



Estates Department

# Violence at Work Policy

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## INTRODUCTION

The Laurus Trust recognises that it has a legal and moral duty to provide its staff with a safe work place and safe working practices, which include the prevention of acts of violence or aggression, whether physical or verbal and also acts of racial and sexual harassment.

The Trust is committed to identifying and reducing, as far as is reasonably practicable, any foreseeable risk of violence to its staff.

In order that The Trust can co-ordinate its approach to violence at work and address the issue of under-reporting, a number of initiatives have been brought together in this guidance, which include:

- ❖ The formulation of a Policy Statement on Violence at Work.
- ❖ Reviewing the training requirements of both managers and employees in the area of violence at work.
- ❖ The publication of this document on the Estates Notice Board

The safety of our staff is of paramount importance, but there are other equally important reasons why this issue needs addressing:

- ❖ It makes sound financial sense – days lost through sickness due to violent incidents can be substantial.
- ❖ The quality of teaching or support provided may be affected by lost time incidents.

It is the Trusts' firm belief that by embracing these initiatives, there will be a greater understanding of the issues relating to violence at work and a clear message that it will not be tolerated or accepted, and to that end, all staff must co-operate by actively reporting such incidents.

## **POLICY STATEMENT ON VIOLENCE AT WORK**

The Health and Safety Executive (HSE), define “violence” as:

“ any incident in which an employee is abused, threatened or assaulted in circumstances arising out of the course of his or her employment “

- The Laurus Trust will take such matters seriously and be fully supportive of staff who are the victims of violence whilst carrying out, or in connection with, their official duties, including incidents of violence involving one employee against another.
- The Laurus Trust will ensure that suitable and sufficient Risk Assessments are carried out which includes the exposure of its employees to acts of violence and sets out effective control measures.
- Where threats or acts of violence are made to a member of staff in the course of undertaking official duties, The Trust will, in all appropriate cases, send a formal letter to the person(s) concerned warning them of the sanctions that could be taken against them.
- Any member of staff who may have to deal with violence at work will be provided with suitable initial and ongoing training. All such training will be recorded on an employee’s training/personal file. Managers must assess the efficacy of this training, and monitor the level of incidents to establish if further training is required.
- The Laurus Trust will provide professional counselling through our support company Beacon Counselling. They will offer advice and support for employees who have experienced incidents or threats of violence at work.
- All Staff will receive the full support of the School in seeking the prosecution of offenders in cases of violence at work.
- A member of staff who is in need of legal advice in connection with any matter arising out of the performance of their duties is entitled to seek such advice from their own solicitors.
- All staff must report any violent incidents at work on an Accident/Incident Report Form, which is available on online on moodle and the Trust will record and investigate all such incidents, notify the Trade Union Health & Safety Representative, and take the appropriate remedial action.

## LEGAL RESPONSIBILITIES

3.1 The Laurus Trust has a legal duty to provide a safe and healthy working environment under the Health and Safety at Work Act 1974 and carry out suitable and sufficient Risk Assessments under the Management of Health and Safety at Work Regulations 1999.

*This would include:*

- **Physical attack** – causing actual bodily harm or symptoms of actual stress
- **Attack against property** – attacks on and damage to employee's property
- **Harassment or verbal abuse** – when an employee feels threatened or intimidated
- **Animal attack** – where the animal is used as a threat or fear of violence

3.2 Once Risk Assessments have been carried out, their findings must be followed up with appropriate preventative and protection measures along with management arrangements, i.e. planning; organisation; control; monitoring and review.

3.3 Employees must be given adequate information and training to enable them to understand the risks and the measures taken to deal with them, i.e. policies and procedures.

3.4 Employees also have a clear duty to take reasonable care of themselves, co-operate with the employer and comply with agreed work practices and procedures, including reporting all incidents of violence at work on the Trust Accident/Incident Report Form

3.5 Certain incidents may be reportable by law to the Health and Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, e.g. an employee being absent from work for more than 7 days as a result of a violent incident arising out of a work activity.

3.6 Employees who have been affected by violence at work will be dealt with in a sympathetic and understanding manner and receive appropriate support. Initial support will be provided by the line manager.

3.7 Employees who are members of a Trade Union should also notify their Health & Safety Representative.

## **PROCEDURES**

As outlined in Section 3., The Laurus Trust must carry out Risk Assessments before a particular work activity is carried out, and then reviewed following any update or incident.

