



MEDWAY COUNCIL HEALTH AND SAFETY POLICY

ARRANGEMENTS

PREVENTION OF VIOLENCE AND AGGRESSION

Draft issued: 31/05/2012

Revised Policy agreed at Committee: 25/10/2012

Review Date: 1/06/2014

Diversity Impact:

MEDWAY COUNCIL
Corporate Health and Safety Policy
Policy and Procedures on Preventing Violence to Staff

CONTENTS

POLICY

- 1 Purpose
- 2 Introduction
- 3 Definitions
- 4 Aims
- 5 Areas of Action
- 6 Application

PROCEDURES for Assessing and Controlling the Risk of Violence

1. Record Keeping
2. Risk Assessment
3. Generic Risk Assessment
4. Specific Risk Assessment
5. Possible Control Measures
6. Situations of Serious and Imminent Danger
7. Incident Reporting Procedure
8. Violence Involving Family Members
9. Counselling
10. Monetary Implications
11. Curtailment of Service on Grounds of Safety
12. Monitoring and Review
13. Training
14. Flow chart

1. **PURPOSE:**

The purpose of this Policy is to give a clear message to staff, service-users and members of the public that any form of aggression or violence directed at Medway Council employees is unacceptable, and to promote an active safety culture and the adoption of good practice with regard to minimising aggression and violence.

2. **Introduction:**

2.1 Violent or inappropriate behaviour towards Council staff is unacceptable and it is acknowledged that those working directly with the public working in areas such as social and health care, community and residential work, enforcement, housing, schools could be at greatest risk.

2.2 Much of this potential for violence arises because council Employees may deal with client groups that involve a degree of risk. Such situations might include (this list is not exhaustive):

- General dissatisfaction of services provided
- Any work associated with social care
- Dealing with people that have a great deal of anger or resentment over a particular issue
- Dealing with people who have unreasonably high expectations of what Medway Council can offer, or who seek quick and easy solutions to long-term and complex problems
- Working with people who use violence to express themselves or achieve their needs
- Restricting the freedom of individuals
- Enforcement of legislation
- Lone working

2.3 While there are no specific laws relating to violence in the workplace, the general requirements of the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 apply. These require the council to protect the health and safety of Employees by identifying hazards, assessing the risks involved, and putting measures in place to eliminate those risks, or to reduce them to the lowest level possible.

2.4 In addition, the council is required to:

- establish procedures to be followed by Employees in the event of serious or imminent danger
- Provide information and training on health & safety risks identified and the measures in place to control them.

2.5 The council will comply with these legal duties. They are, however, taken as representing a minimum standard, which may be supplemented by identified best practice.

2.6 Medway Council's Corporate Health & Safety Policy and Arrangements contains provisions regarding Violence at Work.

- 2.7 The council takes a serious view of any incident, which constitutes violence or harassment towards an employee. Such incidents are not acceptable, whatever the circumstances. No one should have to work in fear of violence or harassment. (See also Medway Council's bullying and Harassment Policy found on Just4you).

3. Definitions

- 3.1 In the context of this Policy, the following definitions apply:

- 3.2 **Violence** means any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work. It is held to include:

- Verbal abuse
- Aggressive behaviour
- Harassment
- Assault, whether resulting in physical injury, or causing distress
- Damage to personal property
- Abuse, aggression, harassment or assault directed at others, including members of the family
- Threat or fear of any of the above
- The cumulative effect of constant low-level verbal abuse and minor assaults

- 3.3 Harassment means: Any incident, in which an employee is intimidated, offended or harmed because of his/her ethnic origin, colour, race, religion, nationality, sexual orientation or disability.

- 3.4 Employee means: Any person engaged in work for Medway Council whether in a paid or unpaid capacity, other than contractors. Examples include: permanent and temporary staff, agency Employees, secondees, sessional Employees, voluntary Employees, work experience placements.

- 3.5 Family includes: Employees' partners, parents, children (including step children, adopted children and children of partners), brothers or sisters, any person wholly or substantially supported by the employee or who resides with the employee on a temporary or permanent basis.

