



GREAT YARMOUTH BOROUGH COUNCIL

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Code of Practice for Employees at risk of Violence when at Work

VIOLENCE IS:-

'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work' (the Health and Safety Executive's [HSE] definition of work-related violence) which includes, verbal abuse or threats as well as physical attacks or persistent harassment

1 Introduction

- 1.1 Section 2 of the Health and Safety at Work Act 1974 places a duty on employers to "so far as reasonably practicable" provide a safe place and safe systems of work for employees. This duty has been extended by the Management of Health and Safety at Work Regulations whereby Risk assessments have to be carried out on all employee activities. Great Yarmouth Borough Council (the Council) through its Health and Safety policy recognises this duty and devolves the responsibility for carrying out risk assessments from the Managing Director to Heads of Services and Service Unit Managers (SUMs).
- 1.2 This code of practice has been produced to address risk assessments which have

- 1.3 The intention of the procedures contained within this code is to provide a broad based systematic approach to ensure that, so far as is reasonably practicably, the procedures adopted are standard throughout the Council. It is acknowledged, that different staff groups may be subject to different levels of risk and consequently, each service may provide additional information, advice, or support.
- 1.4 Although the likelihood of serious physical harm is not considered to be high, recent research shows there is evidence the risk is growing and advice from the HSE confirms that there has been an increase in such events over recent years, particularly in minor acts of physical harm.
- 1.5 Those at risk are staff who deal directly with members of the public, who may for a variety of reasons be angry, become angry, distressed, disturbed, ill, embarrassed or resentful. Such feelings may sometimes result in aggression and violence.

2 Statement of Policy

- 2.1 The Council recognises its statutory obligations and acknowledges there is a risk of violence and aggression towards employees while at work and confirms that such violence, threat of violence and aggression or verbal abuse against any of its employees is wholly unacceptable. The Council, through its management will ensure that employees are provided with, in so far as reasonably practicable, a safe place and safe systems of work and that where employees are subjected to violence or aggression, they are provided with appropriate support.
- 2.2 The Council acknowledges that no person should have to work in fear of assault and that an incident of violence should not necessarily be seen as a reflection of an employees ability.
- 2.3 It will be the responsibility of Heads of Services through their SUMs to ensure that the procedures contained within this code are brought to the attention of all relevant staff who are required to co-operate for their own safety and that of their colleagues or the public.
- 2.4 The Council will consider as unacceptable:-

- 2.4.1 Verbal abuse or threats to its employees
- 2.4.2 Verbal or physical harassment of its employees including racial or sexual harassment
- 2.4.3 Verbal or physical abuse to employees outside working hours, arising from employment with the Council
- 2.4.4 Attacks on or damage to employees property arising from or in connection with employees carrying out their duties.

2.5 The key areas that can have a substantial impact to the success of this policy:-

- 2.5.1 The prevention of violence to employees by physical protection and training.
- 2.5.2 Dealing appropriately with acts of violence and aggression.
- 2.5.3 Monitoring and aftercare.

3 Preventing Violence and Aggression

- 3.1 The Council will continue to implement systems whereby the possibility of employees being harmed is reduced or removed. Such action may include the withdrawal of a Service to persons who act in a violent or aggressive manner to Council employees.
- 3.2 Certain tasks and jobs may leave some employees more susceptible to violence and aggression than others. The personal safety of such employees will remain a prime management consideration when designing jobs and allocating tasks. Heads of Services and SUMs must ensure that both they and their staff abide by the Lone Worker Procedure.
- 3.3 Interview rooms will, where considered appropriate, be equipped with panic buttons and set out to protect employees and provide quick escape routes to safe areas, while at the same time providing for the needs of the customer.
- 3.4 To enable the sharing of any information that may pose a threat to a member of staff/service user, any member of staff who encounters a situation, or is aware of circumstances which may give rise to concern for the safety and welfare of staff, customer/service user or others, may make a request for a Warning Marker to be placed on an individual's record. (See the Warning Marker Policy and guidance documents for details)

