



Appleton Wiske Community Primary School

VIOLENCE AGAINST EMPLOYEES – ADOPTED AUTUMN 2011 GENERAL STATEMENT OF INSTRUCTION TO EMPLOYEES

Status of Policy

This policy and procedure was last reviewed by NYCC in or prior to 1997.

Current status of policy/procedure:

If you have any queries about the current application of a policy/procedure, contact your local Personnel Services team.

1.0 INTRODUCTION

1.1 This document is a general statement of instruction to employees who may be subjected to acts of violence during the course of their work.

1.2 For the purpose of this document the term, "violence" will encompass physical aggression, verbal abuse, other forms of harassment to persons or property or other threatening behaviour which may cause distress, demoralisation, fear and/or physical injury to individuals.

1.3 The degree to which a victim may be affected is governed by the severity of the incident, the individual's personal circumstances and experience(s), and their reasonable expectation of the risks inherent in the work undertaken by them.

Nevertheless, ALL ACTS OF VIOLENCE SHOULD BE REPORTED (see paragraph 4.0 below).

2.0 GENERAL

2.1 The County Council wishes to make clear its support for employees who are subjected to violence in the course of their duties.

2.2 Employees are not expected to put themselves, or their colleagues, deliberately at risk from violence. All reasonable steps must be taken by employees and managers (*) to minimise the likelihood of violence.

3.0 PREVENTION AND CONTROL

3.1 The Health and Safety at Work Etc. Act 1974 requires the employer to secure the health, safety and welfare of persons at work. In particular, the employer must ensure the provision and maintenance of safe systems of work and the provision of such information, instruction, training and supervision (so far as is reasonably practicable) to ensure the health and safety at work of his employees.

3.2 In practical terms, the obligations described in 3.1 above mean that an employer should provide as much information as possible on potential hazards to all employees who may be at risk from persons who are known to be violent. The employer should also ensure, as far as reasonably practicable, that the working environment is as safe as possible.

3.3 The County Council acknowledges that all employees whose duties include dealing with the public do not share the same risk from being subjected to violence.

Individual Directorates may have issued guidelines specific to the duties of their employees, and it is the responsibility of each employee to ensure that they have read the detailed directorate instructions specific to them.

3.4 Appendix 1 (Page E29) gives general details on the prevention and control of violence which may occur in any one of five main areas as follows: -

Use of the telephone

Home/Site/Workplace Visits

Interviews at Work

Cash Handling

Working Outside Normal Office Hours

4.0 INCIDENT REPORTING PROCEDURE

4.1 Directorates should have issued specific instructions concerning the reporting and recording of acts of violence. Each employee must ensure that they are familiar with those instructions and abide by them.

4.2 As a general guide, employees who have been subjected to verbal or physical assault are advised to take the following action:-

4.2.1 Where necessary, obtain first aid or professional medical treatment. The person giving treatment should be asked to make a careful written record of the nature and extent of the injuries.

4.2.2 The incident should be reported informally as soon as possible to the employee's manager. As soon as possible thereafter, an Incident Report Form (IRF(V)), a copy of which is attached as Appendix 2, (Page E31) should also be completed. Reporting procedures are detailed in paragraph 4.2.4 below.

4.2.3 Consideration should be given to whether the matter should be reported to the Police. Although various individuals may express a view, the ultimate decision as to whether the Police should be involved rests with the employee who has been assaulted. The assault can be reported to the Police either through the employee's manager or personally by the employee if they so prefer. Where the matter is to be reported to the Police it should be done without delay so as to avoid detriment to the enquiry.

4.2.4 An Incident Report Form (IRF(V)) must be used to report violent incidents. Where physical injury has occurred, it becomes necessary for normal accident reporting procedures also to be followed. In respect of both forms, normal departmental arrangements will apply with copies of the completed forms being forwarded to the Head of Occupational Health and Safety and to the Insurance Officer within Financial Services.

4.2.5 An employee who has been the victim of serious assault may be entitled to compensation under the Criminal Injuries Compensation Scheme and may be able to take civil action against the person(s) who committed the assault. In such circumstances employees should consider taking legal advice from their personal adviser or an adviser appointed by their professional association/trade union.

4.2.6 It should be noted that if a claim is to be made under the Criminal Injuries Compensation Scheme, a very good reason is required if the incident has not been reported to the Police. In any case, the incident must have been reported to the employer.

5.0 COUNSELLING

5.1 In order to reduce the demoralising effect on an employee who has been subjected to violence the employee must, together with their manager, decide the extent to which a counselling facility should be sought. Contact the Staff Care Network.

6.0 INSURANCE AND COMPENSATION

6.1 The County Council has a number of Personal Accident Insurance Policies currently in operation which usually cover death or injury of an employee as a result of an assault sustained in the course of employment.

6.2 All queries relating to insurance matters should be referred to the Financial Services' Insurance Officer at County Hall, Northallerton.

6.3 For the purpose of this document, foster parents are regarded as employees and they should refer to a booklet produced by the Social Services Directorate which is specific to foster parents.

