CAERPHILLY COUNTY BOROUGH COUNCIL

DRAFT VIOLENCE AT WORK POLICY

December 2005
Version 2

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 employees in identified posts thought to carry any element of risk towards violence and aggression carry out the appropriate search on INCHECK or SWIFT or ACADEMY before any visits.

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 Inform their manager or appropriate officer promptly of any incident involving violence and aggression.

6.4.3 Carry out or request the appropriate search on the relevant violence at work register (INCHECK, SWIFT, ACADEMY) before any visits are carried out.

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 by employees before any 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;

7.1.3 Pushing and poking, punching, slapping, kicking, spitting, head butting, etc. 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;

7.1.4 Interference with the person's belongings or property;

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

7.1.6 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 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 put 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. An assault or threat of an assault may be reported to the police by any of the following:

- Manager/head teacher after following any procedures within the service area/school.
- The victim,
- A third party who may have an interest in the matter or who may have been a witness,
- The Directorate Health and Safety Officer after investigating the incident,
- A combination of all the above.

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.

7.9 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**.

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	☐	Solvents	☐	Alcohol	☐	Offensive Weapon	☐
Sexual Harassment	☐	Racial Harassment	☐	Mental Disability	☐	Not Known	☐

Type of incident

Anti Social Behaviour	☐	Verbal Abuse Only	☐	Threat of Physical Injury	☐	Actual Physical Injury	☐
Damage to Property	☐						

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:

……

……

……

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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……

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……

……

Signature of Head of Service/Head teacher/: …….. **Date**: …….

Officer in Charge/Manager

This form must be completed promptly and returned to your Directorate Safety Officer and the Corporate Health and Safety Unit.

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: ……...……..

……..……

……

……..

……..

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

Appendix 3 – Corporate Violence at Work Register, INCHECK Procedure

Corporate Violence At Work Register, INCHECK Procedure:

Introduction:

Caerphilly County Borough Council has a duty under the Health and Safety at Work etc Act 1974 the Authority has a duty of care to ensure the Health, Safety and Welfare of employees and others. Part of this responsibility is a requirement to implement a safe system of work ensuring the sharing of information between directorates about potentially violent individuals, locations, animals etc.

Caerphilly County Borough Council, recognising its obligation to protect the Health and Safety of employees and others etc has implemented a violent persons and dangerous addresses register, (INCHECK), that enables staff to identify persons or addresses within the County that may present a risk to employees or others.

The following procedure is to be used for the reporting/recording of any violent incidents, however Directorate Health and Safety Officers, should adopt this procedure where necessary to reflect local arrangements. Where necessary Managers should work with Directorate Health and Safety Officers to supplement this procedure with local arrangements.

Class of user:

A. **Tier one – Full access – System administrator.**
   The system administrator has responsibility (joint) for data entry, correction and removal of entries. The System Administrator will also control access for others, by arranging the installation of INCHECK onto their PC and setting up the profile and privileges of the users. The Administrator will also ensure access authorisation is limited to areas necessary for the duties performed. The auditing function on INCHECK is only available to the Administrator.

B. **Tier Two – Data input and read only – Health and Safety officers.**
   Health and Safety Officers have responsibility for investigating the incident, where necessary, data entry. The Health and Safety Officers will act as the point of contact for any queries on INCHECK and any entries on the register within their Directorate. Health and Safety Officers will also have responsibility for the training of users within their Directorates.

C. **Tier Three – No direct access, read only – Users.**
   Nominated persons in relevant sections will act as users for that section. They will have no direct access to the register, read only; enquiry whether the name or location matched an entry on the register in order to relay that information to the person concerned who will be visiting the location or person.

Selection of Users – Tier Three.

The number and location of tier three – users should be based on the need to provide timely information to staff within departments who may be exposed during their work, to risks from the public.

Consideration must also be given to the maturity, responsibility and integrity of individuals selected to be section contacts, due to the sensitivity of the information available to them and the need to restrict the passage of unnecessary information.

