

VIOLENCE & AGGRESSION AT WORK POLICY

PURPOSE AND SCOPE

Dunstable Town Council is committed to providing a safe working environment and to protecting the health, safety and welfare of all employees, agency workers, contractors and others carrying out duties on behalf of the Council. The Council does not accept, and will not tolerate, abuse, aggression or violence towards employees. Such behaviour is not accepted as being “part of the job”. This policy applies to all work-related incidents, whether they occur on Council premises, in parks, public spaces, highway verges and other areas where staff regularly interact with members of the public, during site visits, while working alone, online, by telephone, in writing, or in any other circumstances connected with Council duties. It should be read alongside the Council’s Health and Safety Policy, Lone Working arrangements, Dignity at Work Policy, Sickness Policy, Vexatious Complaints Policy and Accident/Near Miss Reporting procedures.

DEFINITIONS

For the purposes of this policy, abuse, aggression or violence refers to any incident connected with an employee’s duties, whether occurring at work or elsewhere, where the employee feels verbally abused, threatened or attacked.

Where an incident involves unwanted behaviour related to a protected characteristic, employees must also follow Dunstable Town Council’s Dignity at Work Policy. Protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Such incidents may amount to harassment, discrimination or victimisation and must be taken seriously.

POLICY OBJECTIVES

Any physical assault that injures a member of staff, whether causing physical pain, anxiety or stress, is a serious concern. Verbal abuse and threats can also have a significant emotional impact. If such incidents are not addressed, they may lead to low morale, poor performance and absence from work due to injury, depression or fear. The Town Council has a statutory duty to provide a safe system of work, a safe workplace and a safe working environment, including protecting employees from assault.

This policy applies to all incidents of work-related abuse, aggression and violence. Employees may be at increased risk where they:

- Handle or collect money or valuables
- Give advice or training
- Work alone or away from a workplace
- Carry out enforcement duties, site inspections or monitoring activities in isolated locations
- Deal with anti-social behaviour, fly-tipping, vandalism or unauthorised access.
- Work in parks. Cemeteries, allotments and public spaces
- Operate machinery, vehicles or specialist equipment in public areas
- Have contact with service users
- Handle public calls

The Council recognises the potential effect of abuse, aggression and violence on employees' physical and mental wellbeing. All incidents must be addressed promptly and proportionately. This policy covers:

- Physical attack - whether visible injury occurs or not
- Animal related incidents, including dogs or other animals being intentionally used as a threat, uncontrolled animals causing fear, intimidation or injury, or incidents involving dog attacks on employees.
- Verbal abuse - when an employee feels threatened or intimidated and the abuse is personally directed. This also includes cyber-aggression through texts, email messages or social networking sites
- Abusive, threatening or intimidating behaviour directed at employees carrying out maintenance activities, operating machinery or vehicles, undertaking inspections, enforcing site rules, or delivering Council services
- Attack or damage to property or belongings of the employee or the Council

This also includes any work-related incident involving an employee, or their family, which occurs away from the workplace because of the employee's Council duties.

MANAGERS' RESPONSIBILITIES

Line managers must implement this policy, make sure employees understand it, and take reasonable steps to prevent and respond to work-related abuse, aggression and violence. Line managers must:

- Treat any reports of work-related violence, threats or abuse seriously and respond to them promptly.
- Record incidents promptly and ensure employees involved receive appropriate support throughout the process.
- Set a positive example by reporting all incidents of violence and abuse and not tolerating abusive behaviour from customers and members of the public.
- Respond to and, where possible, resolve incidents, ideally before they escalate.

- Monitor incidences of violence and abuse and initiate appropriate action if more measures are needed.
- Provide or signpost appropriate support after an incident, including support for witnesses and consideration of temporary adjustments where needed.
- If an investigation is needed, work with the police and offer any assistance needed to help in their enquiries.
- Carry out risk assessments.
- Remain sensitive to employees' needs and the risks they may face in different work settings.

EMPLOYEES' RESPONSIBILITIES

All employees are responsible for their own behaviour and for complying with this policy.

Employees who work alone must remain alert to potential risks and avoid situations that may place them in danger. Where an individual feels threatened, intimidated or unsafe, they should remove themselves from the situation where practicable seek immediate assistance and report the incident to their line manager. No employee is expected to remain in a situation where they reasonably believe their safety may be compromised.

Employees must take reasonable care of their own health and safety and that of others who may be affected by their actions. Employees should:

- Recognise the potential for work-related violence and take action to resolve it early on.
- Take positive action and, for example, contact a line manager where there has been an incident previously or where there is reason to believe that an incident may occur
- Report all incidents of abuse, aggression, threats or violence as soon as possible, including when the incident occurred, who was involved and any relevant circumstances.
- Be supportive of colleagues who are victims or witnessed work-related violence.
- Suggest additional measures to line managers which might help to prevent and manage work related violence.
- Make use of any infrastructure or technology to support their work including use of phones, radios and lone working devices.
- Act in a way that does not incite or increase the likelihood of violence. Any staff member found to be encouraging or inciting violence may be subject to disciplinary action.
- Work with line managers and Union Representatives, where relevant, to prevent, address, report and respond to incidents of work-related abuse, aggression or violence.

