

**Lancashire County Council**  
**Occupational Health & Safety Management System**  
**Corporate H&S Guidance – Dealing with Violence at work**

See also HSE publication INDG69 (rev) "Violence at Work – A guide for employers" at <http://www.hse.gov.uk/pubns/indg69.pdf>

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This guidance should be read in conjunction with the County Council's Violence at Work intranet page.

## **A. GUIDANCE ON DEALING WITH VIOLENCE AT WORK**

The following notes cover some of the more common situations upon which advice has been sought. The notes are not comprehensive and do not therefore cover all situations where violence could occur or all the measures that could be taken.

### **Stage 1. IDENTIFYING THE PROBLEM**

All line managers have a responsibility to undertake a risk assessment of each of his/her employees' work activities in order to identify whether or not there is a risk, or potential risk, of violence in the area of work that is supervised. Lone working and the physical and personal security and safety of employees should be amongst the factors taken into account when carrying out a risk assessment for activities where these factors have been identified.

Managers should:-

List the jobs where employee's inter-action with others could place them at some risk. Try to assess any jobs or places of work where employees feel threatened or vulnerable. Involve staff through Team meetings, PDA etc. Ensure such employees are aware of procedures and arrangements in place to minimise the risk to them.

NOTE : Statistical information regarding the frequency and nature of incidents is now available to managers through the Health and Safety Management Information System accessible through Directorate/DSO Health and Safety Teams.

Record and analyse violent incidents in the work area to determine whether they are isolated incidents or there is a recurring problem or whether the abuse has a racial or sexual motivation and whether or not they were occasioned by service users in receipt of a service at the time of the incident or some other member of the public.

(NB. As well as actual assault, racial, sexual or other harassment at work is a criminal offence, punishable by imprisonment under the Criminal Justice and Public Order Act (1994), harassment being the intentional use of abusive language or insulting words or behaviour which causes distress).

If problems do arise, it is necessary that employees use the formal reporting Procedure in accordance with Directorate / DSO arrangements and that an investigation takes place as soon as possible after each incident. Employees should be encouraged to report all incidents promptly and fully. Managers must ensure that a full investigation can be carried out.

Information from such reports and investigations must be used to develop strategies for preventing future violence.

There may be measures which managers are empowered to take, e.g. reviewing reception procedures for Clients, tightening up signing in/out procedures for staff, violence drills. Resistance to change, (although not to be underestimated) is often the only barrier to positive improvements or new initiatives which in practical terms would be quite easy to introduce.

Risk Assessments should not be restricted to consideration of incidents which have already taken place. Managers should take account of any work situation which is associated with a known pattern of violence e.g. jobs providing a service, and put in place appropriate controls.

## **Stage 2. & 3. DECIDING WHAT ACTION TO TAKE AND TAKING ACTION**

Possible actions to consider:-

### **i) SECURITY OF BUILDINGS**

It is important that security arrangements for each building are kept under constant review. Wherever possible, external doors should be self-locking rather than requiring the use of keys to lock them at night.

A safe egress from the building should be maintained at all times.

Lighting outside the buildings should be adequate to allow staff to exit safely at night. Car Parks (where provided) should be well lit.

Where possible, situations where employees are working alone in an isolated office or building which is open to the public, should be avoided. Where it is necessary for such a situation to occur, arrangements should be made to minimise risks. If staff work shifts, or late into the evening, they should be encouraged to leave together in small groups.

Where employees choose to work late on their own, they should be advised of possible risks and it should be suggested they make adequate arrangements.

### **ii) RECEPTION AREAS**

#### **(a) Positive Measures**

The way in which clients and members of the public are received may well have a bearing on how they act. Whilst appreciating the constraints of limited finance and resources, the following are some suggestions for creating a more congenial environment. Reception areas should ideally have:-

- easy access
- good lighting
- inviting atmosphere
- interesting and informative display boards
- play space with toys for children
- reading material for adults
- easy access to toilets including where practicable, toilets accessible to customers with disabilities

Waiting time should be kept to a minimum. Having to wait a long time reduces the level of tolerance. Where there is a delay, the reason should be explained to the person waiting and apologies made, especially if an appointment has been made.

