

Violence & Aggression at Work Policy



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

ISSUE STATUS – ISSUE THREE
DATE OF ISSUE – Draft
REVISION DATE –

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1. INTRODUCTION

This Policy applies to **all** incidents of work-related abuse, aggression and violence.

Council employees are potentially at risk of violence at work from members of the public. Those at increased risk are likely to be employees who:

- handle or collect money or valuables
- give advice or training
- work alone or away from a workplace
- carry out enforcement duties or inspections
- have contact with service users.

The Council recognises the potentially damaging effect on an employee's well-being of all categories of violence - actual physical attack, the threat of violence and verbal abuse. It regards all types of violence as unacceptable and will take effective action to deal with violent incidents.

This includes:

- physical attack - whether visible injury occurs or not
- animal attack - when an animal is used as a threat
- verbal abuse - when an employee **feels** threatened or intimidated and the abuse is personally directed. This also includes cyber-aggression through texts, email messages or social networking sites
- attack or damage to property or belongings of the employee or the Council
- any work-related incident involving an employee, or their family, which happens away from the workplace.

2. DEFINITIONS

For the purpose of this Policy, abuse, aggression or violence is defined as *'an incident in which employees **feel** they have been verbally abused, threatened or attacked in circumstances relating to their duties either in or out of work'*.

Employees should report incidents involving race, gender or gender identity, religion or belief, disability, sexuality and age in line with the requirements of the Council's Dignity at Work Policy. You can find more information about this on the Human Resources pages on the intranet.

3. GENERAL STATEMENT

The Council has a duty under the Health and Safety at Work Act to minimise the risk of violence to all employees so far as is reasonably practicable.

This can be achieved by:

- carrying out risk assessments
- providing training and information to employees at risk

- changing the work environment
- changing working practices.

4. MANAGERS' RESPONSIBILITIES

All managers have a responsibility to implement this Policy and to make sure their staff are aware of it and understand it. Managers should also:

- Treat any reports of work-related violence, threats or abuse seriously and respond to them promptly.
- Record details of the incident where appropriate and give all employees involved in the incident full support during the whole process. You should also respond and consider seriously any suggestions made by staff about how to improve violence prevention and management, and give feedback to staff about their suggestions, including whether it will be taken forward and if not, why not.
- Set a positive example by reporting all incidents of violence and abuse and not tolerating abusive behaviour from customers and members of the public.
- Respond to and, where possible, resolve incidents, ideally before they escalate.
- Monitor incidences of violence and abuse and initiate appropriate action if more measures are needed.
- Where possible, direct staff to appropriate support and advice after an incident has occurred. Encourage other staff members to support their colleagues, including those that might have witnessed the incident. If victims are particularly traumatised by the event, provide support where possible, such as time off work or changes to their tasks.
- If an investigation is needed, work with the police and offer any assistance needed to help in their enquiries.

Managers have a responsibility to respond to any reports of violence. Any manager found to be encouraging or inciting violence or not resolving potentially violent or abusive situations may be subject to disciplinary action.

Managers must be aware of the:

- different types of abuse and violence
- circumstances in which they are likely to occur through risk assessment
- incident reporting procedure.

Managers are responsible for:

- completion of risk assessments
- responding urgently to any identified risks involving abuse, aggression and violence
- arranging employee training
- publicising the Policy
- putting preventative measures in place
- investigating incidents thoroughly
- supporting employees following an incident
- recognising the impact of all types of abuse, aggression and violence
- being sensitive to the needs of employees and the risks they face in all aspects of their work.

Managers must ensure employees know about potentially violent customers or service users and any measures put in place to protect them. They must decide if:

- these people should only be seen by a specific member of staff
- accompanied visits are necessary
- these people should only be dealt with by letter/email.

5. EMPLOYEES' DUTIES

All staff have a personal responsibility for their own behaviour and for ensuring that they comply with this Policy.

