

Health, Safety and Wellbeing Management Arrangements

Core | Consider | Complex

Management of Violence and Aggression

1. Success Indicators

The following indicators will demonstrate appropriate compliance:

- a) Managers are aware of their responsibilities with regard to the effective management of work related violence.
- b) Unacceptable standards of behaviour and sanctions against unacceptable behaviour are communicated to staff, service users, pupils and members of the public.
- c) Managers are effectively risk assessing and managing the risks associated with work related violence.
- d) Managers share specific information with all relevant staff and external parties.
- e) Employees have received suitable information, instruction and where needed training.
- f) All work related violent incidents are reported by employees.
- g) Managers investigate all work related violent incidents and support staff post incident.
- h) Managers monitor and review local arrangements implemented to reduce the risk of work related violence.

2. Overview

There is a legal duty to ensure, so far as is reasonably practicable, that employees are protected from violence and aggression resulting from their work. Staffordshire County Council views acts of violence and aggression towards its employees or any other persons under its care as unacceptable.

3. Management Arrangements

These arrangements will apply to employees and contractors working on county council premises or when engaged in county council activities.

Work related violence is considered to be behaviour directed by a service user, pupil, their relatives or carers, members of the public, visitors or other person which produces damaging and hurtful effects, physically or emotionally in other people. This includes:

- Assault/abuse causing actual physical injury or distress.
- Verbal or written aggression which offends the individual.
- Damage to property.
- Assault to others including members of an individual's family.
- Stalking.
- Animal attacks.
- Threat or fear of any of the above.

Where the alleged perpetrator is a member of staff incidents will be addressed by HR Discipline Policy.

Risk Assessments

Managers must consider the potential for violence or aggression as part of the risk assessment process. Where a risk assessment indicates that a significant risk of violence and aggression exists, actions must be taken to reduce the risk as far as reasonably practicable. Measures which prevent

the occurrence of violent incidents are preferable to those that reduce the severity of the violent incident.

Managers and staff must work together to identify the potential for violence and aggression that may come from:

- the work environment,
- the job role,
- the actions of other people who work with you,
- the circumstances or individual factors of the service users with whom you normally expect to work with,
- the methods of communication or the way the service is delivered.

Good information is vital for ensuring the health and safety of persons exposed to the risk of violence. Managers should have access to relevant information including risk assessments, incident history and information relating to specific sites or persons. Communication and information sharing must be encouraged at all levels including external parties such as the police and NHS. Where appropriate information sharing protocols should be developed and the Information Governance Unit should be contacted for advice.

Standards of behaviour

The council believes that all citizens have a duty to treat each other with dignity and respect and to behave in an acceptable and appropriate manner. In line with our commitment to equality, we strive to create an environment, free from harassment, where individuals are valued and cultural differences are understood and appreciated. Unacceptable standards of behaviour and sanctions against unacceptable behaviour need to be communicated to staff, service users, pupils and members of the public.

Unacceptable behaviour will not be tolerated. Examples of unacceptable behaviour include:

- Offensive language, verbal aggression, swearing, unwanted or abusive remarks which makes individuals feel unsafe
- Invasion of personal space
- Brandishing of objects or weapons
- Physical assaults
- Offensive gestures
- Threats or risk of serious injury to a member of staff, service users or visitors
- Near misses i.e. unsuccessful physical assaults
- Stalking
- Spitting at people
- Alcohol or drug fuelled abuse
- Unreasonable and/or abusive behaviour
- Any of the above linked to destruction of or damage to property

Staffordshire County Council recognises it has a duty to promote a safe and healthy working environment to provide support to any employee who is the victim of domestic abuse and to protect employees from the risk of violent attacks from partners, ex-partners or family members while they are at work. Refer to the HR policy Domestic Abuse for more information.

The right to use reasonable force

Employees have a civil right to use reasonable force to defend themselves.

Physical Intervention

In some settings the use of physical intervention is authorised where it is necessary for the protection of any member of staff, service user or any other person who may be present. Restrictive physical intervention must only be used as a last resort where the risk of physical injury is imminent or to avoid further injury (refer to management arrangements and guidance on Restrictive Physical Intervention). Employees who undertake physical intervention must be provided with the appropriate level of information, instruction and where appropriate training.

