



# VIOLENCE AND AGGRESSION AT WORK POLICY

<b>Title</b>	Violence and Aggression at Work Policy
<b>Who should use this</b>	All Staff
<b>Author</b>	SAC
<b>Approved by Management Team</b>	
<b>Approved by Joint Board</b>	
<b>Reviewer</b>	<b>PA &amp; Office Manager</b>
<b>Review Date</b>	<b>2019</b>

### Review History

REVIEW NO.	DETAILS	RELEASE DATE
1	Reviewed against SAC document. No changes to SAC Policy.	MARCH 2016
2		
3		
4		
5		
6		

## Contents

<i>INTRODUCTION</i> .....	3
<i>DEFINITION</i> .....	3
<i>LEGISLATIVE REQUIREMENTS</i> .....	4
<i>RISK ASSESSMENT</i> .....	5
<i>SYSTEMS OF WORK</i> .....	6
<i>RECORDING ARRANGEMENTS</i> .....	7
<i>TRAINING</i> .....	7
<i>COUNSELLING</i> .....	7
<i>PAYMENT DURING ABSENCE</i> .....	8
<i>RETURN TO DUTY</i> .....	8
<i>REVIEW OF POLICY</i> .....	9
<i>GUIDANCE NOTES FOR THE INVESTIGATION OF THE INCIDENT</i> .....	9
<i>THE INVESTIGATION</i> .....	9
<i>THE REPORT</i> .....	10
<i>VIOLENT OR AGGRESSIVE INCIDENT REPORTING</i> .....	10

# **VIOLENCE & AGGRESSION AT WORK**

## **INTRODUCTION**

In recent years employers have become increasingly concerned about the problem of violence & aggression to staff who work directly with the public. Violence and aggression is defined by the Health & Safety Executive (HSE) as, *'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.'*

Ayrshire Valuation Joint Board, the Board, recognises that the nature of the service it provides can place particular groups of people at risk. It will therefore take all practical steps to minimise the possibility of assault or threats to their staff. This will include assessment of work activities, recording of all violent/aggressive situations and incidents (standard reporting form V.A.1 is available from supervisors or by downloading from the directory), monitoring of reporting and reviewing of the policy and procedures.

- All violence & aggression to staff is unacceptable, whatever form it takes and whatever reasons are cited for it.
- The Board recognise the risks to certain members of staff for violence & aggression at work and the obligation of the organisation to minimise these risks.
- Violence & aggression is not considered to be an acceptable part of any job, nor is it part of the duties of any employee to accept violent behaviour.
- Dealing with, or being subjected to, violent behaviour is not considered to be a failure on the part of an employee.
- The Board recognises the potentially damaging effects of violence & aggression on individuals, work performance and are committed to combating it.

### **The main aims of this policy are:**

- To prevent the risks to staff from violence & aggression.
- To fulfil moral and legal obligations by ensuring the safety of staff.
- To protect staff from all forms of violence & aggression whenever and wherever possible and provide relevant aftercare should staff fall victim to violence or aggression, e.g. counselling etc.
- To ensure that everyone in the Board is aware of and fulfils their responsibilities for safety from violence & aggression at work.

## **DEFINITION**

For the purpose of this policy Violence & Aggression at Work is any behaviour towards an employee arising from his or her work that has damaging physical or psychological effects upon them.

It must not be forgotten that such behaviour would include physical and non-physical assault, attack, abuse or threat. Examples of which include:

## Physical

- Assault causing death
- Assault causing serious physical injury
- Minor injuries
- Biting
- Kicking
- Punching
- Use of Animals
- Use of missiles
- Spitting
- Scratching
- Sexual assault
- Use of weapons

## Non-physical

- Verbal abuse
- Racial or Sexual abuse
- Threats with or without weapon
- Physical posturing
- Threatening gestures
- Abusive Phone Calls
- Threatening use of dogs
- Harassment in all forms
- Swearing
- Shouting
- Name calling
- Bullying
- Insults

In addition, though not directly mentioned, there remains the possibility of violent or aggressive behaviour from colleagues within the workplace. This will be dealt within the terms of existing Board Policies and Procedures. e.g. Policy on Respect at Work, Harassment and Bullying and Discipline and Grievance Procedures.

