

Corporate Policy on Violence at Work

1	Introduction	Error! Bookmark not defined.
2.	Specific Action by the County Council.....	3
3	Responsibilities	3
	Appendix A: Model Procedure Sheet	5

Author and contact: Personnel & Training/Occupational Health and Safety. Reviewed: 10/2005, Minor update 12/2009

Violence is defined as purposeful or reactive behaviour which produces damaging or hurtful effects, physically or emotionally, on people.

Key points

- **The content of this Policy applies to all County Council employees and covers arrangements for mitigating and reporting acts of violence in relation to work activities**
- **Individual incidents of violence may range from threats or verbal abuse to serious bodily harm**
- **There is a need to recognise that frequent verbal abuse may result in high levels of stress and lead to longer term effects on health**
- **The County Council will, so far as is reasonably practicable, do all it can to reduce the risk of violence to employees and provide support to those who suffer from such actions**
- **Reference should also be made to the Dignity at Work Policy in circumstances where violence occurs between two or more County Council employees**

Copies of all the Health and Safety Policies can be found on Czone

1. Introduction

- 1.1 The County Council is committed to support any employee, who suffers violence in the course of, or arising out of, their official duties.
- 1.2 Any act of violence towards an employee should be reported to the employee's manager without delay, and the appropriate incident form completed. This will enable the manager to establish any pattern of violence from particular sources, areas or individuals. The manager should offer as much support as reasonably possible to the employee (see paragraph 3.2 below).
- 1.3 An employee who has been caused actual bodily harm has the right to report the matter to the Police, and to seek a prosecution of the offender, either by the Police or, in certain circumstances, to initiate legal proceedings himself or herself.
- 1.4 The County Council will give appropriate support, through the Legal Services Division of the Chief Executive's Department, in cases involving an offence or assault. This may involve general legal advice to the employee, liaison with the Police, advice as to how to obtain legal assistance to proceed with a private prosecution or civil claim, and, in certain circumstances, meeting the legal fees for such an action if they are not recoverable from the assailant or instituting criminal proceedings in the name of the County Council.
- 1.5 It is anticipated that in most cases where an offence of assault occasioning injury is committed against an employee, the Police would prosecute the offender. An order for compensation for personal injury could be made as part of a sentence, or a claim for criminal injuries compensation could be pursued by the employee.
- 1.6 Where threats are made to an employee in the course of his/her employment, the County Council will consider sending a formal letter to the person concerned warning that legal action will be taken if a breach of the law occurs. Any threats should be reported to the employee's manager, who will advise whether such action should be sought from the Chief Executive's Department.
- 1.7 When a caller is abusive over the telephone, the employee may warn that person that if their language or behaviour continues to be abusive, and they do not stop, the telephone call may be ended by the employee. The definition of "abusive" is language which is foul or otherwise upsetting and/or behaviour which is threatening. Such incidents must be reported under the Health and Safety Incident reporting system.
- 1.8 Any absence from work by an employee which directly results from an incident of violence sustained during the legitimate discharge of his/her duties will be treated as work-related 'sickness' absence. However, the period concerned will not be counted against the ordinary entitlement, but against a separate entitlement of the same notional length. An extension of this separate entitlement will be considered if necessary.
- 1.9 The County Council's Personal Accident Insurance Policy (Assault Cover) contains a provision for the payment of specified sums of money to employees who suffers disablement arising from a violent assault during the course of, or as a consequence

of, their employment, such that their injuries arising from the assault are sufficient to affect their ability to return to work to undertake their normal duties. None of these payments are automatic, and are subject to the terms and conditions of the policy currently in force and the employment conditions relating to employees.

- 1.10 The Authority has established procedures for ill-health retirement and redeployment which can be utilised in individual cases as necessary. The County Council makes provision for ex-gratia payments to be made to employees whose personal belongings are damaged in the course of their duties. Any ex-gratia payments are made without admission of liability.

2. Specific Action by the County Council

- 2.1 In addition to the principles listed above, the County Council has initiated a number of measures aimed at assisting with the process of dealing with violence to employees.
- 2.2 Violent incidents will often cause great distress and possibly give rise to difficulties for employees in carrying out their duties in the future. For this reason it is intended that positive support should be available to all employees involved in serious incidents. This process will begin on receipt of the report to the manager concerned, as indicated in paragraph 2.2 above. A checklist of action to be taken will be issued to managers (model procedure attached).
- 2.3 It is important that a reporting system is established and maintained for incidents involving violence to employees, in order that statistical information is available from which to establish trends, identify particular dangerous working practices and assist with the development of procedures to deal with violence. All employees are therefore required to report incidents involving violence which occur during the course of their duties by using the incident report form and advising their manager of the occurrence as soon as possible.

