

EAST BUDLEIGH with BICTON PARISH COUNCIL

DEALING WITH VIOLENCE & AGGRESSION

Code of Practice

Issue 1

August 2017

INTRODUCTORY NOTE

This code of practice has been compiled as a result of risk assessments required by the Management of Health and Safety at Works Regulations 1992. The code is deemed an extension to the Council's health, safety and welfare policy and in so far as reasonably practicable provides for a safe system of work for employees who by the nature of the work might be exposed to the risk of violence or aggression.

Employees are reminded that they have a legal obligation under the Health and Safety at Work Act 1974 to comply with safe systems of work laid down by their employer.

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VIOLENCE AT WORK POLICY

1 Introduction

- 1.1 Section 2 of the Health and Safety at Work Act 1974 places a duty on employers to "so far as reasonably practicable" provide a safe place and safe systems of work for employees. This duty has been extended by the Management of Health and Safety at Work Regulations whereby risk assessments have to be carried out on all employee activities. The Parish Council has a duty to carry out risk assessments where necessary.
- 1.2 This code of practice has been produced in response to Parish Council recognition that aggression and violence is a potential risk to employees while at work.
- 1.3 The intention of the procedures contained within this code is to provide a broad based systematic approach to ensure that, so far as possible, the procedures adopted are standard throughout the Parish Council.
- 1.4 Those at risk are staff and Parish Councillors who regularly deal with members of the public, who may for a variety of reasons be angry, distressed, disturbed, ill, embarrassed or resentful. Such feelings can sometimes result in aggression and violence.
- 1.5 The Health and Safety Executives working definition of violence from the public is:

"Any incident in which an employee or member is verbally abused, threatened or assaulted by a member of the public in circumstances arising out of the course of their employment".

2 Statement of Policy

- 2.1 East Budleigh with Bicton Parish Council acknowledges the risk of violence and aggression towards staff while at work and affirms that such violence, threat of violence and aggression or verbal abuse is wholly unacceptable. The Parish Council through the Clerk will ensure that employees are

provided with, in so far as reasonably practicable, a safe place and safe systems of work and that where employees are subjected to violence and aggression, they are provided with appropriate personal support.

2.2 It will be the responsibility of the Clerk to ensure that the procedures contained within this code are brought to the attention of all relevant staff and adhered to.

2.3 The Council will consider as unacceptable:

- i) Severe verbal abuse or threats to its employees or Parish Councilors.
- ii) Verbal or physical harassment of its employees or Parish Councilors including racial or sexual harassment.
- iii) Verbal or physical abuse to employees or Parish Councilors outside working hours, arising from employment or duties of the Council.
- iv) Attacks on or damage to employees or Parish Councilors property arising from or in connection with employees or Parish Councilors carrying out their responsibilities.

2.4 The key areas that can have a substantial impact to the performance of this policy are:

- i) The prevention of violence.
- ii) Dealing appropriately with acts of violence and aggression.
- iii) Monitoring and aftercare.

3 Preventing Violence and Aggression

3.1 The Council will primarily continue to consider and implement procedures whereby the possibility of employees or Parish Councilors being harmed is reduced or removed.

3.2 Certain tasks and jobs may leave some employees more susceptible to violence and aggression than others. The personal safety of such employees will remain a prime management consideration when designing jobs and allocating tasks. Personal alarms and mobile telephones will be issued to those employees where risk assessments identify the need.

4 Violent or Aggressive Acts

- 4.1 Any violent, threatening or aggressive act must be reported to the Clerk and the incident report form completed (see Appendix 'A').
- 4.2 Where medical attention is required the Clerk should assess the individual and take action where necessary.
- 4.3 Following consultation with the Parish Council Chairman and Vice Chairman, if considered appropriate the incident should be reported to the police. In the case of serious assault reporting to the police is mandatory.
- 4.4 If an employee is required to attend the police station for interview or to make statements they should, if they wish, be accompanied by the Clerk, Chairman or Vice Chairman of the Parish Council.
- 4.5 If the incident was reported to the police and they decide to prosecute, the proceedings will obviously be dealt with by them. The employee concerned will more than likely be required at various times by the police, in which case they should be supported by the Parish Council as far as possible. They should not incur any loss of personal time or financial loss as a result.
- 4.6 If the police do not prosecute, or where the police were not involved the Council may decide to take action, where appropriate, by sending a formal letter or warning to those concerned. The decision to do so will be taken by the full Parish Council.