## LEGISLATIVE REQUIREMENTS

- **HEALTH and SAFETY at WORK Etc. ACT 1974 (Section 2)**

These provisions relate to the employers duty to provide adequate information, instruction, and training on matters affecting the health, safety and welfare of their employees and the provision of a safe place of work.

- **MANAGEMENT of HEALTH and SAFETY at WORK REGULATIONS 1999 (Regs. 3, 11 and 12)**

These regulations are concerned with the employers duty to carry out risk assessments and provide systems of work that will ensure, so far as it is reasonably practicable, a working environment that is safe, without risks to health and adequate as regards facilities and arrangements for welfare at work of employees.

The Board reaffirms that, as an employer, it has continuing responsibility for ensuring so far as reasonably practicable the health, safety and welfare of all its employees. In this respect the Board will ensure that suitable and sufficient assessments are made of the risks to the health and safety of its employees. The assessment will include the potential exposure to violence and aggression they may face in the course of their work.

In turn the Board recognises that there is a duty on employees to take reasonable care of themselves together with that of other people who may be affected by their acts or omissions. That duty extends to conforming with laid down procedures, such as entry procedures, the wearing of ID badges, notification to reception of visitors expected, booking in and out of visitors and the use of a booking in and out system for staff.

Employees sustaining injuries, as a direct result of violence or aggression associated with their work must ensure that the details are recorded in accordance with the Board's Accident/Incident Reporting Standard. Incidents involving death must be reported immediately to the Police, the Assessor and Board's Personnel Representatives. All incidents resulting in serious injury must be reported immediately to the Assessor and Board's Personnel Representatives in accordance with the Board's Health and Safety Policy.

- **THE REPORTING OF INJURIES AND DANGEROUS OCCURRENCES REGULATIONS 1995 (RIDDOR)**

These Regulations require work accidents that result in death, major injuries, over three days absence from work, or specified dangerous occurrences to be reported to the appropriate Health and Safety enforcing authority. The definition of accident includes acts of non-consensual physical violence & aggression to staff.

- **SAFETY REPRESENTATIVES AND SAFETY COMMITTEES REGULATIONS 1977(a) and THE HEALTH AND SAFETY (CONSULTATION WITH EMPLOYEES) REGULATIONS 1996 (b)**

Employers must consult with and inform employees in good time about matters relating to their health and safety. Employee representatives, either appointed by recognised trade unions under (a) or elected under (b) may make representations to their employer on matters affecting the health and safety of those they represent.

## **RISK ASSESSMENT**

### **Ayrshire Valuation Joint Board is committed to:**

- Identifying risks, hazards, potential problems and other issues through the Risk Assessment Group.
- Conducting suitable and sufficient assessments on those potential risk situations identified.
- Recording the significant risks assessments and reviewing them when significant changes occur.

The activities and methods of working staff who may be at risk of violence & aggression should be examined to determine if unnecessary risks can be eliminated or reduced.