When an Incident Occurs:

1. Any employee who feels that they have experienced an act of aggression, either physical or verbal must report the incident verbally as soon as is reasonably practicable to their manager or the most senior manager available at the time.

2. The manager will discuss the incident with the employee, witnesses etc, and together complete the 'Violent Incident Report Form'.

If the incident is serious and presents an immediate danger to other employees, the manager will contact the Directorate Health and Safety Officer, or in the absence of the Directorate Health and Safety Officers the Corporate Health and Safety Unit to input the information onto the register, who will then inform all other Health and Safety Officers within the Authority.

3. All parts of the form must be completed including the action to be taken to prevent re-occurrence. The form must be signed and dated by the manager and employee.

4. The manager will send the completed form to the Directorate Health and Safety Officer and the Corporate Health and Safety Unit.

Note: Depending on the seriousness of the incident, the employee may require hospital treatment etc, which could delay the completion of the form. In this case the manager must inform the Directorate Health and Safety Officer of the incident and any details they may have.

Data Entry:

1. On receipt of a "Violence Incident Report Form" from the Manager/employee with ALL mandatory fields completed and signed by the manager and employee. The Directorate Health and Safety Officer will decide if a full investigation is required.

If the form is not completed, the Directorate Health and Safety Officer will contact the manager to inform him/her of the concerns and send the form back to the manager for completion.

2. If a full investigation is required, the Directorate Health and Safety Officer will carry out the investigation with assistance from the manager, employee any witnesses etc. (All incidents leading to 3 or more lost days/dangerous occurrence must be investigated and communicated to the HSE).

3. The results of the investigation will be communicated to the manager and the employee. If all parties are in agreement, then the incident will be entered onto the register and an e-mail sent to all Directorate Health and Safety Officers to inform them of the incident

4. If no investigation is required, the Directorate Health and Safety Officer will input the incident onto the register and an e-mail sent to all Directorate Health and Safety Officers to inform them of the incident.

5. The Directorate Health and Safety Officer shall, in conjunction with the manager reporting the incident, decide if a letter will be sent to the offending person.

   If there is any doubt in sending the letter the case shall be referred, with all documentation, to the review panel.

NOTE: The Directorate Health and Safety Officer shall decide if the incident is entered onto the register. If he/she is in any doubt, they will contact their manager to discuss the incident.

If the Directorate Health and Safety Officer decides not to enter the incident onto the register he/she will inform the manager who reported the incident with their reasons.

<u>System Usage:</u>

1. Any Authority staff that may, as part of their job, be required to contact any member of the public either within Authority premises, or on a visit to their home or place of work, MUST initiate a search regarding the named individual or address by contacting a users of INCHECK in their section.

2. Where the person/address is on the register, the employee will speak to their manager to discuss alternative measures/precautionary measures to be taken.

NOTE: A risk assessment must be carried out to determine if an employee is in a post thought to carry any element of risk towards violence and aggression

Good Visit Forms:

1. Where an employee visits a person who is on the register and the visit takes place without an incident, then a 'Good visit form' must be completed and forwarded to the Directorate Health and Safety Officer.

2. The Directorate Health and Safety Officer will then input the information onto the existing record for that person.

Review of Entries:

1. All records are subject to a review. The review shall take place every 6 months and the System Administrator shall organise the review meeting. A representative from each Directorate is required to attend the review meeting.

The Review Panel:

1. The review panel consists a senior Health and Safety Officer from each Directorate, the INCHECK administrator and a legal representative. The panel shall meet as and when required and review each case presented.

   The results of the review panel will be documented and the findings relayed back to the relevant manager.

Informing Members of the Public:

1. The system administrator shall send the relevant letter(s) to member(s) of the public who have been entered onto the violence at work register.

Out Of Hours:

1. Out of hour's procedures will be implemented as per local arrangements within the relevant Directorates.