

Hillside Primary School

Violence at Work Policy



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Contents

(Based on Norfolk County Council guidelines as of May 2016)

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1. Introduction

Some employees regularly work in situations where there is the potential to experience violent behaviours. Norfolk County Council (NCC) takes a serious view of violent incidents. We will support any employee who experiences violence at work and acknowledge that no employee should have to work in fear of assault. Our employees should not tolerate violent behaviour as simply “part of the job” nor accept it as an indication of failure in providing a service. Where services are more likely to encounter violent incidents, their commitment to the management of violence at work is outlined in a statement of intent as follows:

- Children’s Services
- Adult Social Care
- CES

We will support employees who leave escalating violent situations. NCC adopt the principles of preventing, controlling and defusing a situation is applied rather than the use physical intervention with a violent individual. The use of breakaway techniques using minimum force is only agreed for specific service area risks on case by case basis.

2. Scope

A violent incident can be described as any incident in which an employee is abused, threatened or assaulted by a member of the public/client/pupil in circumstances arising out of the course of their employment. This includes incidents of hate crime, intimidation, use of social media and telephony.

This policy does not apply to violence in respect of an employee’s behaviour towards a colleague, which is detailed in the Bullying and Harassment Policy.

3. Principles

A risk based approach is applied to the management of violence at work, ensuring that risk reduction measures are proportionate to the risk presented. Managers must ensure that a suitable risk assessment is carried out. This policy links closely with [Lone Working](#), however, not all violent incidents occur while lone working takes place.

4. Policy – Risk Assessment

This policy outlines control measures which must be applied in relation to:

- Environment and organisation
- Employees
- Service Users and members of the public.
- The work being undertaken

4.1 Work environment and organisation

Risk assessment must consider specific factors which relate to reducing the risk of violence in specific work environments, for example, within reception areas. The guidance details information to assist with ensuring that both premises and the way in which NCC carries out their work reduces the risk.

The design of NCC premises and equipment must consider specific risks in associate to violence at work.

4.1.1 Schools and Public Access Buildings

NCC public buildings must display a copy of the NCC Expect Respect requirements in their premises which is available from <mailto:internalcomms@norfolk.gov.uk>

Specific Charters based on the expect respect principles may be drawn up within departments, schools and service areas to address particular aspects of behaviours and standards.

4.2 Employees

4.2.1 Competency (and training)

Employees who work in situations where violence may occur must be competent in the ongoing process of risk assessment. Competency is achieved through a combination of skills, experience, knowledge, training and aptitude. Managers must ensure that all employees are familiar with local safe working practices and receive appropriate information, instruction and training to ensure their competency.

4.2.2 Information, instruction and training

Managers must ensure that all employees fully understand safe working practices. Where relevant to the role, this must include:

- Responsibilities for risk assessment processes and deciding on whether it is safe to proceed.
- Information to be used as part of the risk assessment process, for example, CareFirst, shared information from third parties. That the absence of information must be treated as a risk in itself
- How to apply a range of techniques to avoid, reduce and manage potentially violent situations.
- Lone worker monitoring requirements including the use of lone worker devices where they are provided
- Incident reporting
- Available support after experiencing a violent incident.
- [Guidance on Personal Safety](#) where it applies to the role.

4.2.2.1 Personal Safety Training

One day Personal Safety Training

Personal safety training is provided to employees (detailed in the NCC Lone Working Policy). This training is relevant for employees who do not lone work but work in higher risk situations. Details of training is provided in on the [Learning Hub](#).

E-learning

All employees who work in the community should complete [personal safety e-learning](#) (please note – this is an overview of personal safety and does not replace the requirement for Personal Safety Training described above)

Norfolk Steps

Norfolk Steps provides training relevant in personal safety and physical intervention within settings, such as schools and provide advice on the safe and effective use of everyday physical interventions. Please note: physical interventions are only applied in specified activities within NCC such as school settings, this course includes the use of restrictive physical techniques which are only applied on a critical individual care planning basis.

Further information about this training can be obtained by contacting: [The Professional Development Centre, Norwich](#).