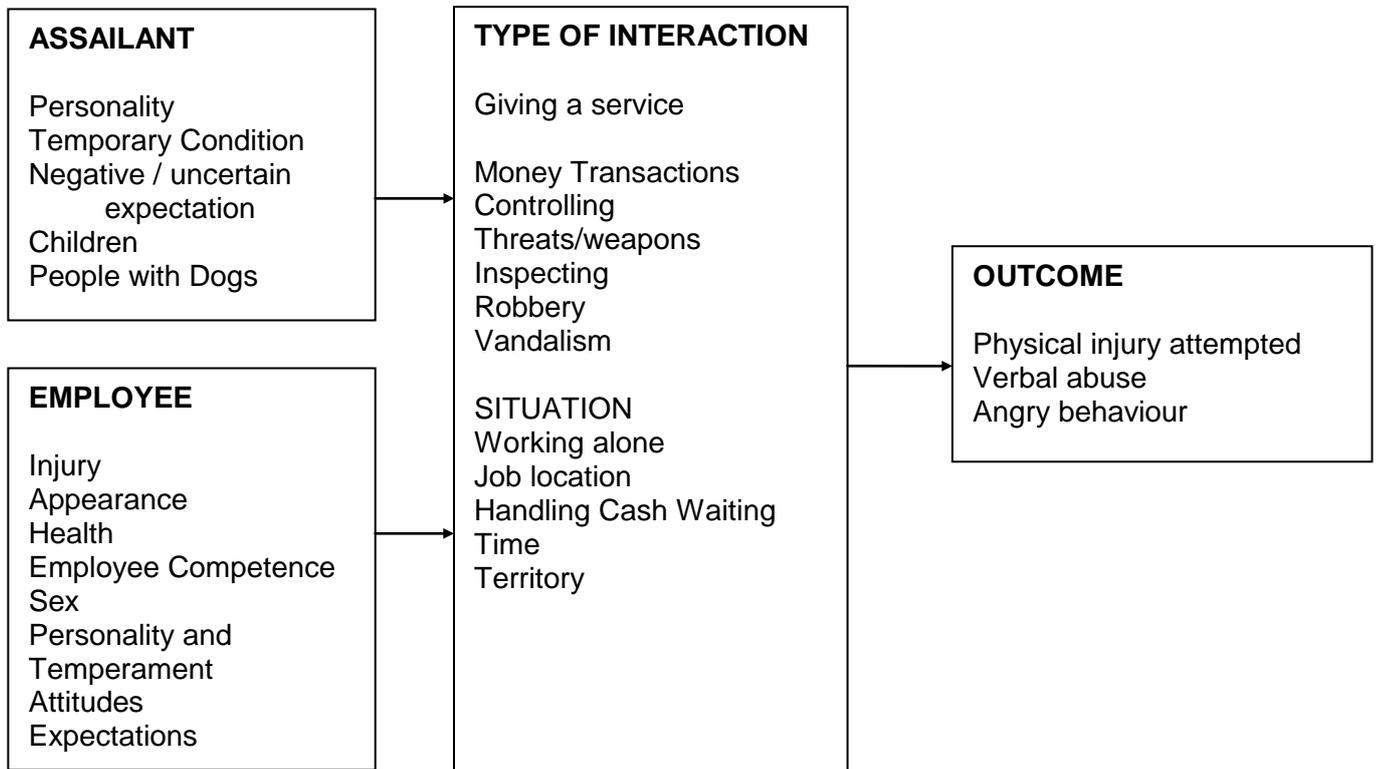
Assessments should address both the need for any necessary physical protection in particular situations and any improvements in terms of Health and Safety to enhance the working environment.

### **Protective measures could include the following:**

- The provision of alarms or other means whereby the employee can escape from the risk situation.

The reception area the Board's premises should be clearly identified, well lit and adequately ventilated. Signs and notices should be kept current, and prominently posted, and relevant information leaflets should be clearly displayed.

The figure below lists some important aspects of the assailant, the employee and possible situations that can influence the likelihood of violence & aggression occurring. Also listed are common examples of interaction and outcomes.



## SYSTEMS OF WORK

Where there are employees who may be exposed to violent situations as a result of their work activities, suitable arrangements must be made to ensure that assistance can be readily summoned when necessary. Where the employee is regularly expected to make direct contact with the public or with violent individuals and there is the potential for controversial or confrontational circumstances, arrangements must be made to ensure that there is immediate assistance if required.

Where employees are expected as part of their work activities to visit, interview or meet with the public, outwith the office or normal work situations the employees must ensure the following information is given to an appropriate colleague and recorded:

- the whereabouts and purpose of the visit,
- the name and address of the person the appointment is with,
- the expected time of return.

The Board's policy for "Working Alone Outside the Office" details procedures to be followed where staff are working away from the office. This policy is available on the directory.

In the event of a visit made to a location where a known potentially difficult or violent situation may arise then, the Board recognises the need for two members of staff to attend. If it is considered appropriate, the Board will support the insistence on an 'office only' interview.

In addition due consideration shall be given to the following when allocating work which has the potential to involve a violent or aggressive situation.

- The employee's experience
- The nature of the interaction expected of them
- The extent of the supervision required.

It shall be the Board's Policy to reserve the right to report to the Police any instances of a serious physical assault or any threat of such on any of its employees. If, after reporting a valid incident of physical assault to the police, the assaulted member of staff experiences pressure, either internally or externally to withdraw the complaint they must report this to Nominated Senior Officer.

Any third party claims arising out of instances of violence or aggression will be dealt with in terms of the Board's insurance arrangements

## **RECORDING ARRANGEMENTS**

The Board emphasises that the reporting of all violent or aggressive incidents will aid them in assessing the extent of violence & aggression and the level of risk to their employees. Reporting will therefore be looked at positively and not as a failure on the part of the employee, other employees, or anyone involved in the management of the situation.