(b) **Precautionary Measures**

If a receptionist thinks a situation is developing where violence may occur, it should be possible for another, preferably senior member of staff to respond quickly to any call for assistance. Any alarm raised must be treated seriously. No one should be made to feel foolish or inadequate if they summon assistance only to find assistance is not required. This must be expected from time to time.

The installation of alarm systems with readily available panic buttons should be considered. If an alarm is installed ensure that the alarms can be heard and that all staff are trained to respond on hearing the alarm. Violence drills should be set up, maintained and practised regularly in the same way as fire drills.

Glass screens in the area should be avoided if at all possible, but if necessary, should be of shatter-proof glass.

Managers should ensure as far as possible, there are no convenient missiles/weapons to hand, e.g. heavy ashtrays, heavy pictures. It is appreciated however that this may be difficult in some worksites eg. residential establishments, but management should take responsibility for raising staff awareness around such dangers in these cases. Access from the reception to work areas or interview rooms should be by controlled access where practicable.

iii). **INTERVIEW ROOMS**

In addition to the points raised above, the following points should also be considered for interview rooms.

Interview rooms should not be totally isolated. If clients are known to be violent, it is advisable to interview such clients in a room close to where colleagues are working, and to ensure that observations can be made from outside the room e.g. vision panels in the door. If trouble is

anticipated and there is no other method of observation available, interruptions by other members of staff should be considered as a means of checking on employees, though the likelihood of this causing irritation should also be taken into account.

Staff should be advised, when interviewing clients, that they should be seated between the client and the door, to maintain a clear escape path if required.

iv) **INFORMATION EXCHANGE**

Managers and Supervisors must maintain their own awareness and make staff aware of potentially violent situations or clients relating to the work of the service.

Discretion must be used regarding clients, but it is essential in order to ensure employees' safety that all case files should contain information of any threatening behaviour or acts of violence.

All relevant information should be made available to staff regarding the background of new clients.

Information, where appropriate, should be shared with other colleagues who may be involved, e.g. receptionists, drivers, home care assistants, social workers may all be in contact with the same person, in so far as the Data Protection Act, 1998 allows.

Note: Health & Safety takes precedence, on a need to know basis, over issues of confidentiality and data protection.

v) **VISITS AWAY FROM THE WORKPLACE**

See also LCC Lone working intranet site.

It is good management practice to devise a checklist for staff to follow when they work away from Council establishments -See LCC Lone working Policy (see link above) for examples) This should help ensure that staff do not forget essential safety systems when preparing for a meeting e.g. informing supervisors where they are going, taking attack alarms or radios with them.

The following points are also worth considering:-

- If staff have to meet an unknown client for the first time and it is envisaged that there may be some element of risk, the staff should be instructed to try to arrange the initial meeting in the office and ensure other people are nearby. Current methods should be reviewed to ask if outside visits are essential or desirable.

If outside visits are essential and there is doubt about employee safety, two people should be sent to the initial meeting whenever practicable.

- Employees should inform their supervisors where they are going and the expected time of return. A system could be arranged, whereby they telephone in at pre-arranged times, especially if they are working alone or visiting potentially dangerous locations. If the employee is detained and anticipates arriving back significantly late, they must be instructed to let their supervisor know. If an employee does not return to the office or fails to call in as arranged, the supervisor must ensure that contact is made with the last listed address to determine if the visit has been made or concluded. If not, the supervisor should work back from there in accordance with the visiting list.
- In appropriate circumstances, the Police should be contacted. Details of the employee's vehicle ie. make, model, colour and registration number, should be readily available to pass to the Police.
- If an employee has to visit a client where there is a known history of violence, racism or sexist behaviour or where the employee has to visit isolated/vulnerable situations, or have to deal with unpleasant aspects which could cause distress to clients, they should not go alone. It is management's responsibility to ensure that the back-up help is available. A review of staffing levels may be necessary in some cases, but the availability of back-up should not be unduly influenced by the lack of resources. If it is not feasible to send a second person on every occasion, then alternative provisions should be made to ensure the employee's safety, e.g. requesting Police accompaniment or the provision of a two-way radio or mobile phone so they can summon assistance if necessary.
- It is important to consider times of the day and locations when and where there may be an increased risk of violence. When meeting a client for the first time, the appointment could take place at a secure venue and under controlled conditions. Instances of attacks to employees have occurred whilst they were working in the proximity of public houses/night clubs and being aware of this, management should ensure that no employee is left alone in these vulnerable situations.
- Even if staff do not feel vulnerable, managers may forbid visits, if in their view, the employee is under-estimating the risk. It may be useful for managers to develop their own criteria on which to base risk assessment for employees involved in visits away from the workplace.