Other specific training

- Where managers consider the provision of “break-away” techniques, contact must be made with the Health, Safety and Well-Being team in order to assist with process review
- Mental Health Awareness training is intended to raise general awareness and can assist employees with a general understanding of behaviours. This training is particularly helpful when working with the general public, for example, reception and library staff.
- Risk assessment may identify further specific training such as dealing with difficult telephone conversations.

4.2.3 Protecting personal information

Managers must advice employees on [Protecting Personal Information Online](#).

4.2.4 Arrangements for leaving unsafe working situations

Managers must ensure that employees are supported if they terminate the work to protect their (or others’) safety.

4.3 Service User Information

Where Departments maintain Service User records, they include characteristics which contribute towards the risk of violence towards staff for use to assess the risk of violence towards employees

Managers must ensure that all Service User records are kept up to date and referred to as part of the risk assessment process.

4.3.1 Data Protection

Relevant information is needed in circumstances where staff need to assess the potential for violence or aggressive behaviour.

It is often believed that data protection legislation protects the rights of the aggressor and takes priority over the rights of the worker, and that personal information cannot be recorded and shared. Recording and sharing of personal information is often essential to enable an adequate risk assessment to be carried out.

The Data Protection Act is not a barrier to sharing information. It is intended to form the basis of data management.

4.4 Abusive telephone calls

The requirements of this policy apply to telephone calls where there is an increased risk of receiving verbal abuse, for example, the Customer Contact Centre, Complaints Teams. The following general principles must be incorporated into working arrangements if an abusive call takes place:

- Be patient, after a few moments the abusive language may abate.
- Try not to become upset or react with a similar response, it will likely exacerbate the reaction of the caller.
- Try to remain calm but listen and remain attentive to the caller.
- If the behaviour persists, advise them clearly that unless they are able to continue the discussion without causing offence, the call will be terminated.
- If they continue to be offensive then terminate the call advising the caller "I am terminating this call".
- Terminate the call and follow the arrangements to report the incident.

4.5 Individual Adjustments

Employees that may find it difficult to remove themselves from a potentially violent situation quickly, due to a disability or medical condition should develop an individual strategy with the support of their manager.

4.6. Reporting violent incidents and taking relevant action

4.6.1 Completing Incident Reports

All incidents of violence including threatening/abusive behaviour must be reported and investigated using the NCC incident reporting arrangements. Where repeated verbal abuse occurs, for example, as a result of the service user's medical/health factors, a service user log can be kept. [The G630d Reporting violent incidents flowchart](#) must be followed in order to identify where this applies.

Where a log is kept, the following information must be recorded: service user name, incident dates, incident description, employee(s) involved, site, action taken.

4.6.2 Range of Sanctions

Managers must consider medical/health factors of the individual into consideration before any actions are taken.

There are a wide range of measures that can be taken depending on the severity of the incident. These sanctions may assist in reducing the risks and demonstrating acceptable standards of behaviour. Sanctions include:

- Verbal warnings
- Acknowledgement of Responsibilities Agreement
- Written warnings
- Withholding the service and/or alternative delivery of the service

Legal sanctions may include:

- Civil Injunctions and Anti-Social Behaviour Orders
- Criminal Prosecution

NCC is committed to working with the Police and Crown Prosecution Service to ensure the best possible response and action taken is appropriate in the circumstances. Please contact NP Law to arrange for legal sanctions.

Please note: where a significant violent incident has occurred, for example, physical injury, threat of serious harm the police must be informed.

Please see [G630e Guidance on sanctions in relation to violent incidents](#) for further information.

4.7. Individual perception of violence and organisational requirements

The impact of violence at work varies significantly from one person to another. We all have different levels of tolerance and views as to what is personally acceptable. Individual views should not influence the implementation of this policy (including the need to report incidents).

Incident reporting leads to thorough investigation, the reduction of risk to all members of staff (through having relevant risk assessment information) and a potential positive impact on behaviours within the community. Although it is difficult to provide a comprehensive description of all types of non-physical assault, the following list of behaviours must be reported:

- Verbal abuse – unnecessarily swearing at the employee or speaking in a way that makes an employee feel unsafe (including behavior which is alcohol or drug related)
- Making unwanted or abusive remarks
- Negative, malicious or stereotypical comments
- Invasion of personal space and use of threatening gestures, such as making a fist or punching objects
- Threats of injury to an employee
- Stalking
- Unreasonable behaviour and non-cooperation such as repeated misuse of use equipment in a public building
- Causing damage to employee's or NCC property
- Hate crime

It is important to remember that such behaviour can be either in person, by telephone, letter, e-mail or other form of communication such as graffiti and the use of social media.

