

**CORPORATE HEALTH AND SAFETY COMMITTEE –
12th APRIL 2006**

SUBJECT: DRAFT HEALTH AND SAFETY POLICY – VIOLENCE AT WORK

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of the draft violence at work policy. This policy report is subject to approval by HR Strategy Group on April 3rd.

2. SUMMARY

- 2.1 Violence at work is an increasing problem within Local Authorities and other agencies who deal with members of the public. The Home Office has estimated that the number of incidents of violence experienced by workers in England and Wales was 655,000 during 2004/05.
- 2.2 Physical attacks are obviously dangerous, but serious or persistent verbal abuse can also be a significant problem. It can cause damage to employees' health through anxiety and stress. For the Authority this could represent a real financial cost – through low staff morale and high staff turnover. Further costs may arise from expensive insurance premiums and compensation payments
- 2.3 The Health and Safety Executive has declared violence at work as one of its priority areas and is currently working on a three year program with the aim of reducing the occurrence of such incidents with the working environment within the U.K.
- 2.4 This policy is required to ensure that the Authority meets its legal requirements as specified in the following legislation:
- The Health and Safety at Work etc Act, 1974
 - The Management of Health and Safety at Work Regulations 1974
 - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- 2.5 This policy has undergone extensive consultation and has been agreed by the following groups:
- Health and Safety Professionals Group
 - Corporate Health and Safety Group, and
 - HR Strategy Group (subject to agreement at the meeting scheduled for 3rd April).
- 2.6 This policy has also been subject to direct management consultation via the Directorate Safety Officers and has received agreement with the various union representatives. UNISON representatives attended three meetings, over three months, where the policy was discussed and have been provided with extra time as requested to provide comments. Where comments were received they have either been incorporated into the attached policy document or an agreement reached on the existing wording. Whilst no formal agreement (or disagreement)

has been received from UNISON it was felt that this policy could no longer be delayed as it is required to protect the safety of the Authority's employees and may be required as part of the Authority's defence should an incident occur and criminal or civil proceedings follow. All other union representatives agreed the policy at the meeting held in February.

3. RECOMMENDATION

3.1 That the contents of the report be noted and the policy agreed.

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Health and Safety Professionals Group
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CAERPHILLY COUNTY BOROUGH COUNCIL

DRAFT VIOLENCE AT WORK POLICY

January 2006
Version 3

Corporate Health and Safety Unit document Reference Number: CHSU7

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NOTE

Wherever the designation “manager” is used throughout this policy, it is taken to mean Head of Service, Head Teacher, Line Manager, Supervisor and the Officer in charge or anyone who has responsibilities for employees in the course of their work.

1. INTRODUCTION

- 1.1. This document sets out the policy and outlines the protective and preventative measures to be implemented by Caerphilly County Borough Council (the Authority) to ensure the health, safety and welfare of its employees in relation to violence and aggression at work.
- 1.2. This policy sets out the arrangements and responsibilities for managing violence at work within the Authority.

2. POLICY STATEMENT

- 2.1. The Authority recognises that its employees are its most valuable resource in delivering high quality services to the community and will take all practical steps to ensure the health and safety of the Authorities employees, contractors and visitors to and users of council premises by not exposing them to hazards associated with violence in the workplace.
- 2.2. The Authority recognises there are inherent risks with some work activities which put the employees at greater risk of work related violence and will assess the risks and consider alternative safer systems of work where possible.
- 2.3. The Authority accepts it has specific duties under the Health and Safety at Work etc. Act 1974 and The Management of Health and Safety at Work Regulation 1999.
- 2.4. Incidents of violence and aggression between employees will be dealt with under the disciplinary procedure.

3. SCOPE

- 3.1. This policy has been agreed with the Trade Unions and applies to all employees
- 3.2. This policy will be reviewed at least annually to ensure it is in line with current legislation.
- 3.3. The effective date of the policy is:

4. DEFINITIONS

- 4.1. For the purpose of this policy, the Health and Safety (HSE) has defined violence as: 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.'
- 4.2. For the purpose of this policy, the public will be deemed to include clients, pupils, parents, contractors, visitors and colleagues.
- 4.3. For the purpose of this policy, the Corporate Violence at Work Register is INCHECK, Social Services SWIFT and Housing ACADEMY.

4.4. For the purpose of this policy, a 'visit' can be classed as a visit to a client's home or can be an invitation extended to a client into an Authority's premises.

5. LEGISLATION

5.1. This policy along with its supporting procedures is designed to ensure the Authority meets its legal obligation as stated in:

- The Health and Safety at Work etc. Act, 1974
- The Management of Health and Safety at Work Regulations 1999
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)

6. RESPONSIBILITIES

NB Please note that all employees have a legal responsibility to comply with health and safety law and the provisions of this policy. Failure to do so could result in personal and / or corporate liability.