- 3.6 Member of the public (abbreviated MoP) means: Any person who receives a service from, or has enforcement action imposed on them by Medway Council. Examples include: clients, service-users, parents, tenants, residents in sheltered housing accommodation, and proprietors of businesses...

4. Aims

- 4.1 Medway Council aims to give a clear message to staff, clients and members of the public that any form of aggression or violence directed at staff is unacceptable.

- 4.2 To this end, the council will:

- Inform MOPs that violence and harassment towards employees will not be tolerated and that action will be taken against perpetrators

- Ensure that the risks of violence and harassment to employees are identified, assessed and controlled / managed, so far as is reasonably practicable, by employees' line managers
- Provide the necessary facilities to prevent and reduce the risk of violence, and to protect employees.
- Minimise the risk of violence to Employees by physical and other means, where appropriate, e.g. alterations to property, implementing safe systems of work and improving working practices
- Ensure employees do not put themselves at risk by challenging violent behaviour or harassment
- Take seriously all violence and harassment towards employees, and give due regard to the fear of violence expressed by Employees
- Positively encourage the reporting of incidents of violence or harassment without seeing them as reflecting on the individual's ability to satisfactorily perform his/her duties
- Undertake appropriate investigations of all reported incidents of violence and harassment and any actions taken
- Monitor incidents and evaluate the effectiveness of this policy and control measures
- Provide suitable and sufficient information, instruction and training to all Employees, particularly those working in statutory services with known violent / abusive clients

5 Areas for Action

5.1 Each manager must:

- Draw up procedures to implement this *Policy on Preventing Aggression and Violence to Staff* in his/her establishment/team
- Undertake a risk assessment of all activities within his/her area of responsibility
- Assess the risk of violence or harassment, including:
 - Scrutinise existing information held on volatile clients/service users/MoP
 - Consult with Employees and Safety Representatives
 - Evaluate each employee's capacity for managing violent situations
- Evaluate existing controls where a risk is identified
- Introduce further measures, as required, to eliminate or reduce the risk
- Ensure all Employees receive induction and training in safe working practices
- Make certain Employees follow these safe systems of work
- Regularly review systems of work

5.2 Employees must

- Advise managers and colleagues of all incidents involving:
 - Verbal abuse
 - Aggressive behaviour
 - Harassment
 - Assaults (whether or not resulting in physical injury)
 - Incidents involving animals
 - Vandalism or damage to personal property
 - Abuse, aggression, harassment or assault directed at family
 - Occasions where any of the above have been threatened
- Co-operate with managers in completing relevant documentation

5.3 On receiving a report of such a violent/aggressive incident, managers must:

- Ensure an Incident form, and an Initial Management Investigation form is completed
- Involve the Police if appropriate
- Discuss the incidents with the individual Employees concerned and offer the services of care first.
- Ensure information is exchanged within the section / team.
- Investigate incidents of violence or harassment
- Initiate flags on existing databases within services and other relevant records that will inform staff of this person's behaviour.
- Seek assistance from The Health, Safety and Well-Being Team as required

6 Application

- 6.1 The following procedures covers all Employees of Medway Council that may be subjected to violence in circumstances relating to their work *and* persons who may be at risk of assault or harassment because of their connection with the council. (Please Note, however, where any worker is subjected to a non-physical attack from another worker, the grievance / harassment / disciplinary procedure(s) must be followed).
- 6.2 For all Employees, the immediate supervisor/line manager will implement the procedure.
- 6.3 These procedures are adopted as Health and Safety procedures. The council has the right to alter, amend, add to or withdraw these procedures or any part of them. Consultation will be carried out in accordance with the *Safety Representatives and Safety Committee Regulations 1977* and the *Health and Safety (Consultation with Employees) Regulations 1996*.

Procedure to be Followed in Assessing and Controlling the Risk of Violence

1. Record-Keeping

- 1.1 Line managers must maintain records of all staff that carry out visits or attend off-site meetings (including that staffs that do so only infrequently).
- 1.2 Records must include:
 - Up-to-date photograph
 - Next-of-kin details
 - Emergency contact information and agreed procedures to be followed.
 - Make colour and registration number of motor vehicle(s) used
- 1.3 File details must be checked and amended on a regular basis, so as to ensure they remain current.
- 1.4 Details recorded so they may be disclosed to the Police or other Emergency Services in the event of the worker's involvement in an emergency situation.