- 3.5 Staff Training will be provided for employees who are considered to be in a potential risk situation. Such training will primarily address:-
 - 3.5.1 An understanding of fear and aggression.
 - 3.5.2 How to recognize and consequently avoid/defuse potentially violent situations.
 - 3.5.3 What to actions to take if threatened or attacked.
 - 3.5.4 What support is available if threatened or attacked and how to obtain it.
 - 3.5.5 The use of the Warning Marker System

- 3.6 Additional elements will be included for line managers covering:-
 - 3.6.1 An understanding of the impact of fear, violence and aggression on employees and their work performance.
 - 3.6.2 The necessity for managers to adopt an empathetic and clear response so that employees are encouraged to report such issued.
 - 3.6.3 The need for managers regularly to review service operational procedures, including the Warning Marker List.

4 Procedures in the Event of Violent or Aggressive Acts

- 4.1 If there is a severe disturbance, assault or threatened violence, the Police should be called unless other considerations apply.

- 4.2 Any violent, threatening or aggressive act must be reported to the appropriate Head of Services/SUM and the Accident, Physical or Verbal abuse form completed Where medical attention is required a Council First Aider should attend. If considered necessary the individual should be taken to hospital, in which case, they should be accompanied by their supervisor or colleague of their choice.

- 4.3 Following consultation with those concerned, including the relevant Head of Services/SUM and if considered appropriate legal advice, a decision must be made if the incident should be reported to the police and put on the Warning Marker List. In the case of serious assault the police must be contacted.

- 4.4 If an employee is required to attend the police station for interview or to make statements they should, if they wish be accompanied by their Head of Services/SUM/Supervisor or colleague of their choice.

4. 5 If the incident was reported to the police and the police decide to prosecute, the proceedings will obviously be dealt with by them. The employee concerned will be supported by their Head of Services/SUM/Supervisor as far as possible through this process and should not incur any loss of personal time or financial loss as a result.
4. 6 If the police do not prosecute, or where the police were not involved the Council may decide to take action, by sending a formal letter or warning to those concerned, and including the details on the Warning Marker System. The decision to do so will be taken following discussions between the relevant Head of Services, the person involved, and their SUM.
4. 7 Where the threat of violence or aggression prevents any officer from carrying out their statutory duty, the Head of Services/SUM, having consulted legal advice, may, if he considers the situation warrants it, decide to seek a civil remedy and injunctive proceedings against the person issuing threats.

5 Actions Following an Incident

5. 1 Dealing with the immediate effects of an incident as detailed in section 4 will form the process of responding to acts of violence. However, the Council recognises that further support may be necessary to restore the confidence of those involved and their colleagues.
5. 2 Acts of violence and aggression can have a traumatic effect on people which might not manifest itself till some time after the event. It is therefore essential that Heads of Service and SUMs/Supervisors support those involved, including witnesses. The SUM (Human Resources) can arrange professional counselling and help from organisations such as Norfolk Support Line.
5. 3 In order to prevent the circulation of misinformation, the Head of Services/SUM must, as far as possible, inform the victim's colleagues of the details of the incident. This must not, however, breach the confidentiality of those concerned and must take into account the views of the victim.
5. 4 Following the incident the Head of Services and SUM should review existing procedures to assess if they have been complied with or need improvements to prevent a recurrence.

- 5.5 Before allowing any victim to return to a similar situation, the Head of Services and SUM must ensure, as far as possible, that the individual is confident enough to do so. (They may need the support of a colleague for a period.)
- 5.6 In the event of the police prosecuting, the victim and witnesses will likely have to attend Court to give evidence. The Head of Services and SUM should ensure that a Council officer of relevant seniority attend the Court in support of these employees without any financial loss to those concerned.
- 5.7 If an attendance at Court is of particular concern to a victim or witness they should be referred to SUM (Human Resources) who will endeavour to seek support for these employees in addition to the information available on the website providing advice on being a witness.