- It is particularly important that staff check out at the end of the day and that if they are not returning to the office they telephone in to their supervisor to confirm that all is well. Such a call may be to the work base or to the supervisor at his/her home number depending on how late the last visit was made. The object being to ensure that Management satisfies itself the employee has completed the scheduled calls safely.

vi) **DEPLOYMENT OF STAFF**

Sometimes customers and clients are antagonised by class, age, colour and sex differences between them and County Council employees. It may be a risk sending an employee into a situation where a client is known to be racist or sexist, or into a location where racial tensions are high. Where it is identified that an employee is more vulnerable, they should not be expected to deal with the situation without extra support from management who have responsibility to promote equal opportunities within relationships both between employees and between employees and users of County Council services. Indeed, if a client persists in verbally abusing members of staff, be it racially, sexually or otherwise motivated, despite being told that such behaviour is unacceptable, then they should be advised that consideration would be given to the suspension or cessation of the service provided.

Managers should, of course, take account of the client and the circumstances in which the abuse took place, when deciding whether or not to cease or suspend service provision. Legal advice should be sought before doing so, as in many circumstances the Authority has a duty to provide a service and must be very clear of circumstances in which it is decided to suspend or cease to provide the service.

Managers may also find that they have to exercise discretion in a situation where the relationship between a client and a member of staff seriously deteriorates, for whatever reason, during the course of the case being dealt with. A manager's handling of any re-allocation arrangements will need to take account of the member of staff's reaction, which may well be a sense of professional failure.

vii) **WORKING UNTYPICAL HOURS**

Employees should not be asked to work outside normal hours on their own unless it is essential. All employees should have made appropriate travelling arrangements. Where necessary, the provision of a taxi may be considered in appropriate cases, as determined by the risk assessment for the task in question. It may be worth considering that employees who must make visits at night be supplied with a two-way radio, or mobile phone. Alternatively, staff could be instructed that they should make regular telephone calls with an agreed checkpoint. In either case the supervisor

would have to assess the feasibility of setting up an 'on call' rota. The risk assessment will be the main determinant of any control measures that are required.

viii) **NIGHT STAFF**

Staff who work at night, e.g. Security Officers, should be advised to exercise extreme care and discretion before investigating disturbances. Notwithstanding this, however, where employees are operating a security patrol service, appropriate working arrangements should be developed whereby they **MUST** call for assistance **BEFORE** attempting to apprehend or give chase. Property must not be regarded as more important than employees.

ix) **HANDLING CASH**

Handling cash in even small amounts should involve consideration of the possible risks to staff and appropriate measures should be taken to reduce these risks so far as is reasonably practicable by adopting safe, secure working procedures and appropriate security measures. Procedures should cover security and safety when cash is in transit and at its collection points. The advice of the local Crime Prevention Officer should be sought as appropriate.

x) **TRAINING**

A training programme should be provided that is suitable for staff who could be exposed to violent situations to inform them how to spot the early signs of aggression and either avoid it or cope with it. Also they need to fully understand any system set up for their protection. A priority list should be drawn up to ensure those most vulnerable are trained first. There are videos and training packages dealing with the issue of violence to employees. Training for managers and staff in dealing with violence, racism or sexism at work issues may be available from the Central Training Unit, through Directorate/DSO training sections or from the Police.

The Suzy Lamplugh Trust, 14 East Sheen Avenue, London SW14 8AS (0171038201839) is a charity aiming to increase awareness of danger in the workplace, providing free booklets on personal protection and techniques for coping with the results of violence. Trade Unions are also a source of information and obviously Police Crime Prevention Officers.

xi) **USE OF FORCE**

Employees should be made aware of the general position on the use of force in particular circumstances:-

a) **Self-Defence**

Physical restraint should only be used in self-defence when it is impossible to back-off, or in the defence of others who may be under attack. Such force should be “reasonable” in the circumstances but what is “reasonable”?