6.1. The Chief Executive Officer will:

- 6.1.1 Be ultimately responsible for ensuring compliance with this policy within Caerphilly County Borough Council.

6.2. Directors will:

- 6.2.1 Be responsible for ensuring the effective implementation of this corporate policy and associated directorate arrangements within their service areas.
- 6.2.2 Ensure that appropriate resources are made available for the effective operation of the policy including training.

6.3. Managers with responsibilities for employees will:

- 6.3.1 Identify posts, which carry any element of risk towards violence and aggression.
- 6.3.2 Undertake, or ensure that a risk assessment for all identified posts is carried out and communicate the findings of the assessment to the relevant employees.
- 6.3.3 Co-ordinate the completion of any recommendations required as a result of the risk assessment.
- 6.3.4 Ensure where identified in the risk assessment, information, instruction and training is provided to all employees, within a suitable timescale, on the risks they are exposed to and the appropriate control measures.
- 6.3.5 Ensure the risk assessment is reviewed when there is reason to suspect the assessment is no longer valid or there has been significant changes in the work to which the assessment relates.
- 6.3.6 Ensure where identified in the risk assessment, a personal attack alarm is provided, employees have an out of hours telephone number in case of emergencies and mobile phones are issued, fully charged and coded warnings are in place to enable colleagues to summon help.
- 6.3.7 Ensure employees are aware of INCHECK and/or Swift and/or Academy, and there are arrangements in place to ensure all relevant employees are able to access the information held on the registers.
- 6.3.8 Ensure local arrangements are in place for the checking of the Directorate register before any employee visits are carried out, including out of hours visits where applicable.
- 6.3.9 Ensure employees are aware of the reporting procedure for violent and aggressive incidents.
- 6.3.10 Ensure a 'Violent Incident Report Form' [Appendix 1](#) is completed when an employee is exposed to any verbal or physical abuse ensuring actions are put forward to prevent re-occurrence and copies forwarded to the Directorate Health and Safety Officer and Corporate Health and Safety Unit.
- 6.3.11 Ensure a 'Good Visit Form' [Appendix 2](#) is completed when a visit is completed at a current offender, without incident.
- 6.3.12 Ensure employees understand the provisions for support the Authority has in place, following a physical and/or verbal incident.
- 6.3.13 Investigate any violent, aggressive incident where appropriate.
- 6.3.14 Ensure this policy is communicated to their employees.

6.3.15 Ensure their employees comply with this policy and associated Directorate arrangements for violence at work derived from this policy.

6.4. Each employee of the Authority will:

- 6.4.1 Comply with any working procedure or precautionary measure introduced to minimise the risk of violence and aggression.
- 6.4.2 Where appropriate carry out or request a search on the relevant violence at work register (INCHECK, SWIFT, ACADEMY) before any visits are carried out.
- 6.4.3 Inform their manager or appropriate officer promptly of any incident involving violence and aggression and complete the Violence Incident Report Form.

6.5. The Corporate Health and Safety Unit will:

- 6.5.1 Ensure the violence at work policy is reviewed at least annually to ensure it is in line with current legislation.
- 6.5.2 Co-ordinate meetings of the review panel as and when required.
- 6.5.3 Send the relevant correspondence to members of the public who have been placed on the violence at work register as required.
- 6.5.4 Direct any 'Freedom of Information' requests to the Information Unit.
- 6.5.5 Provide advice and information on legislation or guidance relating to violence and aggression.
- 6.5.6 Audit compliance with this policy.

6.6. Directorate Health and Safety Officers will:

- 6.6.1 If required, provide advice and support to managers with regards to carrying out the risk assessment on violence and aggression.
- 6.6.2 Assist in the development and review of procedures in place within their Directorate in accordance with the Corporate Policy on Violence at Work.
- 6.6.3 Where appropriate investigate violence at work incidents together with the relevant manager.
- 6.6.4 Ensure local arrangements are in place for the transferring of information between the Directorate register and the corporate violence at work register, INCHECK.

- 6.6.5 Ensure local arrangements are in place for the checking of the Directorate register before any employee visits are carried out, including out of hours visits where applicable.
- 6.6.6 Ensure when a 'Violent Incident Report Form' is received it is entered onto the corporate register, INCHECK.
- 6.6.7 Ensure when a 'Good Visit Form' is received it is entered onto the corporate register, INCHECK.
- 6.6.8 Inform the CHSU of any entries within their Directorate that should be referred to the review panel.
- 6.6.9 Ensure an e-mail is sent to all Health and Safety professionals when a new entry is made onto the corporate register, INCHECK.
- 6.6.10 Ensure any violent incident, which becomes reportable is reported to the HSE within the required timescale as detailed in the Corporate Health and Safety Policy.
- 6.6.11 Ensure the communication of the Corporate Policy and Directorate arrangements to all managers within their Directorate.
- 6.6.12 Monitor the effective implementation of this Corporate Policy and associated Directorate Arrangements.
- 6.6.13 Where requested form part of the "review panel".

