that raises concerns, advice should be sought from the council's Data Protection Officer, who will be responsible for deciding if any request is unreasonable.

Examples of unreasonable persistence include but is not limited to:

- Persistent refusal to accept a decision made without following the designated route to challenge it.
- Persistent refusal to accept explanations as to what the Council can and cannot do.
- Repeatedly making contact about the same issue
- Continuing to pursue a matter without providing new information.
- Further demands relating to a specific issue where the corporate Customer Complaint Policy has already been followed.

The Council considers the actions of customers who may be considered persistent to be unacceptable when they take up what is regarded as being a disproportionate amount of time and resources. Unreasonable and/or persistent behaviour can relate to any service interaction. It can also occur when a customer is pursuing a complaint formally through the Customer Complaints Policy process.

Examples of unreasonable and/or persistent behaviour when pursuing a formal complaint includes, but is not limited to:

- Refusal to specify the grounds of a complaint, despite offers of assistance from Council staff.
- Refusal to co-operate with the complaint's investigation process or insistence on the complaint being dealt with in ways which are incompatible with the Corporate Complaints Policy (Note that we will carefully consider whether the request is a reasonable adjustment to accommodate the needs of the customer due to protected characteristics)
- Making what appear to be groundless complaints about colleagues dealing with the complaints or attempting to use the complaints procedure to pursue a personal quarrel against a colleague or team.
- Making unnecessarily excessive demands on the time and resources of Council staff whilst a complaint is being looked into.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements made at an earlier stage.
- Raising at a late stage in the process, significant new information which was in their possession when the complaint was submitted.
- Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Lodging numbers of complaints/requests for information in batches over a period of time, resulting in related complaints being at different stages of a

complaints procedure.

- Refusal to accept that issues are not within the remit of a complaints procedure or demanding outcomes which the complaints procedure cannot in itself provide such as that overturning of court decisions, dismissal or criminal prosecution of staff or decisions of the Local Government and Social Care Ombudsman or the Housing Ombudsman Service.
- Submitting repeat complaints essentially about the same issue, which have already been addressed under the Council's complaints procedure.
- Persistence in contacting the Council and demanding responses or action long after the Council has closed the enquiry/investigation into a complaint and all rights of review and appeal have been exhausted.

### Category 3 - Offensive incidents

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened, or abused.

Harassment may also include unwanted conduct related to a relevant protected characteristic. Examples of behaviours grouped under this heading include:

- Threats
- Physical violence
- Personal verbal abuse
- Derogatory remarks and rudeness, including reference to staff appearance.
- Threats against the council as an organisation and its property

We also consider that inflammatory statements and unsubstantiated allegations such as referring to staff as 'stupid' or 'liars' is abusive behaviour.

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## **Appendix 3**

### **Unacceptable Behaviour Privacy Notice**

#### **Our Commitment to Your Privacy**

As part of our commitment to protecting your information, we have updated our Privacy Notices to explain how we collect, store and handle your personal data.

We have always been careful to protect your information, but this is part of our ongoing commitment to be transparent about how we use your information and keep it safe. This will also give you more clarity over how your information is being managed.

Through our revised privacy notice, we have addressed the new standards introduced by the European data protection law, known as the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

#### **How we use your data**

City of Lincoln Council is what is known as the 'controller' of the data you provide to us and is registered with the Information Commissioner's Office.

Under our Unreasonable Customer Actions Policy, we retain certain information. This means we will process and hold your personal data because you have been in contact with the Council and your actions have been considered unacceptable whilst undertaking the interaction. We will take all reasonable steps to ensure colleagues, elected Members and partners are supported when they feel they have been subject to unacceptable customer actions and, when that behaviour is at its most extreme, are protected from foreseeable risks associated with their work activities and people with whom they come into contact.

We are keeping a record of your behaviour for the purpose of protecting our colleagues, elected Members and partners and by reducing incidents of unacceptable behaviour, ensuring you receive the best possible service from us, and managing contact you have with us, if necessary. However, no such data shall be recorded unless it is necessary to protect the health, safety and welfare of the Council's colleagues, partners, elected Members, contractors or other third parties.