There are a number of things that staff can do to help prevent work-related violence:

- Be aware of this Policy and comply with it.
- Offer good customer service and be aware of customer needs.
- Recognise the potential for work-related violence and take action to resolve it early on. Staff should take positive action and, for example, contact a manager if they think a customer or member of the public might cause problems.
- Don't accept instances of work-related violence directed towards you or others. Staff should report any instances of violence, threats or abuse, including any details about when it happened, who was involved and any relevant circumstances that may have contributed to the incident.
- Be supportive of colleagues who are victims or witnessed work-related violence.
- Suggest additional measures to managers which might help to prevent and manage work-related violence.

Staff have a responsibility to act in a way that does not incite or increase the likelihood of violence. Any staff member found to be encouraging or inciting violence may be subject to disciplinary action.

Staff and managers should also work with Unison, where relevant, in preventing, addressing, reporting and responding to incidents or work-related violence.

6. PREVENTATIVE MEASURES

These guidelines apply to all services but can be adapted to meet specific needs.

Employee Protection Register

The Health and Safety Advisor maintains an "Employee Protection Register" database on the 'Shared Drive". The Register is intended for use by authorised employees to ensure they are aware of any potential risks of violence so that appropriate action can be taken in advance of any contact/site visit to reduce the risk of harm to members of staff. Access to this database is on a restricted basis, with access being granted to staff who deal directly with members of the public. This is authorised by the relevant manager contacting the Health and Safety Advisor requesting access for the individual team members concerned.

Details of offences will be kept on the database *normally* up to a maximum period of three years, after which the entry will be removed. The Health and Safety Advisor will

continually monitor and review information contained on this database.

Where any one incident has possible implications for other teams, the Health and Safety Advisor will inform those teams of all the relevant information, at the earliest opportunity.

Visits away from the workplace

Whenever possible, arrange the initial meeting with an unknown customer or service user in the office or neutral ground where other people are present. It's important to review whether home or outside visits are essential or desirable as part of your risk assessment. If they are essential, check their authenticity. When there is any doubt about employee safety, managers must send two people to the initial meeting.

All employees must keep a diary or calendar with details of all their planned visits. They must also tell their line manager where they are going and their expected time of return. When employees are working alone or visiting potentially dangerous people or locations, they should call into base at prearranged times.

If employees are delayed, they must let their manager know. If the employee doesn't return to the office or call in as arranged, the manager must make sure contact is made with the last listed address. They must check if the visit took place and, if not, work back through the list to find out when and where the last visit was made.

When there is a serious concern for the whereabouts of an employee and attempts at contact have failed, inform the Police giving details of the employee and, where appropriate, their car.

An employee should not visit people alone if:

- there's a known history of violence
- the situation is isolated or vulnerable
- their business has known potential conflict, for example, enforcement duties.

It's the manager's responsibility to make sure back-up is available. If they can't send two employees, they must make arrangements for the employee's safety by issuing, for example, a personal alarm, two-way radio or mobile phone. Take special care with visits after dark.

Employees must carry their identity card when inspecting a site. They must inform the person responsible for the site of the visit, or show the person their ID card if it's a home visit.

Reception areas

The way in which people are received sometimes affects how they react. Reception areas should have easy access, good lighting, an inviting atmosphere, and be staffed at all times.

When people are kept waiting, explain the reasons and apologise if appropriate. If a receptionist considers a violent situation is likely to develop, they should call a senior employee to help.

Access from reception to work areas or interview rooms should be controlled using keypads,

swipe cards or other security devices.

Alarm systems with readily accessible panic buttons should be installed in reception areas and interview rooms. It's important that alarm systems can be heard, and that all employees are trained to respond on hearing the alarm.

Interview rooms

Interview potentially violent people in a room close to where colleagues are working. At the Grange interview rooms are fitted with CCTV, door vision panels and panic alarms. If trouble is anticipated, two employees should conduct an interview. Seating arrangements should give employees a clear escape path.

If an employee has difficulties in an interview and feels threatened or harassed, they should end the interview and call a more senior employee to assist or take over.

Property and cash

Although safeguarding property and cash is important, it's secondary to the safety of employees. If violence is directed solely at property, individual employees must decide whether to try to stop it. If it's likely to result in personal injury, then it is better not to intervene. Try to contain it within a restricted area and summon assistance.

Severe disturbances or 'sit-ins'

If someone refuses to leave, employees **must** get help from their manager and, if necessary, call the Police.