3 Responsibilities

3.1 Chief Officers will:

- 3.1.1 ensure that arrangements are in place for implementing this policy, utilising department-specific guidance on its application where appropriate
- 3.1.2 have systems in place for the periodic monitoring of the implementation of this policy
- 3.1.3 ensure that all managers/supervisors are aware of the policy and are given appropriate training and information in order to be able to determine what constitutes violent behaviour within their service area and take appropriate steps to deal with it in accordance with the requirements of the policy,

3.2 LMG and Line Managers will:

- 3.2.1 identify groups of employees within their area of responsibility who are considered to be most at risk from violence

- 3.2.2 review the working practices and procedures and working environment of each of these groups, in consultation with the employees affected and their representatives, with the aim of identifying specific problems and devising safer systems of work wherever possible
- 3.2.3 compile, as appropriate, Codes of Practice, detailed notes of guidance and employee leaflets which can be circulated to managers and employees and implemented across all work areas of the department
- 3.2.4 ensure suitable training arrangements are in place so that employees identified as being particularly at risk of violence are able to participate in programmes which are relevant to their needs. Such training should enable:
- employees to recognise the situations and circumstances which are likely to give rise to violence;
 - an understanding of the way in which their own behaviour can contribute to such situations; and
 - techniques to be learnt for avoiding or dealing with violence.
- 3.2.5 ensure so far as possible that all incidents of violence are reported on the incident report form and notified to the appropriate senior manager
- 3.2.6 consider the provision of counselling support to individuals who have suffered from violence at work
- 3.2.7 review the arrangements specified above on a regular basis to ensure that appropriate action has been taken in the department

3.3 Employees will:

- 3.3.1 comply with the requirements of this policy
- 3.3.2 comply with any advice and instruction given from any relevant training workshop
- 3.3.3 ensure that they report to their Manager any incidents relevant to this policy, whether or not physical injury has resulted

Appendix A: Model Procedure Sheet

Violence at Work: Procedure following an assault on an employee

1. A manager or supervisor who receives information about an assault on an employee will give immediate attention to the well-being of the employee and other employees who may be at similar risk. If the employee concerned has suffered injury or shows signs of shock he/she must be immediately referred to a doctor and, if possible, should be asked to obtain a medical statement about the injuries or condition. The police should be informed if there has been serious injury or a potentially serious incident has occurred providing the **employee** is in agreement.
2. If an assault happens on County Council premises the manager will, where practicable, seek to exclude the offender from the premises. However, if the offender is a service user, regard must be paid to the manager's legal obligations for ensuring the immediate safety and well being of the service user.
3. The manager will interview the employee who has been assaulted as soon as possible and must ensure that full details of the incident are recorded on the incident/accident report form especially if the employee has been injured.
4. The manager will be supportive to the employee in accordance with the Council's stated policy, having regard to the operational instructions of the department, and provide an immediate opportunity to discuss the circumstances of the incident. The employee may be accompanied by a staff representative or friend if he/she wishes. The provision of counselling support for the employee should also be offered if appropriate or at the employee's request.
5. The manager should normally inform the police of any serious assault on an employee which occurs in the course of, or arising out of, his or her official duties, although regard must be paid to any supplementary guidance issued by individual Chief Officers and the views of the employee concerned.
6. If the police are not attending, factual written statements should be obtained as soon as possible, by the manager, from any witnesses. These should include the witnesses' names and addresses, and preferably be obtained on the day of the assault. The employee who has been assaulted similarly should be asked to prepare a written statement as soon as possible after the incident. The statements should be retained by the manager as they may later be requested by the Insurance and Risk Manager in respect of any legal or insurance claims.
7. If an implement is used in the attack it should be retained by the manager provided this can be done without difficulty or risk.

8. The manager must offer the employee the provision of legal advice, and the matter should be referred to the Legal Services Division of the Chief Executive's Department in the first instance.
9. The manager will institute a full investigation of the circumstances surrounding the incident, including current systems of work and procedures, and take appropriate steps to prevent a recurrence. This would involve the staff Health and Safety Representative and may include a risk assessment.
10. In the event of an assault being caused by an employee of the County Council, the Disciplinary Procedure will be applied as appropriate.
11. The manager will have regard to the Council's policy on violence in undertaking any other action which is deemed necessary in individual cases.

Incidents of verbal abuse and/or threatening behaviour

12. Managers will apply the same principles listed above to incidents which fall short of actual assault, as appropriate. In particular paragraph 2.6 of the Council's policy indicates the approach in respect of threats to employees.
13. Incident/accident forms should be completed by employees in the event of serious threats or repeated incidents of verbal abuse from the same source or in the case of an employee who hangs up on an abusive telephone caller.

Communication of Information

14. Managers will report specific incidents of assault or serious abuse/threatening behaviour to senior management in order that existing policy and practice can be reviewed and amended where necessary. This will also help with the process of monitoring the level of violence at work in the County Council.