#### **What information do we collect?**

We may collect and process the following personal information:

- Your name and contact details (which may include your postal address, email address and telephone number)
- Reason for contacting the Council.
- Recordings of your telephone calls to us, as calls to our contact centre are recorded for training and monitoring purposes, so we can ensure we are delivering a good service and also it allows us to manage the contact with us, if necessary
- Visual images
- Sound recordings
- Records of your behaviour
- Notes about any relevant circumstances that you have told us about

- We may also process additional information, which may contain special category (sensitive) personal data, for example, health information, particularly if this is relevant regarding the interactions you may have with us
- We may also store further information, for example, offences (including alleged offences), criminal proceedings and outcomes.

### **Why we can collect your data**

The lawful basis under the GDPR that we rely on for processing your personal information is:

GDPR Article 6(1)(e) – Performance of a task in the public interest (which allows us to process personal data when this is necessary to perform our public tasks carried out in the public interest).

GDPR Article 9(2)(g) – this is processed for reasons of substantial public in order to comply with UK legislation and where it is necessary for us to fulfil our legal obligations and regulatory requirements. This also relates to our public task and the safeguarding of your fundamental rights (Data Protection Act Schedule 1 Part 2 Substantial Public Interest Conditions: Paragraph 6, which relates to statutory and government purposes).

### **How we collect your data**

The information we hold will have been provided by you during telephone calls, emails or online enquiry forms, face to face conversations, social media or when we communicate with you. We may also hold information provided by other Council departments through relevant systems (where this is relevant).

Telephone calls made to the Council, and subsequently transferred, are recorded. Recording contact centre telephone calls allows us to have access to a verbal record of information in the event of a subsequent complaint and enables us to review the behaviour.

### **When we'll share your data**

Sometimes we have a legal duty to provide personal information to other organisations or if there is a good reason that is more important than protecting your privacy. For example, we may share your information with other Council Departments and the Police Authority for the prevention and detection of crime, for example. If we are concerned about an individual's mental health, or if an individual's behaviour is dangerous or has potential to impact on other organisations.

It may be necessary for us to share the data we hold about you in relation to your actions when dealing with our staff, with the following organisations and partners.

- Lincolnshire Police
- NHS/Clinical Commissioning Groups
- District Councils in Lincolnshire and Lincolnshire County Council
- Job Centre Plus and other DWP staff based in City Hall
- Citizen's Advice
- Voluntary Services

We may also share information about you and your behaviour within the organisation in order to ensure we are able to manage your contact as effectively as possible.

In addition, canvassing staff will be provided with information via Democratic Services about details contained on the Register to ensure they are informed and protected from foreseeable risks associated with the people with whom they come into contact.

Only the Corporate Health and Safety Team shall enter or delete entries on the Exercise with Caution Register. Only those colleagues who are likely to encounter a potentially violent individual, through visits or meetings for example, shall have access to the Register.

We do not sell your personal information to anyone and will never share your information for marketing purposes.

### **Know your Rights.**

You have many rights regarding your personal data, which include seeing what personal information we hold about you. In addition, you can ask us to correct inaccuracies, object to the Council processing your data and restrict the personal information we hold. Where possible we will seek to comply with your request, but we may be required to continue to hold and process information to comply with a legal requirement. In those instances, we will explain why it is appropriate for us to continue processing your personal data.

If you want to contact us with regards to your rights, please contact [dpo@lincoln.gov.uk](mailto:dpo@lincoln.gov.uk)

### **How We Keep Your Information Secure and How Long We Keep it.**

The information we collect is recorded and stored on our secure system. We will keep your information for up to 6 years, after which it will be securely deleted. This will allow us to monitor the numbers of unacceptable incidents that are taking place and to allow monitoring of any future related incidents regarding an individual.

