

## Violence at Work Policy

### **Part one - The policy framework**

#### **1.1 Introduction**

This policy sets out Epping Forest District Council's framework for dealing with incidents of violence against staff, including threats and/or acts of violence. The Council is committed to ensuring that staff are able to carry out their duties in a safe and secure environment without fear, and will take all reasonable steps to protect and support its staff.

#### **1.2 Scope of the policy**

This policy covers all established employees, temporary employees, work experience students, visitors, agency staff, consultants and other contracted persons (either contracted directly or through another employer) during the duration of that contract.

#### **1.3 Definitions**

The Health and Safety Executive (HSE) defines work-related violence as:

“Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work”

This can include verbal abuse or threats as well as physical attacks, which may include any of the following:

- Threatening language involving excessive swearing or offensive remarks.
- Threats of violence
- Excessive and aggressive shouting at one or more individuals
- Malicious allegations relating to staff
- Significant threats or risk of serious injury to a member of staff
- Actual violence towards a member of staff
- Destruction of EFDC property

This list is not exhaustive.

### **Part two - Roles and responsibilities**

#### **2.1 Joint Chief Executive (Resources)**

The Joint Chief Executive (Resources) as Head of Paid Service is responsible for ensuring that the arrangements set out in this policy are in place to manage health and safety at work, including those relating to violence and aggression directed towards staff.

## **2.2 Heads of Service**

Heads of Service are responsible for ensuring that managers and staff are aware of their roles and responsibilities under the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999 and statutory requirements contained within other relevant health and safety legislation and guidance. Heads of Service are individually responsible for:

- The implementation of the requirements of this policy within their area of responsibility.
- Ensuring that all managers and team leaders properly discharge the responsibilities described below.
- Ensuring that they, and the managers and teams, are responsible for development of their own risk assessments and action plans to reduce the potential for and number of violent incidents towards staff where monitoring data shows that this is desirable.
- Maintaining up to date risk assessments for all reception/public areas and associated functions for which they have responsibility.
- Ensuring that all service level risk assessments complement corporate risk assessments (for example the interface of services in the Civic Offices reception area).
- Developing and maintaining safe systems of work for their public facing staff.
- Training their staff in local safe system of work.

## **2.3 Managers and Supervisors**

Managers and supervisors will promote a culture among staff which recognises that violence should not be accepted or tolerated, but should be reported and dealt with effectively to minimise further risks and create a more pleasant and safe working environment. Where incidents are reported, the manager/supervisor must investigate these fully, with advice from the Safety Officer. Staff must be supported and protected by ensuring issues are dealt with promptly and in line with the aims of this policy.

Managers and supervisors will ensure that this policy, and the arrangements for reporting violent incidents, are clearly published and understood by all staff working within their area of responsibility. They must ensure that all incidents of violence are reported to the Safety Officer and properly investigated, and that appropriate follow up action is taken in consultation with the Safety Officer. The employee who was subject to abuse/violence must be involved in the investigation, not only to establish the facts but also to gain any views about a possible way forward in terms of preventative action and any sanctions that may be considered. The employee who was subject to abuse/violence may have worked with the perpetrator and may have views that are pertinent to consider.

Managers and supervisors must make it clear to all staff and particularly to those working alone in the district, that in cases where a member of staff is under the threat of immediate assault, he or she should withdraw from the situation and report it to the manager as soon as possible.

It is the responsibility of the line manager to ensure that up to date risk assessments are in place for their sections. These should be undertaken in the manner prescribed by the Safety Officer and Risk Manager, and should be reviewed when a violent incident occurs or modifications are undertaken within the environment. It is essential that front line staff are fully included in the risk assessment process.

Where risks have been identified, these must be notified to the relevant Head of Service, and local action plans devised to manage the risks. A sample action plan is attached at Appendix 1. Consideration should be given to measures that are practicable and appropriate to the circumstances, including the use of CCTV cameras, the issue of mobile phones, discreet panic alarms and the implementation of appropriate protective measures for staff. These should be included within local action plans.

## **2.4 Employee responsibilities**

All staff have a general duty of care under Health and Safety legislation to take responsibility for the safety of themselves and others, and should take all reasonable steps possible to prevent incidents of violence in the workplace. Staff are expected to act in a friendly, courteous, respectful and helpful manner towards members of the public. All staff need to have an awareness of the positive and negative impact that their own behaviour can have within the working environment, as behaviour can prevent or trigger aggression and violence.

In addition, to ensure effective implementation of this policy, all employees have a responsibility to:

- Be aware of and abide by this policy, and undertake training as necessary to support its implementation.
- Ensure that they do not place themselves in a position where they are exposed to unnecessary risks.
- Report all incidents of violence to the relevant manager and complete an incident form.
- Co-operate with risk assessment process undertaken by their manager.
- Act in a calm and confident manner if faced with a potentially violent incident. Talking and listening to the individual involved and avoiding a tone of voice or body posture that might provoke an aggressive response may avoid a violent situation.
- In the event of an incident avoid being 'cornered' so that they can leave the area if a situation escalates.
- Avoid physical intervention wherever possible. No member of staff who finds themselves alone and faced with a potentially violent incident should attempt physical intervention unless such inaction would endanger themselves or others and where there is no opportunity to remove themselves from the situation. Where physical intervention is necessary, the law states that the degree of force used must be the minimum necessary as appropriate to the circumstances in order to deal with the violence. Excessive violence could result in a police prosecution against the member of staff.