### **1. Risk Assessment**

- 1.1 Managers must ensure that Risk Assessments are carried out which include issues surrounding violence at work.
- 1.2 They should be carried out using an agreed format and in conjunction with employees and appointed Trade Union Safety Representatives.
- 1.3 Any findings from the Assessments must be conveyed back to the workforce and Trade Union Health & Safety Representatives, and precautions and preventative measures must be introduced to reduce any outstanding risks.
- 1.4 The Risk Assessments must be reviewed at regular intervals, where new working practices dictate that a review is necessary, or where significant incidents have taken place, e.g. following any reportable accidents/incidents.

When carrying out a Risk Assessment it should be noted that the physical and social environment in which employees work and where services are provided, can have a significant impact on behaviour and the creation of a safe working environment.

### **2. Physical Environment**

Attention should be given to such issues as the design of waiting areas and interview facilities; levels of lighting and noise; adequacy of space and privacy; an efficient reception and appointment system and the provision of accurate and up to date information. Peripatetic workers must also be considered when working away from their normal base.

### **3. Social Environment**

This should also be considered in terms of privacy, stimulation, boredom and quality of information provided with full explanations of procedures and their stages with realistic timescales given. Such factors will reduce the possibility of the physical environment triggering or exacerbating a stressful situation.

### **4. Interaction/contact**

Managers must consider employee's interaction with others which could place them at risk, and assess any jobs or places of work where employees may feel threatened or vulnerable.

*It is important that employees are asked to share their views and experiences.*

Managers need to ensure that employees have an awareness of how their actions may influence or contribute to how a potentially violent situation evolves, and the procedures and safe working practices they should follow.

## **5. Key Potential Hazards**

These could include:

- Home visits
- Employees working alone or in isolated parts of a building
- Handling cash
- Direct contact with the public
- Working in outside environments/open spaces
- Working with students with challenging behaviour
- Working outside of normal working hours

## **6. Evaluating existing precautions and “residual risk”**

Managers should evaluate what precautions are already in place, e.g.

- Design of the working environment – room layout and choice of furniture
- Equipment available to employees – panic alarms, mobile phones
- Working practices – signing in/out procedures
- Working patterns – joint visits, appointments in office
- Provision of training – identifying triggers for violence and de-escalation
- Communication – sharing relevant information with employees, Trade Union Health & Safety Representatives and other colleagues/agencies
- Reporting procedures – employees aware of the value of reporting all incidents
- Monitoring & reviewing of incidents – to identify trends/patterns & prevent recurrence

Once this exercise has been carried out, a decision is made as to the “Residual Risk”, i.e. after all the precautions have been taken into account, what is the remaining risk – HIGH - MEDIUM –LOW?

### **Next step?**

Managers should then assess whether they have done enough to reduce the risk, as far as is reasonably practicable. If not, what further precautions are necessary; who will carry this through and within what time scale?

## **7. Safe Working Methods**

- 7.1** Following the completion of Risk Assessments, safe working methods must be formulated which detail measures which can be taken, or are provided, to reduce the risk of work related violence.
- 7.2** These safe working methods must be made available to all relevant employees and the information contained within them conveyed at the induction stage and continually thereafter through activities such as training or team meetings.

- 7.3** The safe working methods should be reviewed after significant incidents have taken place, at regular intervals, or where new working practices dictate that a review is necessary.

## **8. Prevention**

- 8.1** There is no single solution to preventing violence against employees working in the Public Sector and preventing violence must start with a full assessment of risks with the consultation and involvement of employees on the front line and ideally, the Trade Union.

- 8.2** There are a number of factors which should be taken into account when managers within the academy are developing their own local prevention strategy:

- Familiarisation with the Policy Statement on Violence at Work and this Guidance
- Undertake risk assessments and implement control measures
- Examine the physical and social environment in which employees work
- Establishing and maintaining effective communication channels with employees
- Examine the expertise of employees and the quality of their interaction with the public
- Provision of training and information to current and new employees
- Positively encouraging employees to report incidents
- Providing appropriate after care and support to employees following an incident
- Be aware of the impact of other life events such as the introduction of new practices, new risks, new employees, new teams, etc.
- Involve the appropriate Trade Union Health & Safety Representatives

## **Training**

Appropriate employee and Manager training is vital in the prevention of work related violence.

Managers must assess the risks to their employees and analyse their training needs. In doing so, it will be possible to gauge the sort of training and learning opportunities they require according to their roles and to ensure that it is appropriate to the degree of risk an individual employee faces.