5 Actions Following an Incident

- 5.1 Dealing with the immediate effects of an incident as detailed in paragraph 4 will form the process of responding to acts of violence. However, the Parish Council recognises that further support may be necessary to restore the confidence of those involved and their colleagues.
- 5.2 Acts of violence and aggression can have a traumatic effect on people which might not manifest itself till some time after the event. It is therefore essential that the Parish Council adopt a sympathetic and supportive attitude to those involved, including witnesses. If necessary professional counselling and help from organisations such as Victim Support groups can be obtained.

- 5.3 In order to prevent misinformation from circulating, the Parish Clerk should as far as possible inform the victim's colleagues of the details of the incident. This must not, however, breach confidentiality for those concerned.
- 5.4 The Parish Council should review existing procedures to assess if they have been complied with or need improvements to prevent a recurrence.
- 5.5 Before allowing any victim to return to a similar situation, the Parish Council will need to ensure, as far as possible, that the individual is confident enough to do so. They might need the support of a colleague for a period.
- 5.6 In the event of the police prosecuting, the victim and witnesses will more than likely have to attend Court to give evidence. The Parish Council should ensure that the Clerk or Parish Councillor attend the Court in support of these employees, without any financial loss to those concerned.
- 5.7 If an attendance at Court is of particular concern to a victim or witness they should be referred to the Crown Court Witness Services which provides support and advice in such situations. Unfortunately, such a service is not available for Magistrates Courts, however, the Parish Council would offer whatever support was necessary internally.

6 Insurance

- 6.1 In accordance with the conditions of service the Council maintains a "Personal Accident - Assault" insurance policy. The principal benefits of this policy are:
- i) Death benefits.
 - ii) Permanent, Total or Partial Disablement (from usual job or profession).
 - iii) Temporary Disablement (from usual job or profession).
 - iv) Violent, Accidental Assaults, Attack by animals
- 6.2 Claims under the policy must be made through the Parish Council and will be subject to the policy conditions in force at that time.
- 6.3 Receipts from claims under this policy, will subject to the conditions in force at that time, be paid to the individual on whose behalf the claim was made.

7 Legal Aspects

- 7.1 The police will decide if a criminal prosecution is appropriate or not. Irrespective of what decision the police make, the individual concerned has the right to pursue a civil action for damages.
- 7.2 The Parish Council will not indemnify any employee against the cost of a civil action except in exceptional circumstances. Any decision relating to exceptional circumstances will be made by the Parish Council in consultation with Legal advice. The best interests of the Council will be predominant in any such decision.
- 7.3 Employees are therefore advised that starting a civil action (subject to their status regarding legal aid) could be a very expensive undertaking. Whilst the Parish Council cannot act on an employee's behalf, they will provide informal advice to employees wherever possible regarding the procedures involved and their likelihood of being successful.
- 7.4 Employees should note that if they do decide to pursue a civil action the Parish Council will make a third party claim in respect of any costs incurred by them due to employee absences etc. This procedure would not detract from any award for damages made as a result of their action.

8 Monitoring Events

- 8.1 The Parish Council Policy Committee will be responsible for monitoring all incidents of violence and aggression. In order to facilitate this, the Clerk must ensure that such incidents are reported to the Policy Committee Chairman and the Chairman of the Parish Council at the earliest opportunity.

9 Guidance for Employees in Preventing or Avoiding Violence and Aggression

- 9.1 Help on how to react to and deal with potentially violent and aggressive situations. The following are general awareness points that you should be aware of:

External Visits

- Be on time for appointments. Arriving late can be inflammatory to someone who might already consider they have something to complain about.
- Prepare for the visit, ensure you know, as far as possible the problems you might face, read the relevant file try and pre-empt questions and have answers prepared. If you do not know the answer to something say so, do not waffle or provide mis-information, it might get you out of the current situation, but, you or one of your colleagues will no doubt have to face those concerned at a later date.
- Before leaving the office ensure that you have complied with the guidance on external visits, ie leave all the relevant details, address, time out, estimated time of return etc.
- Where possible have your mobile telephone with you. Ask for a personal attack alarm if it makes you feel comfortable.
- Check for any known details about who you are going to visit. Send two people or insist the interview is carried out in the office.
- On arrival at your location, park your car where possible in a well lit area and facing the easiest exit route. Keep car keys separate from brief cases, handbags etc.
- Check the signal strength on your mobile phone. You will then know if you can rely on them.
- Always show details of who you are on arrival.
- If the person you are supposed to see is not there, try and leave a message for them to contact you at the office to re-arrange the appointment.
- On entering any premises if you sense something is wrong, withdraw from the situation, make an excuse, say you are unwell and use your phone to inform your Office/Clerk. Such action should indicate to the office that you might be in a potential problem situation.