### **Where to get Advice or Make a Complaint.**

If you have any concerns or questions, or would like to make a complaint, regarding data protection matters, please contact our Data Protection Officer at [dpo@lincoln.gov.uk](mailto:dpo@lincoln.gov.uk) or by calling 01522 881188

For independent advice and/or to make a complaint about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF.  
Tel: 0303 123 1113 (local rate) or 01625 545 745

Alternatively, visit [ico.org.uk](http://ico.org.uk) or email [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk)

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**POLICY SCRUTINY COMMITTEE****19 NOVEMBER 2024**

**SUBJECT: POLICY SCRUTINY WORK PROGRAMME 2024/25 AND EXECUTIVE WORK PROGRAMME UPDATE**

**REPORT BY: CHIEF EXECUTIVE AND TOWN CLERK**

**LEAD OFFICER: CLAIRE TURNER, DEMOCRATIC SERVICES OFFICER**

**1. Purpose of Report**

- 1.1 To present the Policy Scrutiny Committee Work Programme for 2024/25 and receive comments and considerations from members of potential further items for discussion in the municipal year 2024/2025.
- 1.2 To advise Members of the items that are on the current edition of the Executive Work Programme.

**2. Background**

- 2.1 The work programme is attached at **Appendix A**.
- 2.2 The Constitution provides for the publication of the Executive Work Programme on a monthly basis detailing key decisions/ exempt para (Section B) items to be taken by the Executive, a committee of the Executive or a Member of the Executive during the period covered by the programme. This is attached at **Appendix B** and has been provided to assist members in identifying items for inclusion within the work programme.

**3. Recommendation**

- 3.1 That Members give consideration to the Policy Scrutiny Work Programme for 2024/25 and update where appropriate to include items which they wish to consider from the Executive Work Programme as required.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** Two

**List of Background Papers:** None

**Lead Officer:** Claire Turner, Democratic Services Officer  
Email: [claire.turner@lincoln.gov.uk](mailto:claire.turner@lincoln.gov.uk)

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## Policy Scrutiny Committee Work Programme – Timetable for 2024/25

### 11 June 2024 - CANCELLED

Item(s)	Responsible Person(s)	Comments
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Policy Scrutiny Work Programme 2024 -2025	Democratic Services	Regular Report

### 29 July 2024

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2024-2025 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Grounds Maintenance Specification (for new contracts from 1/9/2026)	Caroline Bird	
Car Parking Strategy	Simon Walters	
Tree Policy	Steve Bird	
Lincoln Homelessness Strategy	Alison Timmins	

**1 October 2024**

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2024 -2025	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Lincoln Business Improvement Group Ballot	Simon Walters	Requested at 29 July 2024 meeting.
Localised Council Tax Support Scheme 2025/26.	Martin Walmsley	

**19 November 2024**

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2024-2025 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Corporate Document Review	Emily Holmes	Annual Report
Department of Housing and Investment Remedies Policy	Emily Holmes	
Unacceptable Customer Actions Policy	Emily Holmes	

**14 January 2025**

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2024-2025 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Procurement Act 2023/CPR's	Carolyn Wheeler/ Heather Carmichael	

**18 March 2025**

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2024-2025 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Safeguarding Policy	Emily Holmes	Annual Report
Review of Equality and Diversity Corporate Document Suite	Business Manager – Corporate Policy and Transformation	

**Unscheduled Items.**

Recycling- paper and card collections proposal

## EXECUTIVE WORK PROGRAMME

**November 2024 - October 2025**

### NOTES

1. The Leader in consultation with the Chief Executive and Town Clerk prepares an Executive Work Programme to cover a period of twelve months.
2. The Executive Work Programme contains matters which the Leader has reason to believe will be the subject of a key decision during the period covered by the Plan or Executive decisions which are likely to be taken in private.
3. A Key Decision is one which is likely:
  - a) to result in the Local Authority incurring expenditure which is , or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which it relates; or
  - b) to be significant in terms of its effect on communities living or working in an area comprising 2 or more wards in the area of the local authority.
4. Whilst the majority of the Executive's business at the meetings listed in the Executive Work Programme will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or person information.

This document serves as formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that certain items in the Executive Work Programme will be considered in private because the item contains exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If an item is to be considered in private this will indicated on the individual decision notice.

If you have any queries, please telephone 01522 873387 or email [democratic.services@lincoln.gov.uk](mailto:democratic.services@lincoln.gov.uk).