PREVENTATIVE MEASURES

These guidelines apply to all services but can be adapted to meet specific needs.

Reception areas

The way in which people are received sometimes affects how they react. Reception areas should have easy access, good lighting and an inviting atmosphere.

If people are kept waiting, employees should explain the reason and apologise where appropriate. If an employee believes a situation may become violent, they should ask a senior employee for assistance.

Property and cash

While protecting property and cash is important, employee safety must always come first. If violence is directed only at property, employees should use their judgement before intervening. Where there is a risk of personal injury, they should not intervene but should try to contain the situation in a restricted area and call for assistance.

Severe disturbances or 'sit-ins'

If someone refuses to leave, employees must get help from a colleague and, if necessary, call the Police.

Operational and Outdoor Working

Employees working in parks, cemeteries, allotments, sports facilities and public open space should:

- Maintain awareness of their surroundings
- Avoid working alone in higher risk situations where this can be reasonably avoided
- Use phones and personal safety devices where provided
- Withdraw from situations involving aggression, threats or intimidation where it is safe to do so
- Report locations or individuals associated with repeat incidents

People with dogs

Sometimes people encourage their dogs to behave aggressively. Employees must report and record such incidents should they occur including uncontrolled dogs, refusal of owners to control their dog, threatening behaviour by owners if challenged about dog control and dog attacks. This will alert other employees to potential danger.

The Dangerous Dogs Act 1991 requires owners to keep their dogs under control. An owner may be guilty of an offence if their dog:

- is dangerously out of control in a public place, or
- causes fear or apprehension in a place where it shouldn't be, and which isn't public property.

If the dog injures anyone, the owner may be guilty of an aggravated offence. In either case, the Police can take action against the owner.

DEALING WITH VIOLENT INCIDENTS

Violence cannot always be predicted, although situations often escalate gradually. All threats of violence must be taken seriously. As people respond differently, there is no single correct approach; however, if you feel threatened, try to remain calm and defuse the situation where it is safe to do so.

It is important to be perceptive and 'read' situations. Try:

- to avoid arguing
- to be careful in what you say and how you say it
- to not be provocative
- to not swear

Make sure you know how to get help or leave safely if needed. Although these situations can be stressful, try to remain calm and avoid panicking or overreacting. Look for early warning signs so that violent behaviour can be prevented, or direct confrontation avoided where possible. If the situation escalates, leave immediately and get help.

REPORTING AND ACTION FOLLOWING AN INCIDENT

1. Contact the Police immediately where there is physical violence, a serious threat, criminal damage, intimidation or an immediate risk to safety.
2. Move to a place of safety and seek assistance where needed.
3. Report the incident to a line manager or Head of Service as soon as possible.
4. Complete the incident report form in Appendix 2.
5. Seek first aid or medical attention where required.
6. Record follow-up actions, support provided, lessons learned and any further control measures required.

Employees

Employees involved in an incident must inform their line manager or Head of Service as soon as possible and complete the incident report form in Appendix 2. Where there is immediate danger, physical violence, a serious threat or criminal damage, the Police must be contacted immediately. First aid or medical attention must be sought where required.

Managers

Managers must ensure that cases involving assault, physical violence, severe disturbance, serious threats, harassment, intimidation or criminal damage are reported to the police as soon as possible where there is an immediate risk to safety or where a criminal offence may have occurred.

Line managers must investigate incidents fully and The Police may also wish to take separate statements.

If the incident involves physical violence, injury, a near miss or psychological impact, managers must also complete the relevant Accident/Near Miss Report form and consider whether the incident is reportable under health and safety reporting requirements.

The line manager is responsible for confirming that the incident has been reviewed, follow-up actions have been recorded, Worknest has been updated where required, and any escalation to SMT or HASAG has been completed.

Specific courses of action, depending upon the type of incident, are available in Appendix 1.

Employees must be kept updated about relevant actions or outcomes throughout the process, subject to confidentiality and data protection requirements.

LEGAL ADVICE AND ASSISTANCE

If an employee is assaulted whilst carrying out their duties, and the Police take no action, the Town Council may seek professional advice to decide whether or not to prosecute the assailant if it considers a successful prosecution is possible and justified. An employee can also take a private action, either through the Criminal or Civil Courts, with assistance from their trade union or a private solicitor.

SICKNESS PAYMENTS

Injury as a result of an assault at work will be treated as an industrial injury, and occupational sick pay will be paid as per the Council's Sickness Policy. It is therefore important that abuse, aggression and violence incidents are reported to your line manager.

COUNSELLING AND SUPPORT

The welfare of employees is of paramount importance. An employee who suffers violence must be treated sympathetically, and their immediate needs attended to before the more formal process of recording and reporting the incident. Employees may choose to use the Council's counselling service.

TRAINING

Line Managers are responsible for identifying their employees' training needs, including the requirement for conflict management training. Any employees requiring further, or refresher training should contact their line manager.