6.7. Occupational Health Department will:

- 6.7.1 If required provide advice and support to employees and managers who have been affected by violence and aggression.
- 6.7.2 Maintain health records of any employees relating to above. These records must be kept for at least forty years.

7.0 ARRANGEMENTS:

7.1 Violence and aggression could include the following:

- 7.1.1 Verbal aggression, including shouting and swearing, perhaps with violence against objects, for example banging the desk, overturning a chair, etc.
- 7.1.2 Threats of violence, both verbally and with threatening looks and gestures, with or without a weapon; for example
 - Pushing
 - Poking

- Punching
- Slapping
- Kicking
- Spitting
- Head butting

Physical pushing or pulling of the whole person into greater danger, for example throwing downstairs, on to an electric fire, into a car, behind bushes, etc;

7.1.3 Interference with the person's belongings or property;

7.1.4 Violence with a weapon for example gun, knife, stick, chair, etc;

7.1.5 Sex-related aggression and violence, racist language, taunts and Acts of bullying (These are also covered by Authority policies)

7.2 Threats:

7.2.1 A threat is a clear declaration or indication of someone's intention to inflict punishment or pain.

7.2.2 A threat might also manifest itself as a gesture such as a withdrawn arm with a clenched fist or a combination of verbal or physical intention.

7.3 Risk Assessments:

7.3.1 Risk assessment is a line management responsibility for those who have responsibility for employees who may be exposed to violent/aggressive incidents, whilst at work. The line manager, or nominated person carrying out assessments must have received suitable risk assessment training.

7.3.2 The Management of Health and Safety at Work Regulations 1999 places a duty on employers (The Authority) to make a suitable and sufficient assessment of the health and safety risks to which their employees (and other not in their employment) may be subjected. This includes risks from violence and aggression.

7.3.3 Please refer to 'Risk Assessment Policy' for further information.

7.4 Assessment Records:

7.4.1 Any violence and aggression risk assessment carried out must be kept by the line-manager until a new assessment is made.

7.4.2 The violence and aggression risk assessment shall be reviewed when there is reason to suspect that the assessment is no longer valid, or there has been a change in the work to which the assessments relates. The revised risk assessment shall be communicated to the relevant employees.

7.4.3 Please see 'Risk Assessment Policy' for further information.

7.5 INCHECK, SWIFT, ACADEMY:

7.5.1 The Authority has implemented a computerised Corporate Register of violent people or addresses systems, INCHECK, SWIFT in Social Services and ACADEMY in Housing to address Violence at Work.

7.5.2 It is imperative that the relevant checks are carried out **prior** to any visits. This should be used to ensure that suitable and sufficient controls are in place.

7.5.3 A 'visit' can be classed as a visit to a client's home or can be an invitation extended to a client into an Authority's premises.

7.6 Training:

7.6.1 Where identified in the risk assessment, employees who have to deal with situations, which may become difficult, must be trained, within a suitable timescales, in how to handle such circumstances. The training must be tailored to the specific needs of the group of employees attending the training and will raise employees' awareness and include how to defuse situations, recognise the danger signals and what to do if a violent situation occurs etc.

7.7 Reporting Procedure, Generic:

7.7.1 Please see [Appendix 3](#) for the reporting procedure.

7.7.2 There is a legal requirement for the Authority to notify the Health and Safety Executive if an incident of 'non consensual physical violence' in an employee being off work for 3 days or more. The Directorate Health and Safety officer, in accordance with corporate policy, will carry this out.

7.7.3 All incidents of violence, which result in physical injury or verbal assault, may be reported to the police.

7.7.4 Wherever possible the wishes of the offended person will be taken into account when reporting any incident, but the Authority has the responsibility to protect its employees and will report a serious assault or threat of assault where the circumstances warrant it. In all cases the Authority will take steps to protect the identity of the victim.

7.8 In The Event of a Physical or Verbal Assault: Course of Action:

7.8.1 In the event of a physical or verbal assault, employees who suffer shock or injury should obtain immediate medical attention.

- 7.8.2 Directors/Managers/Headteachers will decide on appropriate future courses of action where employees have been assaulted. These actions will depend on the circumstances and if the violent and aggressive behavior continues and presents an unacceptable risk to employees.
- 7.8.3 If a violent act has been committed by a member of the public then the Authority may, after following its internal procedures, withdraw its services from that person.
- 7.8.4 Where in the event of physical/verbal assault by another Authority employee, the Authority will, in line with HR policies, take appropriate action to ensure violent behavior does not occur again.