Employees are therefore obliged to complete the standard violence & aggression reporting form (V.A.1) if they have been involved in any violent or aggressive incident. Please refer to the definition of violence & aggression set out in this policy (page 3). The form should be completed as soon as possible after the incident whilst the facts still remain clear in the mind. It is recognised that there may be a delay in the completion of the form due to circumstances where medical assistance is required. Employees may seek assistance from management or a trade union representative when completing the form. The Nominated Senior Officer may deem it appropriate to conduct further investigations if the incident is of an extreme or more serious nature.

### **The objective of the investigation may be summarised as follows:**

- (a) To determine the precise nature of the incident.
- (b) To examine all the contributing factors.
- (c) To identify any measures that may be taken to minimise the likelihood of the recurrence of this or a similar situation.
- (d) To assess the need for counselling.

## **TRAINING**

All relevant new staff shall receive adequate and appropriate training at an early stage in their employment that will address the issues of violence & aggression and the potential risks involved in their work.

The training needs of existing employees will be regularly assessed through the risk assessment process and training needs analysis (COAST link on the Wire for any training modules). The focus of training shall be towards the development of inter-personal skills which will enable staff to assess situations and respond in ways designed to minimise the likelihood of a violent situation occurring.

## **COUNSELLING**

The Board recognises that employees who fall victim of violence or aggression at work may suffer from emotional and psychological reactions in addition to any physical injuries sustained. It is therefore considered essential that management response to these situations is supportive and immediate. The Nominated Senior Officer will seek to ensure individual managers are appropriately trained and understand and accept their role in the provision of employee support.

After any serious incident of violence or aggression at work, some degree of counselling may be appropriate and the Board has access to this service via South Ayrshire Council Occupational Health.

Where appropriate due consideration may be given to the use of external agencies or individuals to provide independent, confidential support and counselling to staff who are victims of serious violence or aggression.

## **PAYMENT DURING ABSENCE**

If anyone is absent from work as a result of violent or aggressive conduct the following procedure will apply. The assaulted employee will receive pay in accordance with the Board's terms and conditions relating to Sickness Allowance to Victims of Crimes & Violence. In such circumstances the period of absence will be considered separately from any sickness absence the individual may have already accrued. The duration of absence granted will be dependent on the individual case, and is totally at the discretion of the Assessor after he has reviewed the reports on the incident.

## **RETURN TO DUTY**

Where an employee has been absent from work as a result of an act of violence or aggression the Nominated Senior Officer shall give due consideration to all the circumstances of the case and should refer the employee to the South Ayrshire Council's occupational Health Department prior to or his/her return to duty.

Prior to any employee returning to work after a violent incident the Nominated Senior Officer shall in conjunction with Occupational Health consider:

- (a) If it would be appropriate for the employee to return to their duties on a part-time basis.
- (b) If it would be beneficial to transfer the employee temporarily to other duties.
- (c) If the employee should undertake some 'refresher training' as part of their return to work.
- (d) If it is necessary to put a temporary restriction on the range of duties allocated to the employee.
- (e) If there is a requirement for temporary additional supervision and monitoring.

Any of the above changes should be fully discussed and, if possible, agreed with the employee. In all circumstances the employee shall incur no loss of contractual earnings. The appropriate line manager shall ensure that adequate support and assistance are provided for a specified 'settling-in period'.

If after returning to work, an employee who has been a victim of an extreme case of violence or aggression at work requests a transfer then such a transfer request will be given due consideration.

Where South Ayrshire Council's Occupational Health Department considers that an employee is permanently unfit to carry out the normal duties of his/her post as a result of an act of violence or aggression at work, the Assessor and another appropriate senior officer will discuss the matter with the employee. The employee may be accompanied with the trade union representative or any other person of their choice. The possibility of re-deployment will be discussed at this meeting, due consideration will be given to the employees preferences in terms of alternative work.

## REVIEW OF POLICY

This policy will be reviewed by the Board's Nominated Senior Officer as necessary, or at the request of management or the Trade Unions, in the light of reported incidents and advice from reputable and qualified sources.

## GUIDANCE NOTES FOR THE INVESTIGATION OF THE INCIDENT

### The following steps should be taken to deal with the incident: -

- (a) Attend to the affected person (call for assistance, First Aid, Ambulance, Police.)
- (b) Inform Manager. Ensure the security of other appropriate persons.
- (c) Ensure any remaining hazard is guarded against. Take note of anything significant and make general observations at the scene of the incident.
- (d) Record details of the incident area and injuries sustained where possible.