- If a general interview develops to an aggressive stage, do not respond in the same manner. Try to defuse the situation by staying calm, try to speak slowly and clearly. Meeting aggression with aggression will resolve nothing. Try to identify what the individual actually wants, but, remember make no promises that you do not have the authority to make.
- Avoid adopting an aggressive stance ie standing with arms folded, hands on hips, wagging a finger, waving arms, as they will only incite an already difficult situation.

Office Interviews

- Check that an interview room is available. If the individual concerned has a known history of violence or you have reason to suspect a confrontational situation might arise, never interview alone.
- Always ensure someone knows that you are going to conduct an interview and where it is to be held.
- If the room only has one door always show the client in first, so that you end up sitting nearest the door. You will then have the advantage if you need to withdraw in a hurry.
- At the conclusion of any interview, whether internal or external, inform the Parish Council Chairman and the Chairman of the Policy Committee of any relevant details you consider might benefit yourself or colleagues in the future.

Cash Handling or Carrying

- Officers who handle or carry cash as part of their duties should not put themselves or their colleagues at risk in defence of the money. If challenged in a robbery situation they should hand the money over as instructed and make no attempt to obstruct the perpetration of the act in any way.

Abusive Telephone Calls

- Be patient, after a few moments the abusive language may abate.
- If it is impossible to supply a satisfactory answer to the query offer to pass the customer to a supervisor.
- DO NOT PANIC.
- Do not put the receiver down immediately.
- Do not become upset.
- Do not lose your temper.
- Do not be tempted to react with a similar response.
- Do not take remarks personally.
- If, after giving a warning, behaviour does not improve then you may terminate the call.
- All calls of this nature should be mentioned to the Chairman of the Parish Council so that he or she is aware and the incident can be noted.

10 Guidance for Managers in Preventing Violence to Employees

10.1 General

- Essential aspects in the prevention of employees being exposed to violence and aggression are training, information and planning. Additionally, staff need to feel that their concerns will be taken seriously and that they will not be made to feel foolish or inadequate if they resort to the use of alarms or call for help in situations that prove to be false alarms.
- Employees who are well informed, confident of their facts, know that

support is available, deal with clients more efficiently and effectively, whatever the service.

- The Parish Council must take employees experiences seriously. All too often dealing with difficult members of the public is regarded "as part of the job". To provide a quality service these aspects should be viewed seriously.

10.2 Is the customer entitled to be angry?

10.2.1 A major priority for the Parish Council will be to investigate the causes of violent and aggressive acts in order to determine whether they result from problems that can be rectified. It might be that security needs improving, that the service provided can be improved or that the client's problem has been dealt with inappropriately.

The following questions should be addressed:

- Does the client have a legitimate complaint?
- Can the service be improved in order to reduce frustration?
- Is employee training adequate?
- Are employees being put in an impossible situation?
- Do employees have enough information to deal adequately with the type of situation encountered?
- Is there a proper complaints procedure that clients can follow, and are they made aware of it?

10.3 How can difficult situations be avoided or relieved?

10.3.1 The severity of aggression faced by employees can vary from relatively minor to severe. The Parish Council in response to such acts will need to review such acts to ensure that all that can be done is being done.

The following points should be considered:

- Do you as an Employer know the problems your staff face while at work?
- Are employees in general or individually competent enough to deal with situations?
- How good are existing security measures, do staff have, mobile phones, personal alarms ? Do they need them?
- Employees who deal with money are at particular risk, can their procedures be improved?
- Are your risk assessments required by the Management of Health and Safety at Work Regulations 1992 suitable and sufficient and most importantly are they current?

Remember, prevention is always the best option

Employees are more likely to respond positively if they know they have your support.

EAST BUDLEIGH with BICTON PARISH COUNCIL VIOLENCE & AGGRESSION INCIDENT REPORT

EMPLOYEE DETAILS

Full Name:

Home Address:

D.O.B.

DETAILS OF INCIDENT

Date:

Location:

WHAT HAPPENED

Tick as appropriate .

Verbal Abuse

Damage to Public Property

Details of Injuries (if applicable)

Describe what happened

Threat of Violence

Physical Violence

Damage to Private Property

Employee Signature

Date

DETAILS OF AGGRESSOR

Male/Female

Name: Address:

Any other relevant details. In your opinion was he/she under the influence of:

Alcohol Yes No

Appear to be ill/disturbed Yes No

Drugs Yes No

WITNESS DETAILS

Name and Address:

MANAGEMENT'S INITIAL ACTIONS

First Aid required

Hospital Care required,

Police informed

If 'yes' what action is proposed

Signature

Date

FOLLOW UP ACTION

Were existing procedures followed, were existing procedures adequate If 'no' what action is required.

Details of any other actions carried out.

Signature

Date