6 Insurance

- 6.1 In accordance with the conditions of service the Council maintains a "Personal Accident-Assault" insurance policy. The principal benefits of this policy are:-
 - 6.1.1 Death benefits where the employee has a dependant.
 - 6.1.2 Permanent, Total or Partial Disablement (from usual job or profession).
 - 6.1.3 Temporary Disablement (from usual job or profession).
 - 6.1.4 Damage or Loss to Personal effects.
- 6.2 Claims must be made through the Corporate Risk Officer and will be subject to the policy conditions in force at that time.
- 6.3 Receipts from claims, will subject to the conditions in force at that time, be paid to the individual on whose behalf the claim was made.

7 Legal Aspects

- 7.1 It is for the police to decide if a criminal prosecution is appropriate or not. Irrespective of what decision the police make, the individual concerned has the right to pursue a civil action for damages.
- 7.2 The Council will not indemnify any employee against the cost of a civil action. The best interests of the Council will be predominant in any such decision.

- 7.3 Employees are advised that starting a civil action (subject to their status regarding legal aid) could be a very expensive undertaking. Whilst the Council cannot act on an employee's behalf, they may, at their discretion provide informal advice to employees regarding the procedures involved and their likelihood of being successful through the legal service (NPLaw).
- 7.4 Employees should also note that if they do decide to pursue a civil action the Council will make a third party claim in respect of any costs incurred by them due to employee absences etc. This procedure will not detract from any award for damages made as a result of their action.

8 Monitoring Events

- 8.1 The Housing Support Services Manager will be responsible for monitoring all incidents of violence and aggression entered on to the Warning Marker List.
- 8.2 All Heads of Services and SUMs must ensure that all incidents are reported at the earliest opportunity on the Accident, Physical or Abuse form via the intranet and where this information needs to be shared on to the Warning Marker List, (for full details refer to the Warning Marker Policy) at the earliest opportunity.
- 8.3 Heads of Services and SUMs may wish to keep a record of factual information relating to incidents of verbal or physical abuse which have occurred. Such details may only be kept on the individual's case file as factual information but cannot be collated into any other format for general use as required by the Data Protection and Human Rights Act.

9 Guidance for Employees in Preventing or Avoiding Violence and Aggression

The information and training you receive should provide you with the essential skills of how to react to and deal with potentially violent and aggressive situations.

The following are general awareness points that may help you:-

9.1 External Visits

- 9.1.1 Be on time for appointments. Arriving late can be inflammatory to

- 9.1.2 Prepare for the visit; ensure you know, as far as possible, the problems you might face; read the relevant file, try and pre-empt questions and have answers prepared. If you do not know the answer to something say so; do not waffle or provide misinformation, it might get you out of the current situation, but, you or one of your colleagues will no doubt have to face those concerned at a later date.
- 9.1.3 Before arranging the visit check for any known details about who you are going to visit. If there is a known history from the Warning Marker Policy or from colleagues, discuss the situation with your manager. He/she may wish to send two people or insist the interview is carried out in the office.
- 9.1.4 Before leaving the office ensure that you have complied with the guidance on external visits, i.e. leave the relevant details of the visit, address, time out, estimated time of return etc.
- 9.1.5 If you have been issued with a radio or mobile phone ensure the battery is sufficiently charged before departing. Where possible have your telephone pre-set for the office and police numbers. Ask your SUM/Supervisor for a personal attack alarm if it makes you feel comfortable. Ensure you follow the Lone Worker Procedure and your Service's lone worker system.
- 9.1.6 If you have a particular fear of dogs, ask your Head of Services/Service Unit Manager for a personal dog alarm.
- 9.1.7 On arrival at your location, park your car in a prominent position and where possible in a well lit area facing the easiest exit route. Keep car keys separate from brief cases, handbags etc.
- 9.1.8 If you have a mobile phone or radio carry out a "contact" check with your office or the Lone Worker system operative. You will then know if you can rely on them. Always make a colleague or your office aware you are entering a premise and confirm you have vacated safely - never assume.
- 9.1.9 Always show your identification card on arrival.
- 9.1.10 If the person you are supposed to see is not there, do not enter, ascertain if they will be there by a certain time and say you will return. Alternatively, leave a message for them to contact you at the office to re-arrange the appointment.
- 9.1.11 On entering any premises, note your exit route. Never underestimate the threat, trust your intuition and feelings. If you sense something is wrong, then it probably is. In which case withdraw from the situation, make an