Incident Reporting and Investigation

Incident reporting is an essential element of preventing violence and aggression. A member of staff who has been the subject of violent/abusive behaviour must report the incident to their line manager as soon as is practicable. Staff must report all incidents of violence or aggression, even if they are of a minor nature. If an injury resulted from an incident the accident book must also be completed. The Health, Safety and Wellbeing Service will notify the HSE if a violent incident is reportable under the RIDDOR Regulations.

Where it is not practical to record every incidence of minor verbal aggression using the council process managers must put in place a local system for recording brief details of any incidents of perceived minor verbal aggression reported by their staff. The record should be a summary of the incident and should include date and time of incident, name of employees involved, name of aggressor and a brief description of what was said and the circumstances. This summary record should be kept on site or with the line manager and will be audited by the senior manager. The information may be requested by the Health, Safety and Wellbeing Service at suitable intervals.

All incidents must be investigated thoroughly by the line manager as soon as possible after the event. Information from the investigation should be used when carrying out a post incident risk assessment.

Post incident management

Even with effective risk management strategies in place, incidents of violence, aggression and abuse at work may still occur. It is therefore an essential that appropriate procedures are in place following an incident.

The support that staff must receive will include:

- As a priority support with their immediate needs e.g. first aid or medical treatment.

- A debriefing for all employees directly involved. Debriefing allows the details of the incident to be established and provides emotional support. The intention of debriefing is to create a supportive system for employees to learn from the experience and to enhance the development of good practice. Debriefing will normally be in 2 stages details of which are available on the intranet. A record of the debrief including the support provided and actions required should be made.

Police Involvement

The role of the police in connection with violence and aggression falls into 3 main areas: -

- (a) During an incident the employee or the senior member of staff may make a judgement that assistance from the police is required. In these circumstances urgent help should be sought from the police by telephoning 999. Staff must be aware that the police will take charge of the whole incident upon their arrival.
- (b) Following an incident, at the request of staff, the police may be asked to investigate any potential criminal act. It is for individual to decide whether they wish to make such an approach to the police. If the incident involves service users, colleagues need to be aware of the inability of some individuals to understand their own actions and their potential consequences and therefore to be held legally responsible for their actions.
- (c) Staff have a civil right to report an incident to the police and management will inform staff of that civil right. In some cases it may be appropriate to report an incident to the police without requesting that they investigate but so that they can issue a crime reference number. The member of staff can, if they wish, proceed with a claim to the Criminal Injuries Compensation Authority (CICA).

Prosecution and Legal Assistance

- (a) If criminal charges are brought and any employee is required to give evidence in court, then paid leave of absence will be granted.
- (b) Whether or not the police prosecute, an employee may themselves pursue the matter by taking private legal action against the assailant.
- (c) Personal Accident (Assault) cover is in place for employees sustaining bodily injury by assault as a result of which death or disablement occurs independently of any other cause within 24 months of sustaining such injury. The injury must have occurred when the employee was engaged in official duties in connection with the County Council's business. This includes journeys directly connected with the duties and direct travel between private residence and place of duty.
- (d) Employees may seek legal advice from their trade union / professional association who may decide to provide the necessary finance to enable private proceedings to go ahead.

4. Training and Information

Managers are required to identify the training needs of their team as part of the ongoing risk assessment process. It is important that training records are monitored and refresher training is provided as required.

Training can prevent conflict situations from arising or escalating into violence. Such training should enable staff to recognise and leave situations that they consider unsafe. Assertiveness training (often part of customer care training) is invaluable to staff who work with individuals who use aggression to influence workers' decisions. Management of violence training needs to be directly relevant to the staff group. 'Break away' training is another example of training where a member of staff may need to actually break away from an assailant.

Supervision/Personal Performance Review

Staff Supervision/Personal Performance Reviews should address issues relating to the risk and fear of violence in connection with individual employees' work. It should also include a regular check on the staff member's awareness of local arrangements.

5. Monitoring and reviewing these arrangements

Incident reporting is an essential element of preventing violence and aggression as it allows for monitoring and reviews to take place. Manager must review reports of incidents to ensure:

- the effectiveness of control measures
- identifying and modifying those control measures in need of improvement or change
- the provision of appropriate resources and training
- identifying further action such as court orders
- the evaluation of trends.

6. HSW Supporting Information

- Lone Working Management Arrangements
- Restrictive Physical Intervention Management Arrangements & Guidance