6.4 In exceptional circumstances, consideration may be given by the County Council to making an ex-gratia payment to an employee who has been assaulted.

6.5 The appropriate conditions of service contain provisions for allowances and compensation payable to employees for absence due to sickness and injuries sustained whilst at work. In addition, there is provision in the Local Government Pension Scheme for the payment of grants and benefits for dependents and service credits for enforced retirement. The legislation also contains provisions for the payment of injury allowances.

7.0 LEGAL ADVICE AND SUPPORT

7.1 Employees must seek their own legal advice and representation, either directly or through their trade union or professional association. However, the County Council is ready to give support and preliminary advice to employees who have been the victims of verbal or physical aggression or threats in cases where court action is to be taken, and also in cases where action short of legal proceedings is thought to be appropriate.

7.2 Help and support from the County Council may be arranged as follows:-

- readiness to arrange a preliminary discussion with an appropriate professional officer.

Employees wishing for such a preliminary discussion with appropriate County Council legal staff should refer their request through their manager.

- early and continuing consultation, if the employee's professional association/trade union so requests, will take place between appropriate County Council staff and the association/trade union with a view to assisting the formulation of advice as to appropriate action to be taken.

- depending on the circumstances of the case, direct advice and assistance may be given to the employee's professional association/trade union or private solicitor.

- in cases where court action is not to be taken, consideration will be given to the request of the employee for sending an appropriately-worded letter by the County Council, either separately or jointly with the professional association/trade union, to the person who committed the assault or who was known to have threatened such action.

7.3 Where court action is not taken by the Police or individual employee (whether or not assisted by a professional association/trade union) the County Council may itself consider taking action in exceptional circumstances. The County Council would need to be satisfied, however, that any such action would be in its interest and those of the employee concerned. Action, where taken, might be to prosecute in respect of the assault.

(*) The term 'managers' includes immediate supervisors, Business Unit Heads, heads of establishment, officer-in charge, etc.

APPENDIX 1

VIOLENCE AGAINST EMPLOYEES

MAIN AREAS IN WHICH VIOLENCE IS MOST LIKELY TO OCCUR

1. USE OF THE TELEPHONE

In those cases where a caller is being particularly abusive or threatening employees do have the right to hang up. The procedure should be:-

- (i) Warn the caller that if the behaviour continues then you will hang up.
- (ii) If the behaviour does continue then remind the caller of what you have said previously and hang up.
- (iii) You should record the incident in line with any complaints procedures, on the caller's file (if there is one available) or in your diary, or you should write to or speak with your Manager so that in the event of a complaint being made against you there is a record of the reasons for your action.

The Police have asked to be notified if verbal or written threats to kill, assault or cause damage are received - this includes anonymous threats made by telephone - either at home or at the workplace. It is always open to employees who feel that a critically dangerous situation may be developing to notify the Police and to take their advice. In any case you must report such incidents to your manager.

2. HOME/SITE/WORKPLACE VISITS

Directorates should have issued specific guidelines to their employees which you should read but as a general guide you should note the following:

- (i) Where practicable you should inform your colleagues or manager of where you are going, who is to be visited and your expected return time.
- (ii) Where possible you should make yourself aware of any relevant information concerning the person before making your visit.
- (iii) If a person is known to be violent, or is potentially violent and you feel especially at risk, you should discuss the matter with your manager who will decide if special arrangements are necessary.
- (iv) If visiting an unoccupied/isolated building you should telephone your base at the latest opportunity before arriving at the building and again at the earliest opportunity after leaving, giving an expected time of return.
- (v) If visiting a person's home you should telephone your base at the latest opportunity before arriving at the person's home and again at the earliest opportunity after leaving, giving an expected time of return.
- (vi) Rather than visiting a person who is known to be violent you should consider inviting the individual into the office instead.
- (vii) Wherever possible you should avoid cul-de-sac parking, especially during the hours of darkness.

3. INTERVIEWS AT WORK

If a person is known to be or is suspected of being violent, and you feel especially at risk, you should discuss the matter with your manager who will decide if special arrangements are necessary. You should also consider taking preventive action which may include:-

- (i) Leaving the interview room door open or ajar.
- (ii) Having another person present.
- (iii) Arranging furniture so that you have easy access to a door or other escape route.
- (iv) Arranging for a personal interruption by a colleague.
- (v) Removing any heavy objects from the Interview Room.

Directorates may have issued specific guidelines/instructions, to which you should refer.

4. CASH HANDLING

Any employee who is required to handle cash should refer to specific Directorate instructions.

5. WORKING OUTSIDE NORMAL OFFICE HOURS

Employees who do not normally work outside of normal office hours in County

Council premises and who are intending to do so, should seek the approval of their manager.

You should familiarise yourself with the usual opening and closing times of your workplace as it may be necessary to inform a Caretaker or other Keyholder so that proper arrangements can be made to secure the building.

Wherever possible work should be organised so that employees are not alone in a building.

APPENDIX 2: FORM IRF(V)

See attached

COUNSELLING

If you feel that as a result of the incident you require counselling, you should discuss the matter with your Manager and contact the [Staff Care Network](#).