

# **Policy and procedures for the protection of staff from workplace violence and abuse from the public**

Agreed by Belfast City Council on XX Month Year

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## **1.0 Introduction**

Within this policy Belfast City Council recognises that the issue of abuse and violence in the workplace is a growing concern within many organisations, irrespective of industry or business operation.

Local government is no different than any other employer. In order to ensure that all employees have the confidence that the council will deal with all instances of violence or abuse in a robust and pro-active manner, the council will adopt a zero tolerance principle in the pursuit of all instances of workplace violence, threats or intimidation that an employee of the council may be subject to by any individual or groups of persons.

The safety and security of Belfast City Council employees is of vital importance to the council. As a responsible employer the council acknowledges it has a duty of care to all employees.

Acts or threats of physical violence, intimidation, harassment and/or coercion which an employee of the council is subject to or which occur on council property or elsewhere will not be tolerated.

Belfast City Council will, when appropriate, report incidents to police and support any investigation aimed at bringing the perpetrators of acts of violence before the courts. In those cases in which it has a power to do so, the council will prosecute anyone threatening or carrying out acts or threats of physical violence, intimidation, harassment or coercion against employees. The council may also seek other legal remedies for the protection of staff in appropriate cases.

Grievance and disciplinary policies operate within the council and should be used for matters relating to employee conduct.

## **2.0 Key objectives of the policy**

- To reduce the risk of potential or actual injury to people included within the scope of the policy.
- To ensure that staff receive guidance and training appropriate to individual roles and responsibilities in personal safety and the prevention and management of violence.
- To detail the council's commitment to support staff that have been traumatised or affected by an incident of violence.

This policy applies to all employees (including temporary employees, agency staff and volunteers) who are on council premises or undertaking activities on behalf of the council, including working in private homes and public places.

### 3.0 Definitions of abuse

The following definitions apply to actions by members of the public toward employees of the council (and its agents or partners). Workplace violence is considered to be any physical assault, threatening behaviour, written harassment or verbal abusive remark that is made towards an employee in the workplace and/or affects the workplace behaviour. These include, but are not limited to:

#### 3.1 Verbal abuse:

Any verbal abuse issued with the intent of creating fear or intimidation to another individual, or group of individuals, or verbal remarks or comments expressed in a loud, harsh or threatening tone of voice or in an inappropriate manner within the workplace or any other working environment.

#### 3.2 Physical abuse:

Any intentional movement of the body which may include touching, gesturing, pushing, striking, stalking, any unwanted intrusion of “reasonable space” of an employee or any intentional use of any object towards the employee (or its agents or partners).

#### 3.3 Written abuse:

Any inflammatory written material issued with the intent of creating fear or intimidation, including texts or posts sent via mobile communication, correspondence sent via internet or any electronic medium, comments or images of individuals posted on external websites and all hard copy formats.

#### 3.4 Creating a hostile working environment:

Any intentional non-physical action that can be considered intimidating or harassing with the intent of creating an environment that has a purpose or affect of unreasonably interfering with an employee carrying out their duties.

### 4.0 Reporting requirements

It is the responsibility of every employee to assist in the prevention of workplace violence / abuse. Early reporting of dangerous or potentially dangerous incidents will facilitate an effective investigation and response by the council.

To ensure we are fully aware of all or any instances of workplace violence, every employee must report events as soon as reasonably practicable in line with council procedures.

Employees should, in the first instance, report to their supervisor/ manager any threats or acts of violence, which they experience or witness or become aware of via the **work related violence report form and statement form – Appendix 5/6**. Nothing in this policy alters any other reporting obligations, which employees will be subject to in relation to other elements of health and safety management and workplace reporting.

## **5.0 Roles and responsibilities of key staff**

### **5.1 Chief officers**

The chief officer is responsible for ensuring the arrangements for identifying, evaluating and managing risk associated with violence and abuse at work are in place by:

- providing resources for putting the policy into practice;
- ensuring there are arrangements for monitoring incidents of violence/abuse and that the effectiveness of the policy is regularly reviewed; and
- in relevant cases, considering with Legal Services whether or not any legal intervention is appropriate.