- 9.1.12 Once clear, inform the office that you are safe.
- 9.1.13 If a general interview develops to an aggressive stage, do not respond in the same manner. Try to defuse the situation by staying calm, try to speak slowly and clearly. Meeting aggression with aggression will resolve nothing. Try to identify what the client actually wants, but remember make no promises that you do not have the authority to make.
- 9.1.14 Avoid adopting an aggressive stance i.e. standing with arms folded, hands on hips, wagging a finger, waving arms, as they will only incite an already difficult situation.

9.2 **Office Interviews**

- 9.2.1 Check that an interview room is available. If the individual concerned has a known history of violence or you have reason to suspect a confrontational situation might arise, check the panic button is working, that your exit route is clear and that someone is on hand to respond if needed.
- 9.2.2 If a suitable interview room or one fitted with panic buttons is not available and you anticipate problems, ask your supervisor to provide a second person to attend the interview.
- 9.2.3 Always ensure someone knows that you are going to conduct an interview and where it is to be held.
- 9.2.4 Where possible check the interview room first, ensure that there are no loose items about that could be used as weapons.
- 9.2.5 The interview room should be clean and tidy, not partially used as a storeroom.
- 9.2.6 If the room only has one door always show the client in first, so that you end up sitting nearest the door. You will then have the advantage if you need to withdraw in a hurry.
- 9.2.7 At the conclusion of any interview, whether internal or external, inform your line manager of any relevant details you consider might benefit yourself or colleagues in the future.

9.3 **Cash Handling or Carrying**

- 9.3.1 Officers who handle or carry cash as part of their duties should not put themselves or their colleagues at risk in defence of the money. If challenged in a robbery situation they should hand the money over as instructed and make no attempt to obstruct the perpetrator of the act in any way.

9.4 Abusive Telephone Calls

- 9.4.1 Be patient, after a few moments the abusive language may abate.
- 9.4.2 If the caller does not calm down, advise them clearly that unless they are able to continue the discussion in a civil manner, the call will be terminated.
- 9.4.3 If it is impossible to supply a satisfactory answer to the query, offer to pass the caller to a supervisor.
- 9.4.4 TRY TO REMAIN CALM BUT LISTEN AND REMAIN ATTENTIVE TO THE CALLER.
- 9.4.5 Try not to put the receiver down immediately.
- 9.4.6 Try not to become upset – the call will relate to the Council and not you personally.
- 9.4.7 Try not to lose your temper.
- 9.4.8 Do not be tempted to react with a similar response it will likely exacerbate the reaction of the caller.
- 9.4.9 Do not take remarks personally - they are being made about the Council and not you the one on the end of the phone.
- 9.4.10 If, after giving a warning to the caller, behaviour does not improve then terminate the call.
- 9.4.11 All calls of this nature should be reported to your SUM/Supervisor and reported on the Accident, Physical or abusive form so that the incident can be noted and further action taken as appropriate.