2 Risk Assessment

- 2.1 Line managers have responsibility for undertaking risk assessments for employees work activities highlighting work with members of the public and assessing the risk of violence and aggression. This will involve consulting with Employees, Trades Union and other Safety Representatives.
- 2.2 In carrying out risk assessments, line managers must consult all other relevant records or databases available to them regarding known members of the public and service users.

3 Generic Risk Assessments

- 3.1 It may not be possible for line managers to risk assess every contact or each activity a worker undertakes. A practical approach, therefore, would be to undertake *generic* risk assessments in the first instance.
- 3.2 Generic risk assessments must be undertaken by line managers as follows:
 - a. Group Employees according to their job titles (e.g. Residential Social care Employees, Financial Affairs Officers, Frontline Employees, and Receptionists.))
 - b. Talk to Employees and identify the type of activities undertaken by each individual to identify potential hazards. Employees
 - c. Complete a risk assessment for each type of visit undertaken.
 - e-d. Consult Employees and decide on suitable control measures to reduce the risks to Employees within each job group
 - d-e. Develop and commit to writing safe systems of work based upon the identified controls for use when carrying out inductions and training for employees
- 3.3 Line managers must consider the following risk factors when undertaking generic risk assessments:
 - Purpose of activity
 - Nature of interaction e.g. Enforcement or advisory

- Likely emotional/behavioural response to the interaction
- Location of typical interaction or activity e.g. :
 - Council premises
 - Public place
 - MoPs premises
- Time of interaction or activity e.g. :
 - During / outside work hours
 - During hours of darkness
- Potentially vulnerable Employees:
 - Employees nature of business (delivering bad news)
 - Young/inexperienced Employees
 - Pregnant Employees
- Employees who could be subject to abuse because of their age, gender, ethnicity, religion, sexual orientation, disability, etc
- Local knowledge e.g.: estates/areas with high rates of violent crime

4. Specific Risk Assessments

4.1 Specific risk assessments *must* be undertaken:

- Whenever the circumstances of an activity are unusual,
- Where the activity involves interaction with persons known to be violent — or —
- If incident reporting/new information by Employees gives cause for alarm

4.2 When undertaking a specific risk assessment any known additional risk factors must be considered where the potential for harm has been identified for each individual activity.

5. Possible Control Measures

5.1 Where risks to Employees are identified, managers must identify and implement appropriate control measures.

These might include:

- A review of the venue where the employee meets the service user for a meeting e.g. can the service user come to the office rather than a home visit?
 - Communication of policy and relevant procedure to employees
 - violence and aggression/personal safety awareness training
 - Never meet known volatile clients alone
 - Report incidents as soon as possible and ensure all relevant staff are made aware
 - Dress codes for employees including foot wear and jewellery.
 - Ensuring employees that work off-site have a working means of communication with the office at all times
 - Lone working arrangements so that managers / staff know where employees are and proposed return times.
 - Lone working tracking devices / systems.
 - Issue any relevant Personal Protective Equipment (PPE)

(N.B. this list is not intended to be exhaustive, nor are suggestions mutually exclusive: a combination of control measures may be required.)

6. Situations of Serious and Immediate Danger

- 6.1 Even where a risk assessment has been carried out, and satisfactory control measures have been put in place, it is recognised that aggressive and violent incidents may still occur.
- 6.2 Any worker who believes his/her personal safety to be under threat is instructed to leave the vicinity to a place of safety as soon as possible, where it is practicable to do so.
- 6.2 This instruction takes precedence over and supersedes any instruction to the contrary, wherever that may originate e.g. staff must act upon their own instincts.