Staff should be told that the best guide to follow is that physical restraint should be the least force sufficient to restrain the person and should seek to avoid injury.

b) Eviction of Abusive Person(s)/Demonstrators

Staff should be told that if an abusive person(s) or demonstrators will not leave when repeatedly requested to do so, then no physical attempt should be made to evict them, rather the Police should be called to deal with the situation.

c) Detention of Intruder/Suspected Thief

Only appropriately trained staff should attempt to detain an intruder or suspected thief by physical restraint, and then only if there is a very strong reason for believing that the person concerned is involved in a theft from County Council premises or vehicle(s).

**Stage 4. RECORDING, REVIEWING AND REVISING**

Managers should keep a record of the significant findings of the risk assessment and any action decided upon. This should be reviewed regularly to check that it still is a true reflection of the current situation and that the actions taken are working. This can be done by consulting employees and by looking at incident records. If the actions are not working, managers should add further measures or change the existing ones. It is particularly important to review the assessment if the job changes or if a violent incident occurs.

**B. ACTION TO BE TAKEN IN THE EVENT OF ANY VIOLENT INCIDENT**

i) Action By The County Council

In minor cases, it might be considered sufficient to advise the alleged assailant by a letter that any repetition would lead to formal action being taken by the County Council.

In more serious cases, the County Council will consider assisting an employee in bringing a private prosecution or commencing civil proceedings including a ‘Prevention of Harassment Order’. In cases that are to be supported by the County Council, the Head of Legal Services will arrange for legal assistance to be provided. The final decision on whether or not a case should be supported by the County Council will rest with the

Head of Legal Services. An employee would still have the right to proceed on his/her own account with either independent legal advice, or the support and advice of a trade union or professional association, but in such cases, the County Council would not reimburse any legal or other costs incurred.

Where it is agreed that the County Council should support legal proceedings, the Head of Legal Services will arrange for the employee to receive legal assistance. Any legal proceedings will be in the name of the individual employee, but in these circumstances, the County Council will reimburse the reasonable legal expenses of the employee. The County Council will not reimburse any costs, legal or otherwise, incurred by a trade union or professional association who might also be supporting the employee, and the final decision on the level and extent of legal costs to be paid by the County Council will rest with the Head of Legal Services.

## ii) **Post Incident Practices**

1. Members of staff harmed physically or psychologically by violence need support. Experience has shown that the immediate care and concern of colleagues and managers is much appreciated and may limit or even prevent altogether any serious long term effects.
2. All staff and especially the immediate line manager should offer, both in the short and medium term, whatever support appears necessary to a colleague who has experienced violence.
3. Such measures might include:-
  - encouraging the person to seek medical attention or attend hospital;
  - looking after the person's belongings or vehicle if they need to leave them behind;
  - contacting relatives or friends where necessary;
  - allowing the person to talk about the incident as often and as long as they wish;
  - acknowledging and respecting the person's feelings whether they be anger, fear, resentment or guilt;
  - affording the person a private meeting to recount events from a personal perspective;
  - informing the employee of the Counselling services available;

- demonstrating a team/shared concern for the person's welfare;
- being aware of any need for 'time out', either away from the scene of the incident or the perpetrator involved;
- maintaining supportive contact if the person is away from work for a while;
- taking a lead from the person concerned as to how they can best be helped to recover and return to normal functioning;
- advising the person to contact their appropriate Trade Union representative;
- AVOID ANY SUGGESTIONS OF BLAME

### iii) **Post Incident Procedures**

1. It is important to support a colleague first and foremost.

Later, but as soon as possible, the employee should be encouraged to begin the post-incident procedures.

These should include:-

- a) Deciding whether or not to involve the police/

In most cases of assault and injury the involvement of the police is a pre-requisite of any eligibility for Criminal Injuries Compensation - the matter should be reported, or there should be a reasonable explanation for not doing so.

- b) Completion of the Accident/Incident Report form and Book wherever an injury has been sustained and immediate notification to the Health and Safety Executive in cases where there is a major injury or the employee is detained in hospital for more than 24 hours followed by an appropriate level of investigation in accordance with the County Council's Accident Investigation Policy

Following an assault on an employee, a review of the risk assessment for the work activity giving rise to the incident must be carried out and revised working methods /

procedures, where these are identified as being necessary, introduced.

Pre and post incident risk assessments may be required as evidence in the event of internal or external (HSE) incident investigations, or in the event of civil proceedings under the pre-action protocols.