Training should provide employees with the theory behind violence at work so that they can understand why it occurs and how any individual could be a potential aggressor given a certain set of circumstances. It is also extremely important that employees have an awareness of methods of prevention and know how their actions may contribute to, or exacerbate a violent situation.

Accordingly:

- 1.1** Any employees who are identified through the Risk Assessment process as being at significant risk from violence, must receive appropriate training at induction and continually thereafter where it is deemed necessary.

- 1.2 Employees who deal with students who are difficult or are challenging, must receive appropriate training and information to allow them to understand the individuals they are teaching, help them cope with and manage this behaviour, which may be persistent and threatening and help them to develop a clear understanding of what behaviour is acceptable.
- 1.3 Managers will receive training in the Risk Assessment process as part of the development of their core skills, together with other issues that may affect the health, safety or welfare of employees.

### **Exchange of Information**

Managers must make their employees aware of potentially violent situations and also be conscious of other people, such as other colleagues and services that may have contact or involvement with an individual.

Relevant information must be made available to appropriate employees and colleagues regarding the background of individuals on a “need to know” basis, so that preventative and protective measures can be put into place.

Discretion must be used regarding the sharing of personal information, however it is essential in order to ensure employee safety that records should contain information to act as an alert to employees that there is a risk of violence or aggression.

This information must be shared with other colleagues and/or agencies who may be currently, or likely to be involved with the individual. Critical information such as particular triggers, previous behavioural patterns and relevant information should be provided to avoid others being placed in a potentially violent situation.

Section 115 of the Crime and Disorder Act 1998, empowers the Trust to exchange information where it believes there may be a threat of violence to others. However, this needs to be balanced with the acknowledgement of human rights concerns as laid down in Article 8 of the Human Rights Act 1998 and the Data Protection Act 1998.

However, where there is a risk to an employee’s safety, the issue of confidentiality is over-ridden in such circumstances and Health and Safety legislation takes precedence.

### **Physical Intervention**

When dealing with individuals who become aggressive, physical contact and intervention should be avoided, but may be required to be used as a last resort.

It is important that employees understand the legal position to this area, to minimise the potential for legal action and/or for claims being made that unreasonable force was used.

Physical intervention is only lawful if it involves the use of *reasonable force*, i.e. the least force that is necessary in self-defence, or to restrain a person who is doing, or is about to do, physical harm to themselves, another person or property.

The use of intervention should always be viewed as a last resort and should only be considered when preventative/less invasive measures are judged to be ineffective.

The term “physical intervention” implies that you should try to avoid hurting or injuring the individual.

If any physical intervention is used by an employee, this must be reported immediately to a line manager and a full, signed record made of the extent of it, its impact and any follow-up required.

## **Employee Support**

If a violent incident occurs, then the safety and welfare of the employee is of paramount importance.

Employees must receive one to one support from their line managers where incidents of violence have been reported.

The following checklist may be of assistance:

- ❖ Does the employee require any medical attention, i.e. first-aid/hospital, etc?
- ❖ Have the employee’s personal belongings/vehicle been considered?
- ❖ Does a relative/friend need to be contacted?
- ❖ Have the police been informed?
- ❖ Allow sufficient time for the employee to talk about the incident
- ❖ Acknowledge that the employee may be angry, fearful or even guilty, but avoid apportioning blame
- ❖ Inform the employee of after care and counselling service\*
- ❖ Advise on the reporting procedure

\* The Laurus Trust will provide professional counselling through our support company Relate. They will offer advice and support for employees who have experienced incidents or threats of violence at work.

## **Incident Procedures**

Once a Manager has received notification of a violent incident, then the first action must be to support the employee.

However, certain procedures must also take place:

- Decide whether or not to involve the police
- Complete the Trust Accident Incident Report Form
- Establish if the incident is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), and if so, ensure that the Health and Safety Executive have been notified.
- Review the Risk Assessment to ensure that it is still “suitable and sufficient”

- Any incidents should be shared with other colleagues in team meetings, etc, taking care to maintain confidentiality.
- If the situation involves an employee to employee incident, then contact the Chief Finance Officer 0161 485 7201 Ext 284
- Ensure that the appropriate Trade Union Health & Safety Representatives are informed.

### **Contacts Section**

- ❖ Health & Safety Advisor – 07770345733
- ❖ HSE – 0161 952 8200
- ❖ Criminal Injuries Compensation Board – 0300 003 3601
- ❖ Victim Support – 0845 30 30 900