#### **5.2.1 Head of service / section managers**

Head of service / section managers will seek to foster an environment that is safe and free from workplace violence and will take action immediately to reduce the affects of workplace violence.

Head of service / section managers will liaise with Corporate Occupational Health and Safety for guidance as and when necessary, to ensure effective operation of the policies and practices associated to the management of violence and abuse in the workplace.

### **5.3 Supervisor / line management key responsibilities**

- To ensure employees work in an environment that is as safe as possible.
- To undertake risk assessments and reduce the risks identified.
- To implement recommended training plans that meet staff needs.
- To ensure accurate records are kept of incidents.
- To ensure there is support for employees following violent incidents.
- To ensure safety measures are reviewed following an incident.
- To ensure employees receive information, instruction, training and supervision in a timely manner.
- To work with other agencies, particularly the police, to ensure effective handling and resolution of incidents.
- To ensure follow up with police on all reported incidents and report outcome to affected employee.

## 5.4 Employees

Employees will conduct themselves in such a way as to reduce the possibility of any conflict or act that would create a violent, abusive or unsafe workplace environment for themselves and others.

Employees will notify management of workplace violence incidents via the **work related violence report form and statement form – Appendix 5/6**, that have occurred which have the potential of impacting on the workplace environment. An employee will endeavour to remove him/herself from any situation that may result in workplace violence/abuse. This means that if confronted with a potential situation involving workplace violence/abuse, an employee must make a serious attempt to retreat from the situation and report the incident to management.

### Employee key responsibilities

- To co-operate with the council discharging its statutory duty as an employer.
- To identify high-risk situations and agree action plans with managers and team leaders. Report and complete incident reports as requested in an accurate, comprehensive and timely manner.
- To undertake mandatory training as identified by the appropriate risk assessment and relevant to their role.
- To always work in a professional way in accordance with council's policies and guidelines and training received.
- Be aware of how their own behaviour might be perceived by others.

## 5.5 Corporate Occupational Health and Safety Unit

The Corporate Occupational Health and Safety Unit will provide policy and practical guidance to managers and supervisors regarding potential workplace violence/abuse issues.

The Corporate Occupational Health and Safety Unit will keep all statistical records of reports in relation to workplace violence and abuse as reported in line with the council's health and safety management systems. Statistical data will be presented to the Health and Safety Assurance Board or the Corporate Management Team (CMT) and if applicable committee and council and appropriate statutory bodies as required.

## 6.0 Training

The safety of council employees is paramount. All staff will receive personal safety training as specified by appropriate risk assessments or identified as reasonably necessary by line managers.

Managers are responsible for ensuring staff receive the training appropriate to their needs as identified in the risk assessment. Depending on the hazards and control

measures identified within the risk assessments, training may be a combination of in-house and external courses.

The profile of training associated with the implementation of this policy will depend on the area/type of work and the risk assessments of operational activities.

Some of the training interventions that may be identified include:

- physical intervention skills;
- risk assessment;
- customer care;
- complaint handling;
- incident reporting; and
- breakaway techniques

## **7.0 Support for staff**

The council is committed to ensuring the welfare of staff and recognises that acts of violence in the workplace can have negative effects on the individual and colleagues. In addition to adopting a zero tolerance approach the council may take legal or other action to prevent any continuing acts of violence, provide legal advice to affected individuals in relation to proceedings against perpetrators and will provide counselling when appropriate.

## **8.0 Review**

It is expected that this policy will be reviewed and evaluated on an annual basis, If changes are to be made to this policy, it will be done so with agreement from the Trade Unions.

## Appendices

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## **Appendix 1**

### **Legal measures to protect employees**

#### **(A) Excluding persons from property or premises.**

Within the Scheme of delegation at Part 2, General Delegated Functions at 2-1, the following power is delegated to all chief officers-

***“Taking all necessary action for the effective day to day management, administration and supervision of his/her department and of the services and premises for which the chief officer is responsible.”***

The council, acting through a chief officer, may ban an individual from entering relevant premises. Ultimately enforcement of such a sanction would require the co-operation of the police.

Also in appropriate cases an alternative means of service delivery may be put in place to avoid actual contact between employees and persons who have perpetrated acts of violence.