- c) Completion of the RIDDOR Report Form (F2508) where, **as** a result the assault, the employee is then absent for more than three days;
- d) A debriefing – which is essentially different from, and following upon, meetings or conversations aimed primarily at giving support.

**iv) Counselling/Debriefing**

The County Council's Employee Welfare and Counselling Service is available to assist employees who have experienced violence (physical assault, threats of violence, disturbing verbal abuse or witnessed a violent attack; this also includes people affected by death or serious injury). See services available from Employee Welfare & Counselling Service at [http://lccintranet/office\\_of\\_the\\_chief\\_executive/human\\_resources/welfare\\_counselling/index.asp](http://lccintranet/office_of_the_chief_executive/human_resources/welfare_counselling/index.asp)

**C. PROCEDURE TO BE FOLLOWED IN THE EVENT OF A PHYSICAL ASSAULT**

**i) Internal/External Reporting of Incidents of Violence or Assaults**

It should be noted that under the RIDDOR Regulations, 1995 the term “accident” includes non-consensual physical violence done to a person at work. Thus an assault on an employee may, depending on the severity of any injury, be reportable to the Health and Safety Executive.

Managers should therefore inform all employees that all incidents of violence (i.e. any incident in which an employee is abused, threatened or assaulted by a member(s) of the public, pupil(s), visitor(s) to County Council premises, service user(s) or other employee(s), in circumstances arising out of the course their employment) are reported by the employee.

**ii) Where An Assault Is Reported To The Police**

An employee who is assaulted will always be entitled to report the matter to the Police. However, where an assault upon an employee is reported to a senior officer, a joint reference to the Police may be made, subject to a report of the matter being forwarded to the Head of Legal Services. For guidance, all cases of assault or threatened assault involving the use of an implement must be reported to the Police, and in the event of the Police taking action to prosecute, the Authority would not become involved. In those cases where an assault has occurred but the Police have decided not to take action, the matter can be dealt with in the same way as those cases of assault which are not reported to the Police, as described below.

**iii) Assaults Which Are Not Referred To The Police**

Where it is considered that the Police ought not to be informed of the occurrence of an assault or attempted assault, but it is nonetheless felt that some other action ought to be considered, a full report of the incident giving details of time, place, persons involved, names of witnesses, etc., should be forwarded through the Director / General Manager to the Head of Legal Services.

**iv) Medical Attention**

Irrespective of Police involvement, where an employee suffers injury as a result of an assault or attempted assault and subsequently receives medical attention, details of the treatment received, together with the name(s) of the medical attendant(s) should be recorded for future reference by the Director / General Manager concerned.

**v) Compensation**

An employee who is injured as a result of violence at work may be entitled to claim compensation from the following sources:-

- the County Council's Employers' Liability Insurance Policy (if it can be demonstrated that the County Council were negligent);
- the assailant(s) through the Magistrates' / Crown Courts following a successful prosecution;
- the Criminal Injuries Compensation Authority (See Appendix 1 for contact details) ;
- the County Council's Personal Accident Insurance Policy.

NOTE

1. Where damage to personal property, vandalised by a client, occurs employees can seek compensation through their employing Directorate /DSO.
2. The Criminal Injuries Compensation Scheme provides for the payment of compensation to individuals who suffer injury as a result of criminal offences, even if there are no criminal proceedings. For a claim not to be rejected the matter would need to be reported to the police or there should be a reasonable explanation where this has not happened.

Application forms and advice about making a claim are available from the CICA or Victims Support. See Appendix 3 for contact information.

## **Appendix 1**

### **Application forms and advice about making Claims for compensation under the Criminal Injuries Compensation Scheme can be obtained from:-**

Criminal Injuries Compensation Authority (CICA) , Tay House, 300 Bath Street, Glasgow, G2 4LN. Telephone:- 0141 331 2726; Fax:- 0141 331 2287; Ecophone Text:- 0141 331 2726

Further support and advice on dealing with a claim for compensation under the scheme can be obtained free from local offices Victim Support:-

Fylde:- 01253 713222; Chorley:- 01257 246229; Preston:- 01772 201142; Skelmersdale:- 01695 728303; Southport:- 01704 507972; Wigan:- 01942 522033  
Heysham:- 01524 859044