4.7.1 Factors which may impact on making a formal incident report

There can be a prevailing belief that either the service user's behaviour or the competence of the employee is at fault, this can lead to a reluctance to report violent incidents due to potential repercussions.

However, in all but serious incidents of violence the information recorded on the NCC reporting system is only used to inform proactive and reactive management interventions to reduce the risk of violence.

4.8 Risk Assessment Review

Managers must ensure that adequate reporting and feedback mechanisms are in place that allow for new information to be gathered about any changes which impact on the risk assessment. Required changes to working practices must be assessed and communicated to all relevant staff.

4.9. Support for employees

Staff morale and confidence can be improved if they see that there is a genuine commitment to supporting them and pursuing prosecution in cases of assault.

Where an employee is injured or otherwise suffers as a result of a violent incident in the course of their work, NCC will provide support.

If an employee is injured or in shock, assistance should be given with arranging medical treatment. There may be circumstances where an employee should be collected from their location or taken

home if they are unable to drive, due to the emotional impact an incident has had.

Initially there should be no presumption of failure by the employee because violence has occurred. Line managers should talk through the incident as soon as possible. It is important that any management discussion and debriefing does not just focus on how they performed but addresses the effects on them as individuals. Management involvement and investigation is a reflection of the seriousness of the incident and supports the experience of the victim. These behaviours reflect the safety culture that NCC fosters.

Support should be given to the employee in addition to medical attention. A confidential counselling service, Norfolk Support Line (NSL), is provided to employees through NCC NSL can be contacted at any time and offers confidential and independent advice on any aspect of working arrangements that may cause an individual undue concern. Managers should remind employees of the availability of NSL and encourage its use.

Employees should be advised of the legal options open to them (see sections 4.10 and 4.11). In some circumstances it may be appropriate to refer the individual to their trade union for legal advice.

4.10 Specific plans responding serious threats and high risk cases.

On rare occasions, the level of threat to the personal safety of an employee (or people associated with an employee) may be high. Guidance document, [Personal Safety in High Risk Cases and Serious Threat](#) must be implemented where required.

4.10.1. Hate Incidents

Behavior motivated by prejudice or hate is never acceptable. Staff that experience hostility or abuse by a client or member of the public because of their age, gender, race, religion, disability or sexual orientation **must** report it to the police and their line manager. Likewise, if a member of staff witness an incident it may be considered a disciplinary offence if they do not report it to the relevant people

Hate Incident/Crime is defined as “any incident which may or may not be a crime and is perceived by the person or any other person as being motivated by prejudice or hatred”

A hate crime is any offence committed against a person or their property motivated by the offender's prejudice or hatred of that particular person or group of people because they are seen as being different. (Only the police can classify a Hate Incident as a Hate Crime).

For more detailed information read the Norfolk County Council Hate Incident Procedure

4.11. The role of the Police after an incident

If there is a severe disturbance, assault or threatened violence, the Police should normally be contacted by the line manager. If the Police are involved the Crown Prosecution Service (CPS) may decide to prosecute an assailant. If however the CPS decides not to prosecute, the employee has the option of pursuing the matter by taking private legal action against the assailant.

If an individual decides to take private legal action, it should be remembered that they have already suffered from the assault itself and it is important that they are reassured and guided in seeking legal redress.

4.12. Compensation to employees

Individuals who are injured or suffer damage to their property through no fault of their own and as a consequence of their work should not be financially disadvantaged.

In this context, where injuries are sustained which result in absence from work, the absence may be treated as being attributable to industrial injury in line with the guidance in P313 Improving Attendance Policy and Procedure, and may not count against the normal sick pay entitlement.

Any further or alternative extension of full or half pay may only be agreed by the relevant Chief Officer and with the approval of the Head of HR.