People with dogs and other animals

With the exception of registered assistance dogs, all dogs are banned from all Council offices, without prior permission.

Sometimes people encourage their dogs and other animals to behave aggressively towards employees. Employees must report and record such incidents. This will alert other employees to potential danger, particularly home visitors.

The Dangerous Dogs Act 1991 requires owners to keep their dogs under control. An owner may be guilty of an offence if their dog:

- is dangerously out of control in a public place, or
- causes fear or apprehension in a place where it shouldn't be, and which isn't public property.

If the dog injures anyone, the owner may be guilty of an aggravated offence. In either case, the Council or the Police can take action against the owner.

7. DEALING WITH VIOLENT INCIDENTS

It isn't always possible to predict violence, but in most cases events gradually escalate. Treat all threats of violence seriously. Because individuals respond differently, it's difficult to suggest exactly what to do. If you feel threatened, consider trying to calm the person down to diffuse the situation.

It's important to be perceptive and 'read' situations. Try:

- to avoid arguing
- to be careful in what you say and how you say it
- not to be provocative
- not to swear.

Make sure you know how to get help or escape if necessary. These situations are stressful, but it's important to try and remain calm, not to panic or overreact.

Always try to predict and prevent violent behaviour. If you can recognise early warning signs and symptoms, it's often possible to prevent violence or avoid direct confrontation. However, if the situation escalates then leave and get immediate help.

8. VERBAL ABUSE

Some people become abusive and agitated over the telephone or in reception areas when they feel aggrieved. In these situations:

- try to remain calm and not be provoked into responding in a similar manner
- try to explain what has happened to the person's complaint or case
- get support and advice from your manager if necessary. They should help or may take over the conversation.

If the situation gets worse, and there is no help available from a manager, tell the person that you are ending the discussion, ask them to leave or put the phone down. Walk away, if necessary, and call the Police if they will not leave.

9. ACTION FOLLOWING AN INCIDENT

Employees

If you are involved in a violent incident, you must tell your manager as soon as possible afterwards. You, or your manager, must also report it immediately to the Police and, if necessary seek medical attention.

Managers

Cases of assault, physical violence and severe disturbance can be criminal offences, so ensure sure that the Police are called.

Managers are to investigate any incidents fully. Take written statements from witnesses as soon as possible, preferably on the day of the incident. Ensure that the Abuse, Aggression and Violence Incident Report form is completed as soon as possible. The Police may

also wish to take separate statements.

If the incident involves physical violence, and the employee suffers an injury then you also need to complete a separate Accident/Near Miss Report form.

10. REPORTING PROCEDURE

If you are threatened with violence or actually assaulted, you must tell your manager and colleagues immediately. Complete the *Abuse, Aggression and Violence Incident Report Form* as soon as possible, preferably on the day of the incident. Send it to your manager, so they can fill in the management action section.

Managers must complete Part 2 and sign off the form, and then forward it to the Health and Safety Advisor. Ensure you attach any written statements or additional sheets. The "Manager's Actions" outlining the procedures related to reporting a violent incident appears at Appendix 1.

If inclusion on the Employee Protection is considered appropriate, then the relevant Manager must inform the individual (offender) in writing (see Template Letters in Appendix 2). A copy of the letter must be sent to the Council's Health and Safety Advisor, who will be responsible for updating the register and informing all authorised staff (via e-mail) that an additional entry has been added to the Employee Protection Register.

Details of offences will be kept on the database normally up to a maximum period of three years, after which the entry will be removed. The Health and Safety Advisor will continually monitor and review information contained on this database.

11. LEGAL ADVICE AND ASSISTANCE

If an employee is assaulted whilst carrying out their duties, and the Police take no action, the Council will prosecute the assailant if it considers a successful prosecution is possible and justified. An employee can also take a private action, either through the Criminal or Civil Courts, with assistance from their trade union or a private solicitor.

The Legal Services Manager will provide general advice to employees on Court procedures. They can also arrange injunctions and other legal action against service users if appropriate.