#### **(B) Injunction**

In appropriate cases in which the individual has either failed to adhere to the terms of a ban or prohibition or when the level of threat posed is such that it is believed a more expeditious remedy is required, the council may in appropriate cases apply for an injunction. More usually this is used for the purpose of restraining the commission of criminal offences.

#### **(C) The Anti-Social Behaviour (NI) Order 2004**

By virtue of Article 3 of the 2004 Order the Police, NIHE or a district council may apply for an ASBO when satisfied that-

***“...the person has acted in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself; and that such an order is necessary to protect relevant persons from further anti-social acts by him.”***

Accordingly this would provide a mechanism for obtaining an order placing such restrictions and conditions as are proportionate and necessary to protect employees from the type of conduct in question.

#### **(D) The Protection from Harassment (NI) Order 1997**

By virtue of Articles 3 and 4 of the 1997 Order it is an offence to pursue a course of conduct that amounts to harassment. Whilst not expressed in exhaustive terms,

'harassment' includes alarming or causing distress. The 'conduct' can include speech and it must occur on at least two occasions before the provision is breached.

By virtue of Article 6 of the 1997 Order it is an offence to pursue a course of conduct that causes a person to fear that violence will be used against them, again this must occur on at least two occasions before the provision is breached.

Upon conviction for an offence under either Article 4 or Article 6, the court can make an order (a restraining order) prohibiting the conduct in question or preventing the defendant from doing anything specified in the court order for the purpose of protecting the victim or any other person mentioned in the order.

Offences of this nature are ordinarily investigated by the police and prosecuted by the PPS. Indeed there are a range of other potentially relevant offences including criminal damage, assault and making threats to kill that fall within the jurisdiction of the police. As a matter of policy these potential offences should be reported to the police for investigation. Assistance will be provided by the Council to employees making witness statements and their address should be care of the Council.

#### **(E) Telecommunications**

While there are a range of relevant offences, the more recent trend of the use of social networking sites and other forms of electronic communication as a vehicle for conduct amounting to harassment warrants special mention. It is a criminal offence to post material that is offensive, indecent, obscene or of a menacing character. In appropriate cases the council may contact site providers to have material removed and may refer the matter to police for investigation. Corporate Communications in conjunction with Legal Services and Human Resources may seek the removal of the material and/or consider any further action as appropriate.

## **Appendix 2**

### **Risk management**

Risk assessments will be carried out in line with the council's health and safety management systems and procedures. The appropriate recommendations, and control measures will be implemented in the working environment as required.

Prevention of violence/abuse at work must start with a full assessment of the risks. Risk assessments should be carried out by appropriately trained staff gathering information from a number of sources at both organisational and employee level. Trade Union H&S Reps should also be involved in this process. This process is undertaken in varying levels of detail depending on the service activities and is an ongoing and dynamic process. Where a risk is identified, an action plan or strategy for dealing with this issue of potential violence/abuse should be in place and clearly documented with details of the methods used to prevent and treat such behaviours.

The general risk of violence and aggression should be included in the risk assessments of relevant sections. A generic assessment should identify trigger areas where more detailed risk assessments are required. Part of these risk assessments will include an examination/assessment of the working environment.

It is recognised that there are some specific circumstances and situations where the risk in the council may be higher. These include (but not exclusive to):

- contact centre;
- customer service activities;
- dog wardens;
- enforcement (licensing/food safety/pollution control/litter wardens); and
- building control.

Further guidance can be obtained from the Corporate Occupational Health and Safety Unit 'Personal Safety at Work' code of practice.

[www.interlink/workplacehealthmanual](http://www.interlink/workplacehealthmanual)

## **Appendix 3**

### **Incident reporting**

#### **3.1 An employee exposed to workplace violence incident**

If an employee experiences an instance of workplace violence or abuse during the execution of their duties, they should follow the following procedure:

3.1.1 Follow the established personal safety actions (if applicable) as defined in the risk assessments.

3.1.2 Inform their manager/supervisor of the incident, giving clear details of location, time, person(s) involved, circumstances and other witnesses as may be identified as part of the investigation. (See **work related violence report form and statement form – Appendix 5/6**)

#### **3.2 Physical assault**

In the event of physical assault the police and line manager should be contacted **immediately**. **The police should be contacted by an appropriate manager. Employees should give their consent before the police are contacted.** The Corporate Occupational Health and Safety Unit should be notified by the line manager as soon as possible.