10 Guidance for Managers in Preventing Violence to Employees

10.1 Management Responsibilities

- 10.1.1 Heads of Services and SUMs are responsible for identifying areas of work and work areas where employees may be at risk of violence. They should be aware of the need to review risk assessments, working practices and the physical environment to identify areas of potential risk and to minimise

- 10.1.2 The frequency of reviews should clearly be influenced by the nature of the work undertaken and the particular circumstances which apply.
- 10.1.3 Consultation with employees directly concerned, or their representative if appropriate, should take place to raise awareness of the risk of violence and to jointly identify potential risks and to identify positive steps which can be taken to reduce those risks.
- 10.1.4 It is a management responsibility to ensure that action is taken so as to reduce the risk of violence to employees.
- 10.1.5 It is the Line Manager's responsibility to ensure the Lone Worker Procedure and Warning Marker Policy is followed by employees in their section.

10.2 **General**

- 10.2.1 The essential ingredients in the prevention of employees being exposed to violence and aggression are information, training and planning. Additionally, employees need to feel that their concerns will be taken seriously and that they will not be made to feel foolish or inadequate if they resort to the use of alarms or call for help in situations that prove to be false alarms.
- 10.2.2 Managers must ensure that any lone worker contact arrangements are checked and kept up to date and that they and their staff ensure that all systems for calling for help are checked and tested.
- 10.2.3 Employees who are well informed, confident of their facts, know that support is available, deal with clients more efficiently and effectively, whatever the service.
- 10.2.4 Managers must take employees experiences seriously. All too often dealing with difficult members of the public is regrettably regarded "as part of the job". Managers who wish to provide quality services must view these aspects seriously.

10.3 **Is the customer entitled to be angry?**

- 10.3.1 A major priority for managers will be to investigate the causes of violent and aggressive acts in order to determine whether they result from problems that can be rectified. It might be that security needs improving; that the service provided can be improved or that the client's problem has

- 10.3.2 The following questions should be addressed:-
- 10.3.2.1 Does the client have a legitimate complaint?
 - 10.3.2.2 Can the service be improved in order to reduce frustration?
 - 10.3.2.3 Is employee training adequate
 - 10.3.2.4 Are employees being put in an impossible situation?
 - 10.3.2.5 Do employees have enough information to deal adequately with the type of situation encountered (i.e. promising target dates that cannot be achieved etc)?
 - 10.3.2.6 Does the physical environment (i.e. waiting areas etc) contribute to problems?
 - 10.3.2.7 Is there a proper complaints procedure that clients can follow, and are they made aware of it

10. 4 **How can difficult situations be avoided or relieved**

- 10.4.1 The severity of aggression faced by employees can vary from relatively minor to severe. Line Managers in response to such actions will need to review them to ensure that all that can be done is being done.
- 10.4.2 The following points should be considered:-
- 10.4.2.1 Do you as a manager know the problems your staff face while at work?
 - 10.4.2.2 Have the employees received adequate training to deal with the potential problems they might encounter
 - 10.4.2.3 Are employees in general or individually competent enough to deal with these situations?
 - 10.4.2.4 Do you maintain the Warning Marker System on any of your systems where information on clients is readily available to employees who need to know? Is such a procedure reviewed regularly to ensure the information is still current? Remember people change address if you record information against address.
 - 10.4.2.5 How good are existing security measures, do staff have radios, mobile phones, lone worker systems, personal alarms, dog alarms - do they need them - do interview rooms have panic buttons.
 - 10.4.2.6 Whose responsibility is it to respond to panic buttons being

- 10.4.2.7 Employees who deal with money are at particular risk, can their procedures be improved
- 10.4.2.8 Are booking in/out procedures being followed
- 10.4.2.9 Are there procedures in place if someone does not return at the expected time?
- 10.4.2.10 Are there procedures in place for dealing with out of office hours visits?
- 10.4.2.11 Are your risk assessments required by the Management of Health and Safety at Work Regulations 1992 suitable and sufficient and most importantly are they current

11 Reporting of Violent Incidents

- 11.1 All employees must report all incidents of violence including threatening and abusive behaviour, even if these are only of a minor nature on the Accident, Physical or Abuse Form and given to their SUM/Supervisor.
- 11.2 Remember, prevention is always the best option; employees are more likely to respond positively if they know they have support.