12. SICKNESS PAYMENTS

Injury as a result of an assault at work will be treated as an industrial injury, and occupational sick pay will be paid. It's therefore important that abuse, aggression and violence incidents are reported to your manager. You can get more information from the HR Team.

13. COUNSELLING AND SUPPORT

The welfare of employees is of paramount importance. An employee who suffers violence

must be treated sympathetically, and their immediate needs attended to **before** the more formal process of recording and reporting the incident.

Employees may choose to use the Council's occupational health service for counselling, contact the HR Section for further information.

14. TRAINING

Managers are responsible for identifying their employees' training needs, including the requirement for 'Conflict Management' type training. Any employees requiring further or refresher training should contact their line manager and the Council's HR Section.

15. EQUAL OPPORTUNITIES

This Violence and Aggression at Work Policy will be applied fairly and consistently to all employees of the Council.

16. RELATED INFORMATION

Refer to the Council's "Policy for Handling Unreasonable or Unreasonably Persistent Complainants".

Appendix 1 Managers' Actions

Incident	Legislation	Manager's Action
Actual Physical Assault.	Offences Against the Person Act 1861	<ol style="list-style-type: none"> 1) Report to Police at time of incident to restrain offender and then press charges. 2) Ensure notes are taken from any witnesses. 3) Ensure Incident Report form is completed & sent to H & S 4) Send Letter A to offender. 5) Inform HR team of incident. 5) Review incident with member of staff, identifying a need for support, training needs etc.
Threat of violence or abuse in public place, e.g. The Grange, Oliver Cromwell House.	Public Order Act, ss. 4,4A and 5 and Protection from Harassment Act.	<ol style="list-style-type: none"> 1) The Manager should try to calm the offender and ask them to leave. If it becomes necessary Police should be called to facilitate removal. 2) In any event, matter should be reported to the Police. 3) Ensure notes are taken from any witnesses. 4) Ensure Incident Report form is completed & sent to H & S. 5) Letter A to be sent to offender. 6) Inform HR team of incident. 7) Review incident with member of staff, identifying a need for support, training needs etc.
Threat to kill or threats to property.	Offences against the Person Act 1861	<ol style="list-style-type: none"> 1) Report to Police 2) Ensure notes are taken from any witnesses. 3) Ensure Incident Report form is completed & sent to H & S. 4) Letter A to be sent to offender. 5) Inform HR team of incident. 6) Review incident with member of staff, identifying a need for support, training needs etc.
Threat of violence or abuse in non-public place, e.g. in assailants home or on their property, including abusive correspondence	Protection from Harassment Act and Anti-Social Behaviour Act 2003	<ol style="list-style-type: none"> 1) Letter B sent to assailant by Manager. 2) Ensure Incident Report form is completed & sent to H & S. 3) Review incident with member of staff, identifying a need for support, training needs etc. 4) Inform HR team of incident. 5) If further incident occurs to SAME person, then a witness statement needs to be prepared detailing BOTH incidents and this and a copy of the letter needs to be given to the police who will then make further investigations. 6) Ensure further Incident Report form is completed & sent to H & S. 7) Review incident with member of staff, identifying a need for support, training needs etc.
Shouted or sworn at in person or over the telephone/abusive correspondence.	Anti-social Behaviour Act 2003	<ol style="list-style-type: none"> 1) Ensure detailed notes of the incident are made 2) Ensure Incident Report form is completed & sent to H & S. 3) Review incident with member of staff, identifying a need for support, training needs etc. 4) Repeat incidents should be assessed by the manager with the member/s of staff in the context of the situation and if appropriate send Letter C. 5) If this does not have the desired effect Manager should consider designating one officer to deal with complainant, etc. 6) If the behaviour continues seek advice from Legal Services.

Customer is intimidating but is not abusive or swearing.	Anti-social Behaviour Act 2003	1) Ensure detailed notes of the incident are made 2) Ensure Incident Report form is completed & sent to H & S. 3) Review incident with member of staff, identifying a need for support, training needs etc. 4) Repeat incidents should be assessed by the manager with the member/s of staff in the context of the situation and if appropriate send Letter C.
Customer is angry but not abusive or swearing.	None	If member of staff has concerns about dealing with this kind of situation it may be necessary to review training needs of member of staff.