Compensation for any injuries sustained may come from a number of sources depending on the nature and severity of the injury including:

- National Conditions of Service that prescribe various payments to compensate for permanent disablement or death
- Application to the Head of HR for compensation via the relevant Chief Officer

If the injuries are the result of an assault it may also be possible to claim compensation from the Criminal Injuries Compensation Agency (CICA). Information on the CICA can be found on the Ministry of Justice website. Please note, the CICA has strict eligibility criteria for claiming compensation, this includes reporting the incident to the police.

If personal property is damaged as a result of an assault, whether it be damaged clothing or more valuable items, compensation may be available through various insurances held by NCC. An application must be made in line with the NCC Policy for Compensation in cases of death; accident; injury; loss or damage to personal property.

5.0 Specific policy responsibilities

5.1 Heads of Service and Senior Management Team

- Refer to the Health and Safety Senior Manager Risk Profile Tool where applicable to ensure that suitable strategic control measures are in place for violence risks.

- Ensure that suitable departmental arrangements are in place to record the risk of violence in an easily retrievable and consistent format for the purpose of future risk assessment.
- Ensure that the requirements of this policy are implemented across relevant areas of the department.
- Lead by example and foster a positive culture of good personal safety practice from the top of the organisation
- Ensure that arrangements for joint working and information sharing with other relevant agencies are made where possible.

Where there is a significant risk of violence (due to the nature of the work) it is recommended that a SMT Member is appointed as Personal Safety Champion in order to lead in the following areas:

- Ensuring performance standards
- Maintaining future focus
- Raising the profile of personal safety
- Ensuring that the impact of change on health and safety measures is considered, for example, changing a reception service from staffed to unstaffed altering necessary security arrangements.

5.2 Line Managers/Supervisors

- Identify foreseeable areas of work and working environments where employees may be at risk of violence.
- Ensure risk assessments are carried out and safe working practices are implemented. This includes ensuring that employees are not exposed to undue risk of violence.
- Ensure that specific service area arrangements and procedures are communicated to all relevant employees, including information sharing arrangements with other agencies.
- Where required ensure that employees are suitably trained and competent to fulfil their duties in a manner which will not unduly escalate or promote the likelihood of violence occurring.
- Ensure that employees are aware of the procedures to follow if violence occurs including where it is appropriate to terminate meetings or interactions with service users.
- Where under their control, ensure that adequate resources are available for the purpose of reducing the risk of violence at work, for example, where employees are required to make a two person visit instead of lone working. Where this is not under their control, escalate requirements to senior management as needed.
- Ensure that lone working does not take place where there is an identified unacceptable risk to the lone worker.
- Encourage the prompt reporting of violent incidents within your areas of management control.
- Foster a culture of safe working practice which reduces the risk of violence at work, e.g. regularly discuss personal safety arrangements at team meetings, professional supervision and during 1-2-1s, reinforce the use of risk based decisions made by employees in potentially violent situations.

Where Service User records are kept:

- Ensure that all team members have the time available to keep relevant records up to date for the purpose of personal safety risk assessment.
- Ensure that all team members have had suitable training and are aware of how to record relevant risk assessment information.

- Ensure all relevant team members have ready access to the information kept on service users/pupils and work environments.

5.3 ICT, Procurement, Project Managers and Project Teams

Where appropriate to the role:

- Ensure that opportunities to improve data sharing and information recording are included in relevant projects, including making links with other agencies.
- Ensure that health and safety risks, for example lone working, are assessed at the planning stage of change, procurement, commissioning and partnership working.
- Ensure that relevant risk information is available and accessible to employees, for example, office based and remote workers.
- Ensure that suitable means of recording and retrieving risk information is provided to employees. Ensure that safety measures are built into the design and facilities of buildings.

5.4 Employees

- Implement the risk assessment arrangements that are put in place within your department.
- Attend training that you are required to undertake.
- Discuss any concerns of risk of violence with your manager when planning visits and meetings with Service Users.
- Ensure that all information relevant to the risk of violence that you are required to record is kept up to date in a timely way, for example updating the Carefirst characteristics for other employees to use in the risk assessment process.
- Ensure you access and consider all relevant information available on service users/pupils prior to interactions.
- Report ALL violent incidents using the NCC incident reporting system.

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Date: July 2016

Review date: July 2019