POLICY REVIEW AND OWNERSHIP

This policy will be reviewed periodically, or sooner where there are legislative changes, organisational changes, significant incidents, or lessons learned from incident reporting.

APPENDIX 1

Specific course of action for managers following an incident

Managers should use the table below as a practical guide and seek specialist advice where the circumstances are complex, serious or repeated. Legal references and reporting thresholds, including police referral and health and safety reporting requirements, should be checked periodically to ensure they remain current.

Incident	Legislation	Manager's Actions
Actual Physical Assault.	Offences Against the Person Act 1861	1) Contact the police immediately where there is an ongoing risk or a criminal offence may have occurred. 2) Ensure the incident report form is completed. 3) Review the incident with the employee and identify support, training or further control measures required.
Threat of violence or abuse in public place.	Public Order Act, ss. 4, 4A and 5 and Protection from Harassment Act	1) Where safe, seek to calm the situation and ask the person to leave*. If the risk continues, contact the police. 2) Report the matter to the police where there is intimidation, a serious threat, harassment or risk to safety. 3) Ensure notes are taken from any witnesses. 4) Ensure the incident report form is completed. 5) Review the incident with the employee and identify support, training or further control measures required. *If the perpetrator is a minor in our care, do not ask to leave but call the next of kin.
Threat to kill or threats to property.	Offences against the Person Act 1861	1) Report the matter to the police immediately. 2) Ensure notes are taken from any witnesses. 3) Ensure Incident Report form is completed. 4) Review the incident with the employee and identify support, training or further control measures required.
Threat of violence or abuse in non-public place, e.g., in assailants' home or on their property, including abusive correspondence.	Protection from Harassment Act and Anti-Social Behaviour Act 2003	1) Ensure the incident report form is completed. 2) Review the incident with the employee and identify support, training or further control measures required. 3) If a further incident occurs involving the same person, prepare a witness statement

		covering both incidents and provide it, with any relevant correspondence, to the police where appropriate. 4) Ensure any further incident report form is completed. 5) Review the further incident with the employee and identify support, training or further control measures required.
Shouted or sworn at in person or over the telephone/abusive correspondence.	Anti-social Behaviour Act 2003	1) Make detailed notes of the incident, including the words used where possible. 2) Ensure the incident report form is completed. 3) Review the incident with the employee and identify support, training or further control measures required. 4) For repeat incidents assess if the Council's Vexatious Complaints Policy is appropriate and start that process. 5) If the behaviour continues, seek legal or specialist HR advice.
Customer is intimidating but is not abusive or swearing.	Anti-social Behaviour Act 2003	1) Make detailed notes of the incident, including the behaviour observed and any effect on employees. 2) Ensure the incident report form is completed. 3) Review the incident with the employee and identify support, training or further control measures required. 4) Repeat incidents should be assessed by the line manager with the member/s of staff in the context of the situation.
Customer is angry but not abusive or swearing.	None	If the employee has concerns about managing this type of situation, review whether additional support, guidance or training is required.

APPENDIX 2

Abuse, Aggression & Violence Incident Report

Employee Details

Name	
Job Title	
Service Area	

Location/Site			
Do you wish your identity to be kept confidential	Yes	No	

Details of Incident

Date	
Time	
Location	

What Happened (Tick as appropriate)?

Verbal Abuse		Threat of Violence		Physical Violence	
Other e.g. Intimidating behaviour		Damage to Public Property		Damage to Council Equipment	
Anti-Social Behaviour		Fly-Tipping		Dog Related	
Details of Injury or Damage:					
Describe what happened:					
Date		Employees Signature			

Details of Aggressor (Answer any questions you can, if unsure leave blank and state in the comments section)

Name		Male	Female
Adult (18 or Over)	Y / N	Child (Under 18)	Y / N
Do you know if the aggressor:			
Was under the influence of alcohol?	Yes	No	
Was under the influence of drugs?	Yes	No	
Appeared to be unwell or distressed?	Yes	No	
Has mental health issues and/or having a mental health crisis?	Yes	No	
Has Special Educational Needs (SEN)?	Yes	No	
Please provide any other relevant details or comments:			

Witness Details (if applicable)

Name	
Telephone	
Email	
Address	

Senior Officers Initial Actions (tick as appropriate)

First Aid required	Yes	No	
Hospital treatment required	Yes	No	
Police informed	Yes	No	
If yes, what action is proposed?			
Name		Job Title	
Signature		Date	

Follow Up Action (Tick as appropriate)

To be completed by the CP&CM in liaison with SMT and reported to HASAG where appropriate. The responsible officer must ensure follow-up actions, lessons learned and any further control measures are recorded and monitored to completion.

HSE Reportable?	Yes	No
Detail entered on Worknest?	Yes	No
Date entered on Worknest?	Date	
Were existing procedures followed?	Yes	No
Were existing procedures adequate?	Yes	No
Comments:		

Details of any other actions carried out:

Name

Job Title

Signature

Date