7. Incident Reporting Procedure

- 7.1 Where any worker has suffered an injury, the line manager must:
 - Make sure that arrangements are in place for calling an ambulance / first aid for the injured employee where possible
 - Inform the Health, Safety and Well-Being Team as soon as possible on the above numbers.
- 7.2 The scenes of such incidents must be left undisturbed, where possible, until the manager / enforcement have carried out an investigation
Where any employee has died as a result of a violent incident, as soon as the line manager is aware, they must:
 - Telephone the Police using 999 or relevant overseas emergency number
 - Immediately inform the relevant Director for the service/directorate, by telephone. For out of hours phone 01634 304400
 - Inform the Health, Safety and Well-Being Team as soon as possible on 01634 333011 or 01634 331740
- 7.3 Any employee who suffers violence in circumstances that he/she believes is related to work activities must forthwith inform his/her line manager of the incident. This will enable advice and support to be provided and further action to be taken to ensure the safety of others, should further contact with the perpetrator be necessary.
- 7.4 Where Employees are subjected to threatening, racist, sexist, homophobic or similar comments from a MoP, the worker must, if possible, explain that such remarks are not tolerated. The worker must inform an appropriate manager. The manager must repeat that such conduct is not tolerated, that a retraction is required, and that failure to do so will result in the ending of the meeting. If this does not happen, the MoP must be asked to leave. If the MoP refuses to leave when requested to do so, trespass will have occurred and the manager must take action as appropriate. The Police must be called if felt necessary or if the worker so wishes. (In cases where a worker makes such a remark, Medway Council's Harassment and Bullying Policy must be followed.)

- 7.5 If the threat or harassment is made during a telephone conversation, the MoP must be told that the telephone call will not be able to continue if there are any threats or harassment. If this is refused, the MoP must be informed that the conversation will not be continued. The telephone call must be terminated and a file note made to that effect.
- 7.6 Employees operating away from their recognised work base and who are not under direct supervision must be given clear instructions as to who must be contacted in the event of their being subjected to violence.
- 7.7 Where required by the risk assessment Employees operating away from their recognised work base may be supplied with:
- a mobile telephone
 - a personal alarm
 - a torch
 - any other item found necessary by virtue of the risk assessment
- (N.B. It must be clearly understood by both line managers and Employees that the issue of such items is not of itself sufficient to ensure worker safety and that additional precautions, procedures and safe systems of working will be required).
- 7.8 Where the circumstances of an individual incident make it more appropriate, a worker must be advised to follow Medway Council procedures for dealing with complaints or acts of discrimination/harassment and victimisation.
- 7.9 Where it is necessary for a worker to attend a police station following an act of violence, the line manager may arrange for somebody to accompany him/her. This can be carried out by the manager, a trade union representative or a colleague of the worker's choice subject to the exigencies of the service.
- 7.10 In all cases where hospital treatment is necessary, or if requested to do so by the worker, line management shall, discreetly and sensitively, inform a nominated friend/relative of the worker.
- 7.11 As soon as possible after any incident, line management must interview the worker and ensure that an incident form (is filled out. (Incident books are available from the Corporate Health and Safety Team.) If a worker is unable to complete the form him/herself, the manager must complete the form on his/her behalf. The line manager must also complete and submit an Initial management Investigation form and carry out any necessary return to work procedures as necessary
- 7.12 Line management must investigate all aggressive and violent incidents and must complete an "Initial Management Investigation Report Form" within one calendar week of the incident.
- 7.13 As soon as possible following any incident, managers, in conjunction with Employees and/or agencies if applicable, must review the relevant risk assessment and take any actions arising from the review
- 7.14 Where there has been a physical assault upon a worker, management must send a formal letter to the MoP concerned, warning that legal action may be taken and indicating standards of behaviour required for the future. If necessary, advice must be sought from the Legal Department on the contents of this letter.

- 7.18 Where threats are made, consideration must be given as to further action to protect the worker and prevent repetition of the behaviour. This might include:
- Changes to job role
 - An injunction against the MoP where applicable
 - Implementation of corporate disciplinary procedures
- 7.19 Each service must have clear guidelines setting out the criteria to be used if withdrawal of the service is considered (please also see section 8).

8. Violence involving Employees' Family Members

- 8.1 Employees must notify management if a family member is subjected to violence or harassment as a result of employment with Medway Council. Line management must investigate the incident and implement appropriate action, including taking legal advice where appropriate

9 Counselling

- 9.1 When there has been an incident of violence or harassment, the manager must offer the employee the opportunity to receive psychological debriefing. This will be of most benefit in the 3-10 days following the incident. The worker should be reminded of the availability of the "Care First" service, accessible on 0800 174319 or at www.care-first.co.uk and supported in making contact if appropriate.
- 9.2 All Managers must be alert to the possibility of an employee experiencing a delayed reaction to a violent or harassing incident, and that help may be required some time later.