- Remove himself or herself from the vicinity of an aggressor in a potentially violent incident as soon as possible, taking appropriate steps to minimise the risks posed to others. Any member of staff who genuinely believes they are under threat of an assault should withdraw from the situation at the earliest opportunity.
- Seek medical assistance where physical violence has occurred.
- Ask their manager whether police assistance should be sought. If there is any doubt as to whether they should be called, the safest course of action is to do so. Calls for police assistance should be made giving details of the number of people involved, the exact location, and the nature of any weapons involved, and where the Police should report on arrival.
- Provide support to any colleague who is the victim of a violent incident at the time, and act as necessary as a witness in any proceedings that may follow
- Respond to an alarm call if they are designated to do so. They must be trained to respond in an appropriate manner. Wherever possible there should be minimal touching and no restraint. Their actions need to be proportionate to the circumstances with which they are faced. In the event that a visitor becomes violent any member of staff (they may consult with a line manager if time and circumstances allow) should call the police and in very extreme cases the visitor should be restrained until the police arrive. This should only take place if an officer is trained in restraining techniques.

## **2.5 Employees working away from the office base**

The 'No Lone Visits' Policy states:

"Many Council officers visit people. This may be relating to benefit or planning enquiries, for example. In some cases, persons have displayed behaviour that can be considered dangerous to the visiting officer. Whether this behaviour is violent, abusive or threatening, it is unacceptable.

If a person is known to be a potential danger to a visiting officer, our policy is to ensure that the officer does not visit them alone. So that all visiting officers are aware of the potential danger, information concerning the person is kept on a 'No Lone Visits' list which is made available to relevant staff."

Where staff have experienced threats, abuse or violence from members of the public they have a duty to comply with the policy by completing an application to add a person to the lone visits list and forwarding it to the Safety Officer.

General guidance from the Staff Handbook is attached at appendix 4 for staff working away from the office.

## **2.6 Safety Officer responsibilities**

The Safety Officer is responsible for the following functions:

- The completion and updating of risk assessments relating to corporate areas/functions such as the Civic Offices reception area. Such assessments

will cover matters relating to the actual layout of the reception area and any common systems for reducing risks.

- The maintenance of the reporting and recording system and forms (Accident/incident/dangerous occurrence report form)
- The maintenance and distribution of the 'No Lone Visits' list.
- Feedback of statistical data relating to violence against staff at Safety Forum.
- Provision of advice and support to managers undertaking risk assessments and in dealing with incidents of violence.
- The co-ordination of actions, in conjunction with local management, relating to or arising from violent incidents. This will include liaising with the local police as necessary.

## **2.7 Head of Human Resource's responsibilities**

The Head of Human Resources is responsible for commissioning corporate training with respect to violence at work, including restraint techniques, dealing with abusive members of the public and dealing with difficult situations.

### **Part three - Support to staff who are victims of violence**

**3.1** The Council recognises that work-related violence, both verbal and physical, potentially has serious consequences for employees and the services we provide.

**3.2** Where there has been a violent incident, access to medical care and psychological support such as counselling are a priority, but the degree or nature of support will vary between incidents and individuals. The Council will discuss with the employee their support needs, and devise a clear plan of action.

### **3.3 Access to the counselling service**

Human Resources can be contacted to make arrangements for confidential counselling, for the victim of abuse/violence, provided by Harlow Occupational Health Service. This is funded by the Council.

### **3.4 Criminal action**

The Council may report any action which it believes is a criminal act to the police, and will co-operate fully with any police investigation. Support to the member of staff who is the victim will also be made available, as provided in paragraph 3.2.

### **3.5 Legal action by employees against a perpetrator of abuse or violence (Civil action)**

The Council is unable to directly represent a member of staff who wishes to take action against a perpetrator. However, the Council is able to financially support such legal action. This will be done where following the agreement of Management Board, the member of staff has taken independent legal advice (funded by the Council) which supports the proposed course of legal action. The Council will require direct access to the independent legal advice before a decision is made to financially

support the employee. Any requests of this nature are to be made via the Head of Service to Management Board.

### **3.6 Claims by members of the public against staff**

A member of the public may make a claim against the Council or a member of staff if the member of public believes that the employee acted inappropriately. In such cases the Council has public liability insurance; staff are covered against third party claims. These claims will be investigated by the Council's insurers to establish whether staff have acted in an appropriate manner, taking into account that they have been trained and carried out their actions in accordance with the Council policy.

### **3.7 Claims which may be made by staff against the Council**

If an employee, or someone working on behalf of the Council (but not a contractor, as they will have their own employer's liability insurance), is injured whilst carrying out their duties, they may make a claim against the Council. The Council will settle any claim it agrees to pay or is required to pay by a Court Order.

### **3.8 Other support which may be offered**

In appropriate cases, the Council may take action to prevent a member of the public from approaching the Council in person or by telephone, and restricting the contact that the individual may have, for example, to correspondence only.

### **3.9 Sick pay**

In the event of an employee being unable to work due to an act of violence against them, the Council will grant paid sick leave in accordance with the provisions contained in the Staff Handbook.