A **Work related violence report form (Appendix 4)** or **Statement form (Appendix 5)**, must be completed as soon as practicable by the employee who has been subjected to an assault or the line manager if this is not practicable. The Corporate Occupational Health and Safety Unit shall be informed. The line manager will ensure that any necessary support arrangements, such as counselling or contact with the Corporate Occupational Health and Safety Unit are offered.

The appropriate line manager will investigate the circumstances of the assault to ensure that all possible preventative action is taken to minimise the risk of a similar incident occurring.

#### **3.3 Verbal abuse (non-physical assault)**

In the case of verbal abuse the council may need to consider the seriousness of the incident before involving the police.

For example, someone swearing at a member of staff could be dealt with administratively through warning letters about their behaviour. Where, however the verbal abuse involves threats of the use of a weapon the police should always be informed. If this is not practicable then the report should be submitted to the police by the employee's line manager or relevant colleague.

A work related violence report form must be completed by the employee subjected to the abuse and forwarded, via their line manager to the Corporate Occupational Health and Safety Unit.

The line manager will ensure that any necessary support arrangements, such as employee counselling or occupational health support are offered.

The appropriate line manager will investigate the circumstances of the assault to ensure that all possible preventative action is taken to minimise the risk of a similar incident occurring.

Incidents of violence and near misses will be reviewed in a supportive manner as soon as possible after they occur, as a means of assessing whether or not there are any gaps in the system, such as procedural or training.

Summary reports of violence and aggression incidents will be considered by the Health and Safety Assurance Board or CMT, and if applicable, committee and council as part of the work to identify patterns and trends.

It is recognised that support following an incident is critical for staff, and other individuals involved.

It is recognised that all relevant parties have a contribution to make in the identification and management of incidents. This process includes staff and potential partner service providers (and service users/ member of the public) who are directly involved in an incident or who have witnessed an incident.

### **3.5 Post incident actions**

Any person who engages in threatening or violent action against a council employee will be removed from council property should this happen within the confines of the council's operating premises. In instances where such actions are encountered by employees working remotely from the workplace or within a mobile role the employee must follow the appropriate control measures and appropriate control measures as identified by the relevant risk assessment.

Any action involving physical or verbal abuse that is considered so severe that it requires the immediate notification of the police, should be acted upon immediately. This action should be taken by the employee in the absence of the manager/supervisor, or by the line manager/supervisor if he/she is present or appropriate manager depending on the nature of violence or abuse. The employee needs to give their consent before the police are contacted.

### **3.5 Monitoring arrangements**

The council's incident reporting system will provide baseline information on the number, nature and location of incidents of aggressive/violent behaviour within the council.

The Health & Safety Assurance Board will consider regular reports on the implementation of this policy and the supporting guidelines.

The Health and Safety Assurance Board will also consider the operational effectiveness of the policy and associated guidance and advise accordingly.

### 3.6 Evaluation

The council will evaluate the effectiveness of this policy and its associated guidance. Indicators of success will include:

- optimum use of the incident reporting system;
- a demonstrable reduction, over time, in the proportion of incidents/injuries;
- the uptake, impact and effectiveness of training programmes;
- information gleaned from staff exit interviews; and
- review of any legal precedents / relevant legal cases.

### 3.7 Supporting staff

This policy is recommended as best practice for council staff following an unsafe/violent incident.

Immediately following an incident the staff members involved should have access to their supervisor/manager for support, supervision, guidance and help with what to do next. This may include referral to employee counselling or seeking advice from police.

Following an incident, a meeting should be organised within five working days for the staff involved and their manager to discuss the incident freely, to inform the staff of ways in which the incident will be managed, the possible outcomes and to ascertain what further support may be needed. Corporate Occupational Health and Safety Unit can be requested to attend if deemed necessary by the line manager.