7.9 Support to Employees After a Physical or Verbal has occurred.

- 7.9.1 Employees who have been the victims of physical or verbal incident may need practical information and emotional support. The STRESS LINE retained by the Authority is available to offer this support.
- 7.9.2 The Occupational Health Section is also available to provide practical information and emotional support.
- 7.9.3 The free phone number for the ‘STRESS LINE’ is **0800 783 52 73**.
- 7.9.4 Advice on making an individual claim to the Criminal Injuries Compensation Authority can be obtained from Human Resources, Tread Union or Citizen Advice Bureau.

8. SUPPORTING DOCUMENTS

8.1 Guidance:

- 8.1.1 Violence at Work – HSE Guidance
ISBN 0 7176 1271 6 INDG 69(rev)
- 8.1.2 Caerphilly County Borough Council’s Policy on Lone Working.
- 8.1.3 Caerphilly County Borough Council’s Policy on Risk assessment.
- 8.1.4 Caerphilly County Borough Council’s Corporate Health and Safety Policy.
- 8.1.5 Caerphilly County Borough Council’s Guidelines on Dealing with “Violence and Aggression at Work”.

Appendix 1 – Violent incident report form.



**VIOLENT INCIDENT REPORT
FORM**

DETAILS OF OFFENDED PERSON

Name:

Job Title:

Service Area:

Location:

Telephone/Extension No:

Directorate:

Home Telephone No:

STATUS: EMPLOYEE/TRAINEE/WORK EXPERIENCE/OTHER (PLEASE SPECIFY)

REPORT OF VIOLENT INCIDENT

Date of Incident: Day: Time of Incident:

Location of Incident:

What were you doing at the time:

DETAILS OF THE ASSAILANT(S) (if known)

Name: Age: Male/Female:

Address:

Other Details (e.g. description):

DETAILS OF WITNESS(ES)

Name:

Address:

Name:

Address:

Other Details:

Details of Incident: (Please tick as many of the boxes as are appropriate. If physical injury occurs an Accident Form must also be completed. This form must be filled in to the best of your knowledge).

Leading up to the Incident

- | | | | | | | | |
|----------------------|--------------------------|-------------------|--------------------------|-------------------|--------------------------|------------------|--------------------------|
| Involvement of Drugs | <input type="checkbox"/> | Solvents | <input type="checkbox"/> | Alcohol | <input type="checkbox"/> | Offensive Weapon | <input type="checkbox"/> |
| Sexual Harassment | <input type="checkbox"/> | Racial Harassment | <input type="checkbox"/> | Mental Disability | <input type="checkbox"/> | Not Known | <input type="checkbox"/> |

Type of incident

- | | | | | | | | |
|-----------------------|--------------------------|-------------------|--------------------------|---------------------------|--------------------------|------------------------|--------------------------|
| Anti Social Behaviour | <input type="checkbox"/> | Verbal Abuse Only | <input type="checkbox"/> | Threat of Physical Injury | <input type="checkbox"/> | Actual Physical Injury | <input type="checkbox"/> |
| Damage to Property | <input type="checkbox"/> | | | | | | |

BRIEF DESCRIPTION of incident, including the RELEVANT events leading up to it, and nature of any injury and damage caused. Please continue on a separate sheet if necessary:

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.....
.....

Immediate Action Taken

Medical Treatment Police Involved Accident Report Form Completed Head of Legal Services Consulted
Injured Employee Given time off work. Senior Management Informed Counselling offered

Please give details:

.....
.....

Please add here any other comment you wish to make (feel free to continue on a separate sheet):

.....
.....
.....

I certify that to the best of my knowledge, these details are correct.

Signature of Offended Person: Date:

STATEMENT OF WITNESS(ES)

I confirm that I actually saw the incident detailed above, and that the details are correct.

NAME:

SIGNED: DATE:

NAME:

SIGNED: DATE:

Action to be taken by Head of Service/Headteacher/Officer in Charge/Manager including action taken to prevent a reoccurrence.

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Signature of Head of Service/Head teacher/: **Date:**
Officer in Charge/Manager

Appendix 2 –Good Visit Form



**RECORD OF VISIT TO A HOUSE/PERSON
ON THE VIOLENT INCIDENT REGISTER**

Person/House Visited:

.....

Name of Officer Making Visit:

Directorate:

Date of Visit: **Time of Visit:**

Reason on the Violent Incident Register:

Verbal Abuse **Threat of Physical Injury** **Damage to Property**

Actual Physical Injury **Anti-Social Behaviour**

Purpose of this Visit:

.....

Detail of the Visit:

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Any Incidents During Visit: **Yes** **No:**

Any Recommended Future Action:

.....

.....

Signed: **Date:**

**PLEASE RETURN COMPLETED FORM TO YOUR DIRECTORATE SAFETY OFFICER AND
CORPORATE HEALTH AND SAFETY UNIT**