10 Monetary Implications

- 10.1 Absences from work as a result of implementing these procedures, for example attendance at the Police Station or post-incident debriefing shall not result in any loss of earnings.
- 10.2 Employees must report any damage to personal property as a result of an incident of violence or harassment, so that appropriate arrangements can be made for compensation.

11 Withdrawal of Service on Grounds of Safety

- 11.1 Where a statutory service is being operated, Managers must seek ways of enabling the duties to be discharged while offering as much protection to Employees as possible (e.g. requesting Police escort, careful selection of interviewing venues, etc.) Where the service is not a statutory requirement or where the threat to Employees' safety is so serious as to be unable to be

managed, the Head of Service must provide appropriate contingency plans with agreement of the Assistant Director

- 11.2 Where a MoP has been suspended from a service due to violent or harassing behaviour, it is the responsibility of the Manager to hold a planning meeting prior to reinstatement.

12 Procedures for Monitoring and Review

- 12.1 It is essential to monitor incidents of violence and harassment, so as to determine the effectiveness of Corporate and/or local procedures and any control measures implemented as part of the risk assessment process.
- 12.2 Any accident/incident statistics for Corporate and Directorate Health & Safety Committees shall include an analysis of reported incidences of violent or harassing behaviour.
- 12.3 Where monitoring data highlights concerns, remedial measures will be developed to redress the problems.
- 12.4 Managers must monitor the implementation of control measures to ensure compliance.
- 12.5 Managers must review policies/procedures and control measures where monitoring has shown deficiencies. When there is a need for amendments, these must be referred to the appropriate safety committee.

13. Training

- 13.1 Managers must ensure that:
- Employees attend appropriate sessions of training in Managing Aggression and Violence
 - Records of such attendance are kept and updated
 - Training is updated within stipulated timescales
- 13.2 The identification of training needs should be based on the outcome of risk assessments and, where appropriate, a formal Training Needs Analysis (TNA).
- 13.3 All training courses can be booked through Workforce Development – www.i-share.org.uk. Where additional training in lone working is sourced for individuals or groups of Employees, the names of attendees and the content of the training delivered must be notified to Workforce Development within five working days of the training.
- 13.4 In addition to the training as outlined above, all Employees must be instructed as part of their induction and ongoing training for the Establishment/Team in which they work as to:
- the Procedures for implementing this *Policy on Preventing Aggression and Violence to Staff* which are specific to that Establishment/Team, and any Safe Systems of Work which have been established, including:
 - Recognising the potential for danger
 - Causes of violent and aggressive behaviour
 - Anticipating aggression

- Early indicators of aggression
 - Safe working practices
 - Defusing potential problems and managing aggression
 - What to do when feeling threatened
 - Summoning help
 - Ensuring an escape route
 - Physical restraint:
 - When it is appropriate
 - Acceptable methods of restraint and legal considerations
 - How queries about any of the above may be raised, and to whom they should be addressed.
 - Where a written copy of those Procedures and Safe Systems of Work may be consulted on an ongoing basis
 - Specific equipment which will be issued to help overcome the risks of aggression and violence, and its safe operation
 - The specific needs and potential for violence of individual service-users as identified by their individual risk assessments (principally social care)
- All such training should be recorded, and a copy retained with other training records for the Team/Establishment.

13.5 Even though they themselves may not be exposed to aggression or violence, Managers must also receive appropriate training, including:

- Understanding violence and how it can develop
- Understanding the benefits of appropriate training and the skills necessary to defuse potential problems
- Understanding the effect that a perceived risk as well as a real risk can have on worker morale and stress levels
- The role of managers in identifying Employees' training needs and implementing the preventive strategy
- The importance of supporting victims and others who may also be indirectly affected
- Action to take during and following an incident
- After-incident support and care, including:
 - Awareness of the impact of incidents on Employees and others
 - Arrangements for support.

FLOWCHART — MANAGEMENT OF VIOLENCE TO STAFF