This meeting, if appropriate, should be an opportunity for all relevant staff to reflect upon thoughts and feelings evoked by the incident, the team's current working practice and whether or not any changes are necessary. If so the group, in collaboration with the manager, will formulate an action plan for change which the manager will bring to the attention of the head of service for assistance in the implementation of the plan. Other council officers could be invited to attend the meeting, as relevant, to provide advice, for example, Legal Services staff, anti-social behaviour advisors etc.

This meeting will be conducted in a culture of non-blame and will be respectful of everyone's opinions and feelings. Throughout and after this process management, team and peer support should always be offered. In most cases supervision will meet an individual's needs, however all council employees have access to the employee counselling service. It is vital that all council employees are made aware of its existence.

The employee counselling service can be contacted by calling the Workplace Health Unit receptionist: **9027 0403** ext: 3215

Further guidance can be obtained from the Corporate Occupational Health and Safety Unit 'Accident / Incident reporting and Action' code of practice.

[www.interlink/accidentincidentreporting](http://www.interlink/accidentincidentreporting)

# Appendix 4

## Work related violence report form



This form is to report any work related violence incident against an employee (including abuse or threats, as well as physical assault).

### 1. Reporting details:

Incident first reported to:		Date:	
Designation:		Your reference no:	
Incident first reported by			
Date:		Date form sent to H&S:	

### 2. Details of victim:

Full name:							
Age:		Gender:		Staff no:		Dept:	
Address:							
Job title:		Full time		Part time		Job share	
If government scheme employee, specify scheme:							

### 3. Incident details:

Date of incident:		Time of incident:	
General location (council site, road, etc.):		Specific location (room, floor, etc.):	
Category (tick relevant boxes)	Bullying/ Harassment	Abuse	Threats
Incident details (give as much detail as possible):	Physical violence		
Involving (where known- tick all applicable boxes):			
<input type="checkbox"/> Ages 18 and under	<input type="checkbox"/> Ages 18 and over	<input type="checkbox"/> Mixed ages	<input type="checkbox"/> Males
<input type="checkbox"/> Females	<input type="checkbox"/> Mixed gender	<input type="checkbox"/> Alcohol	<input type="checkbox"/> Drugs/solvents
Youths gathering (where incident involved several youths indicate numbers involved):			
<input type="checkbox"/> Up to 10	<input type="checkbox"/> 11 – 20	<input type="checkbox"/> 21 – 50	<input type="checkbox"/> Over 50
Police informed?	Yes / no / don't know	Police attended?	Yes / no / don't know
Name:			
Number:			
Station:			
Did employee give consent to the police being contacted?	Yes/No		
Name of person who made contact with police:			
Type of police response requested/received (briefly describe):			

### 4. Witness/other person details (statements should be attached from all witnesses):

Name(s)	Address(es):						
Statement(s) attached:							
Yes:		No:		To follow:		Other (specify):	

### 5. Manager/supervisor's observations/comments (including any outcomes):

Signature:							
Name:		Date:					

Forms must be completed as fully as possible (use additional sheets if required) by a management rep, and forwarded to the Corporate Occupational Health and Safety Unit, Ground Floor, Adelaide Exchange, 24-26 Adelaide Street, Belfast, BT2 8DG within 2 working days.



## Appendix 5

### Statement form

This form can be used by injured parties, anyone reporting an incident, anyone reporting work-related violence and witnesses to any of the above. Completed statements should accompany the relevant completed report form where possible.

#### 1. Accident or incident:

Nature of accident or incident:	
Date of accident or incident:	
Accident or incident location:	

#### 2. Details of person making statement:

Full name:							
Age:		Gender :		Staff no:		Dept:	
Address:							
Post code:							

#### 3. Statement:

I was involved in, or a witness to, the above accident/incident and wish to make the following statement (write in your own words <b>exactly</b> what happened, including as much detail as possible):			
<b>DRAFT</b>			
I declare that to the best of my knowledge, the above statement is a true and accurate account of the accident or incident.			
Signature:		Date:	

**Attach completed statement to the relevant report form and forward to the Corporate Occupational Health and Safety Unit, Ground floor, Adelaide Exchange, 24-26 Adelaide Street, Belfast, BT2 8GD, as soon as practicable after the event.**