## EXECUTIVE WORK PROGRAMME SUMMARY

Date of Decision	Decision	Decision: Summary	Decision Taken By	Key Decision	Exempt Information
18 November 2024	Strategic Risk Register Quarterly Review	To provide the Executive with a status report of the revised Strategic Risk Register as at the end of the second quarter 2024/25.	Executive	No	Partly Private
18 November 2024	Quarter 2 2024/25 Operational Performance Report	To present to Members a summary of the operational performance position for the second quarter of the financial year 2023/24.	Executive	No	Public
18 November 2024	Financial Performance Quarterly Monitoring	To present to Executive the second quarter's financial performance 2024/25.	Executive	No	Public
18 November 2024	Treasury Management Stewardship and Actual Prudential Indicators Report 2024/2025	To note the Prudential and Local Indicators and the performance against the Treasury Management Strategy 24/25 Quarter 2	Executive	No	Public
18 November 2024	Income Management and Arrears Policy	To approve the Policy	Executive	No	Public
18 November 2024	Pet Policy	Approve the Policy	Executive	No	Public
18 November 2024	Neighbourhood Management Policy	Approve the Policy	Executive	No	Public

18 November 2024	SETTING THE 2025/26 BUDGET AND MEDIUM-TERM FINANCIAL STRATEGY 2025/26 – 2029/30	<p>To;</p> <p>a) note the significant financial challenges and risks that the Council faces, particularly the unplanned, and unavoidable increasing cost pressures.</p> <p>b) note the projected budget parameters for 2025/26 and future years and note the planning assumptions, as set out in Appendix A,</p> <p>c) note the budget, strategic and service planning preparation programme, set out in Appendix B.</p>	Executive	No	Public
18 November 2024	Acquisition Approval	Approval required for 9 x new build homes through the Housing Revenue Account.	Executive	Yes	Private
18 November 2024	Unacceptable Customer Actions Policy	Approval of a new policy to bring our practices in line with the Housing Ombudsman Service Complaint Handling Code which is now statutory for all social landlords	Executive	No	Public
18 November 2024	Remedies Policy	Approval of a Remedies Policy for tenants	Executive	No	Public
18 November 2024	Annual Complaints Report	To receive and review	Executive	No	Public
09 December 2024	Disposals Strategy	Approval of Strategy	Executive	Yes	Private

09 December 2024	Paper and card recycling options	To decide if to implement, in part or in full, a separate paper and card collection scheme. Also, if so, when to do this.	Executive	Yes	Public
09 December 2024	Statutory Food Waste Collection Service	Details pertaining to how the new statutory food waste collection service will be delivered.	Executive	Yes	Public
06 January 2025	Council Tax Base 2025/26	To recommend to Council, the calculated Council Tax Base for 2025/26	Executive	Yes	Public
06 January 2025	Localised Council Tax Support Scheme 2025/26	To recommend to Council a Localised Council Tax Scheme for 2025/26, and associated Exceptional Hardship Fund.	Executive	Yes	Public
20 January 2025	Housing Pipeline Approach	Decision on the approach to developing a housing pipeline on City Council owned land	Executive	Yes	Public
24 February 2025	Cornhill Market - Operational Plan	Update on progress to set context for decisions covering: - permanent staff - operational budget - operational business plan	Executive	Yes	Partly Private
24 February 2025	Jasmin Green	Development of allocated housing site for council housing with associated improvements/enhancements	Executive	Yes	Public
24 February 2025	City Centre Masterplan - Review	Agreement to proceed with the City Centre Masterplan Review including the specific detailed pieces of work on Town Fund projects on Tentercroft Street and Wigford Way	Executive	Yes	Public
24 February 2025	Tenancy Agreement	Approve the revised Tenancy Agreement to apply for all new tenants and retrospectively to all existing tenants from 1st April 2025	Executive	Yes	Public

06 January 2025	Statement of Accounts 2023/24	To note the final Statement of Accounts.	Executive	No	Public
20 January 2025	Procurement Act 2023 & CPR's	To note the changes brought in by the Procurement Act 2023 and to recommend the updated contract procedure rules to Council	Executive	No	Public

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