### Investigation - Purpose

From the viewpoint of prevention, the purpose of the investigation and final report is to establish if a recurrence of the incident can be prevented by the introduction of safeguards, procedures, training and information or a combination of these.

### The Procedure

There should be a defined procedure for investigating all incidents, however serious or trivial they may appear to be. The presence of a checklist will help to concentrate attention on the important and available details.

- (a) A summary of what happened
- (b) An introductory summary of events prior to the incident
- (c) Information gained during the investigation
- (d) Details of witnesses
- (e) Information about the injury or loss sustained
- (f) Conclusions
- (g) Recommendations
- (h) Supporting material (photographs, diagrams to clarify etc.)
- (i) Date of the report, signature(s) of the person(s) carrying out the investigation

## THE INVESTIGATION

Information obtained during investigations is generally given verbally or provided in writing. Written documentation should be gathered to provide evidence of policy or best practice followed in the workplace, and witnesses should be interviewed as soon as possible after the incident. The affected person should also be seen promptly.

### Key-points to be noted about the investigation are:-

- (a) Events and issues under examination should not be prejudged by the investigator.
- (b) Total reliance should not be placed on any one source of evidence.
- (c) The value of the witness statements is inversely proportional to the amount of time that has passed between the events or the circumstances described and the date of the statement or written record. (Theorising by witnesses increase as memory decreases)
- (d) The first focus of the investigation should be on when, where, to whom and the outcome of the incident.
- (e) The second focus should be on how and why, giving the immediate cause of the incident, and the secondary or contributory causes.

- (f) The amount of detail required from the investigation will depend on the severity of the outcome and the use to be made of the investigation report.
- (g) The report should be as short as possible, and as long as necessary for its purpose.

## **THE REPORT**

For all purposes the report that emerges from the investigation must provide answers to the following questions. Only the amount of detail provided should vary in response to the different needs of the recipients.

- (a) What was the immediate cause of the incident?
- (b) What were the contributing causes?
- (c) What were the controlling factors?
- (d) What is the necessary corrective action?
- (e) What system changes are either necessary or desirable to prevent recurrence?
- (f) What reviews are required of policies or procedures (e.g. Risk Assessment)?

It is not the task of the investigation report to allocate individual blame, although some discussion of this is almost inevitable. Reports are usually 'discoverable'; i.e. they can be used by the parties concerned to action damages or criminal charges.

## **VIOLENT OR AGGRESSIVE INCIDENT REPORTING**

Violence or aggression is any behaviour towards an employee arising from his or her work that has damaging physical or psychological effects upon that person, whether or not on they are on duty.

### **WHY SHOULD YOU REPORT A VIOLENT INCIDENT?**

The Board emphasises that reporting all violent or aggressive incidents will aid it in assessing the extent of violence & aggression and risk to its employees. Reporting will therefore be taken positively and not as a failure on the part of the employee, other employees or anyone involved in management of the situation.

In pursuance of Health, Safety and Welfare best practice within the Board, you should be aware of how to report violent incidents related to your work.

The VA1 Form that enables you to report violent or aggressive incidents is attached to this Policy as an Appendix and is also available on the directory as a separate form.

The 'Violence & Aggression at Work Policy' has been developed by the Board and is readily available on the directory