Appendix 2

Letter A

Dear Mr/Mrs/Ms

It has been brought to my attention that on *[insert date]* [you physically assaulted a member of staff in my team by *[description of incident, including place it occurred]* you were abusive and made threats of physical violence to a member of staff by *[insert description of incident, including place it took place]* / you made threats to kill to a member of staff/you made threats to damage Council Property] *. This kind of behaviour is wholly unacceptable and the matter has been reported to the police.

The Council does not and will not tolerate this kind of behaviour towards its staff.

In view of this incident I must advise you that details of this incident have been recorded on a Council central database, and the following procedures shall be put in place with immediate effect until further notice: -

- Any contact with the Council is to be made through me on the telephone number at the top of this letter;
- If a meeting is necessary it will be by prior arrangement only and where possible will be at Council Offices;
- If it becomes necessary to visit you at your own premises staff will be accompanied, if necessary by the police, to ensure their own physical safety.

The Council has a duty to ensure the safety and welfare of its staff and will take all appropriate action to carry this out.

Yours sincerely

LINE MANAGER

* Delete as appropriate

Copy to: The Council's Health and Safety Advisor

Letter B

Dear Mr/Mrs/Ms

It has been brought to my attention that on *[insert date]* you were abusive and/or made threats of physical violence* to *[insert name of officer and job description]* at *[insert place of incident]*.

The Council does not and will not tolerate this kind of behaviour towards its staff.

In view of this incident I must advise you that details of this incident have been recorded on a Council central database. If there are any further incidents of a similar nature towards *[insert name of officer]* the Council will have no hesitation in reporting your behaviour to the police with a view to having criminal charges brought against you.

Yours Sincerely

LINE MANAGER

*delete as appropriate

Copy to: The Council's Health and Safety Advisor

Letter C

Dear Mr/Mrs/Ms

It has been brought to my attention that on a number of occasions in the last [*insert duration, e.g. two months*] you have been abusive to members of staff on the telephone, when you have visited these offices and when officers have attended at your premises*.

This kind of behaviour is not acceptable and is an inappropriate way to deal with members of staff.

In view of this incident I must advise you that details of this incident have been recorded on a Council central database. If this behaviour continues I will have to consider taking further action, which may include limiting any contact with you to a designated officer and/or appointments by prior arrangement only. If it becomes necessary I will not hesitate to seek advice from our legal services team.

Your cooperation would be appreciated by not behaving in this way in the future.

Yours sincerely

LINE MANAGER

*delete as appropriate

Copy to: The Council's Health and Safety Advisor

Appendix 2**Abuse, Aggression & Violence Incident Report****Employee Details**

Name			
Service		Team	
Location/Site			
State if you wish your identity to be kept confidential	Yes	No	

Details of Incident

Date		Time	
Location			

What Happened (Tick as appropriate)

Verbal Abuse	Threat of Violence	Physical Violence
Other e.g. Intimidating Behaviour	Damage to Public Property	Damage to Private Property
Details of Injury (If applicable)		
Describe what happened (<i>continue on an additional page if required</i>)		
Employee's Signature		Date

Details of Aggressor (Tick as appropriate)

Name	Male	Female
Address		
Any other relevant details. <i>In your opinion was he/she under the influence of:</i>		

Alcohol	Yes	No	Drugs	Yes	No
Appear to be ill/disturbed	Yes		No		

Witness Details (If applicable)

Name	Name
Team/Address	Team/Address

Manager's Initial Actions (Tick as appropriate)

First aid required	Yes	No
Hospital treatment required	Yes	No
Police informed	Yes	No
Warning letter (A, B, or C) sent to offender* (<i>See Violence & Aggression at Work Policy Appendix 1 for required actions by Manager*</i>)	Yes	No
If yes, what action is proposed		
Name	Signature	Date

Health & Safety Advisor - Follow Up Action (Tick as appropriate)

HSE Reportable	Yes	No
Details entered on database register	Yes	No
Were existing procedures followed	Yes	No
Were existing procedures adequate	Yes	No
Comments		

Details of any other actions carried out		
Name	Signature	Date