**Violence & Aggression Form – Part 2**

<b>FORM VA1</b>	<b>SOUTH AYRSHIRE COUNCIL</b> <b>VIOLENCE &amp; AGGRESSION REPORTING FORM</b>	<b>H &amp; S OFFICE USE ONLY</b> File: <input type="checkbox"/> Investigate: <input type="checkbox"/> Code: _____
Violence or aggression is any behaviour towards an employee arising from his or her work that has damaging physical or psychological effects upon that person, whether or not they are on duty. Complete as fully as possible in black ink and in block capitals. Use a continuation sheet if necessary.		
<b>DEPARTMENT:</b> ..... <b>SERVICE:</b> ..... <b>Date of Incident:</b> ..... <b>Time (24hr):</b> ..... <b>Ref:</b> .....		
<b>A - INCIDENT TYPE</b>		
<b>Type of Assault:</b>	Verbal <input type="checkbox"/> Assault (no object) <input type="checkbox"/> Assault (with object) <input type="checkbox"/> Physical Posturing/Challenging <input type="checkbox"/> Damage to Property <input type="checkbox"/>	
<b>Related Factors:</b>	Sexual <input type="checkbox"/> Religious <input type="checkbox"/> Homophobia <input type="checkbox"/> Racial <input type="checkbox"/> Disability <input type="checkbox"/> Other <input type="checkbox"/>	
<b>Assailant:</b>	Client <input type="checkbox"/> Colleague <input type="checkbox"/> Contractor <input type="checkbox"/> Public <input type="checkbox"/> Pupil <input type="checkbox"/> Former Pupil <input type="checkbox"/> Other <input type="checkbox"/>	
<b>B - INCIDENT DETAILS</b>		
Give an account of the incident, including activity being carried out at the time and any relevant events leading to the incident and how the situation was eventually controlled.		
Incident Site/Location: ..... Address: .....	Establishment Type: ..... Contact Phone: ..... Responsible Person: .....	
<b>Details:</b>		
<b>C - OUTCOME</b> (check relevant boxes)		
Physical Injury: <input type="checkbox"/> First Aid Administered <input type="checkbox"/> Damage to Personal or Other property: <input type="checkbox"/> Attended Hospital: <input type="checkbox"/> Injury type sustained: ..... Police Involved: <input type="checkbox"/> Police Incident No. (if relevant): .....    Time Lost (working days): .....		
<b>D - EMPLOYEE DETAILS</b>		
Name: .....    Age: .....    Sex: M <input type="checkbox"/> F <input type="checkbox"/> Work Address: .....    Job Title: .....		
<b>E - ASSAILANT DETAILS</b>		
Name: .....    Name: ..... Address: .....    Address: ..... Age: .....    Sex: M <input type="checkbox"/> F <input type="checkbox"/> Age: .....    Sex: M <input type="checkbox"/> F <input type="checkbox"/> Ethnicity: .....    Ethnicity: ..... Relationship (if any) between employee & assailant: .....		
<b>F - WITNESS(ES)</b> (please continue on additional Witness Statement Form WS1 if required)		
Name: .....    Name: ..... Address: .....    Address: ..... Job Title: .....    Job Title: ..... Age: .....    Sex: M <input type="checkbox"/> F <input type="checkbox"/> Age: .....    Sex: M <input type="checkbox"/> F <input type="checkbox"/> Ethnicity: .....    Ethnicity: .....		
<b>G - ACTION TAKEN BY ESTABLISHMENT</b>		
Please give details of what support was offered to employee at local level and what further action, if any, was taken.		

**PREVIOUS INCIDENTS RELATING TO ALLEGED ASSAILANT**

Is the alleged assailant known to be involved in any previous incidents YES/NO If Yes then please give date and brief details of incident(s)

**PREVIOUS RECORDED INCIDENTS RELATING TO THE EMPLOYEE REPORTING ASSAULT:**  
In order to provide appropriate support to employees reporting assault, please advise if they have been subject to previous assaults including threatening verbal abuse) giving dates and brief details.

**OUTCOME OF CURRENT INCIDENT:**  
e.g. What happened after the event, details of any Police involvement, legal action taken and any action taken by establishment.

**ACTION TAKEN TO PREVENT RECURRENCE** (to be completed by line manager or service manager):

**Form Completed By**  
(Signature): ..... Print Name: .....  
Job Title: ..... Date: .....  
Line Manager's  
Signature: ..... Print Name: .....  
Job Title: ..... Date Sent to Corporate Safety: .....

**DATA PROTECTION INFORMATION** This form will be used for the purposes of investigating your incident, the monitoring of occupational and injury related absence and ill health within the organisation and the resolution of any civil or criminal legal action arising out this incident. It may be accessed by the following: Health and Safety professionals Occupational Health professionals, Trades Union Health & Safety Representatives or non-union Employee Representatives of Health and Safety Risk Management staff, Insurance Staff, the Council's Insurers and appointed Legal professionals, Enforcement Agencies (such as the Health and Safety Executive, Employee Medical Advisory Service, Fire Authority, Environmental Health) Departmental staff involved in any such investigation and subsequent implementation of remedial measures as appropriate. Access to this information by any other person will only be with your written consent. You are entitled to a copy of this form.