

CARDIFF COUNCIL

VIOLENCE AT WORK POLICY



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1.0 PURPOSE

Cardiff Council recognises that violent incidents occur to employees as a result of their employment with the Council. The Violence at Work Policy is the commitment of the Council to reducing, and where possible eliminating, the risk of violence to employees and other representatives of the Council by members of the public and service users, and to supporting employees who are victims of violence. The complementary Code of Guidance on Violence at Work provides advice on reducing risks of violence and recognising, handling and reacting to violence.

2.0 SCOPE

The policy applies to all employees and other representatives of the Council. It addresses violence by members of the public and service users to employees and other representatives of the Council.

3.0 DEFINITION AND EXAMPLES OF VIOLENCE

- i. For the purpose of this document "Violence" or "Violent Incident" is defined thus:

"Any behaviour perceived by the victim as being deliberately harmful or damaging either psychologically or physically."

- ii. This definition is not limited simply to physical assault but permits the inclusion of equally distressing and intimidating verbal aggression. Incidents arising from discriminating behaviour are also included.

iii. Examples of threatening or violent behaviour include:

- Intimidation such as banging on a desk, shouting, swearing, spitting, kicking the furniture or punching walls;
- Threatening behaviour in the form of verbal threats, gestures or stances, obstruction ;
- Possession of any kind of weapon, regardless of the lack of overt threat to use it;
- Exhibiting signs of aggression whilst under the influence of drink or drugs;
- Assault from grasping and pulling clothes or poking, shouting or punching;
- Any unwanted physical contact;
- Assault causing actual or grievous bodily harm
- Personal insults;
- Deliberate silence;
- Insulting behaviour intended to cause distress or harassment;
- Harassment on grounds of –
 - Age
 - Disability
 - Gender identity
 - Marital or civil partnership status
 - Pregnancy or maternity
 - Race or ethnicity
 - Religious or non-religious beliefs
 - Sex
 - Sexual orientation.
- Bullying;
- Threatening use of animals.

iv. **This policy does not apply to incidents of assault, bullying or aggression between staff. This behaviour should be addressed through other Council policies. In such cases guidance should be sought from HR People Services.**

4.0 VIOLENCE AT WORK POLICY STATEMENT

- i. Cardiff Council considers that violence is not an acceptable part of any job nor is it part of the duties of any employee, or other representative, to accept violent behaviour. The Council is totally opposed to employees, or other representatives, being subjected to violence as a result of employment with the Local Authority.
- ii. Cardiff Council is a responsible employer, which accepts its responsibilities and duties to provide a safe working environment for all employees, in accordance with the provisions of the Health and Safety at Work etc. Act 1974. In the context of violence at work, this means that within the resources available to the Council, every reasonable and practicable step will be taken by the Chief Executive, Corporate Directors, Chief Officers, Heads of Service, headteachers and other managers to reduce the risk of violence to employees.
- iii. When carrying out risk assessments, in compliance with the Management of Health and Safety at Work Regulations 1992 (as amended), consideration will always be given to the risk of violence towards employees and the action needed to reduce any identified risks. Reference should be made to the People to be

Aware of Corporate Database, or other relevant operational arrangements, when undertaking a risk assessment.

- iv. It is the duty of employees to accept and understand their responsibility for reducing the risks of violence and to co-operate with management when so required. If an employee is aware of a work situation where there is a significant risk of violence which has not been adequately addressed he/she should bring it to the attention of his/her manager. All employees, in order to protect other employees as well as themselves, must report all incidents of violence.
- v. The Council is committed to support employees who are subjected to violence in the course of their employment. The extent of such support will depend on the individual circumstances of each incident.
- vi. Where appropriate, the Council will take legal action against individuals identified as committing violent acts towards employees who are undertaking their work related duties.

5.0 APPLICATION OF THE POLICY STATEMENT

- i. This policy not only applies to incidents of violence occurring in the workplace or in working hours but also includes incidents occurring out of working hours to an employee, or other Council representative, as a result of his/her employment with the Council.
- ii. In certain circumstances following a violent incident consideration will be given to restricting or withholding Council services to the perpetrator(s) of the violence.
- iii. Cardiff Council recognises the importance of the role of training as an element in managing and preventing the risk of violence to employees. It is committed to ensuring adequate training is provided, as appropriate, to reduce risks and enable employees to develop skills in personal safety. Responsibility for ensuring provision of training lies with Service Area management, including the line manager.
- iv. The Council has included in its Housing Tenancy Agreements the clause:

"You will ensure that neither you nor anyone living in or visiting your home abuses, threatens or assaults an officer or agent of the Council at the premises, in Council offices or elsewhere."

This clause has been included to send a clear message to tenants that the Council will not tolerate acts of abuse against any of its employees.

- v. A Code of Guidance – Violence at Work, has been produced giving advice on reducing the risks of violence and to assist employees. The Code should be considered in conjunction with this Policy, the Cardiff Council Health and Safety Policy and other Codes of Guidance and operational procedures applicable to work activities.

- vi. This Policy and the procedure to be followed after a violent incident and the Code of Guidance will be reviewed periodically by the Operational Manager – Health and Safety in consultation with Service Areas and trade union representatives and amendments will be made as appropriate.

6.0 ACTION TO BE TAKEN FOLLOWING A VIOLENT INCIDENT

Reporting Procedure

- i. Following any incident the immediate concern is the well being of the victim and the provision of any necessary medical treatment.
- ii. In all instances of violence, or alleged violence, to employees, the immediate line manager should talk to the employee, offering support and advice, unless s/he has been directly involved in the incident. If the immediate manager has been involved, an appropriate person should talk to the victims. As well as supporting the victim, other staff e.g. those who have witnessed the incident, may also require help and support.
- iii. It is important that all violent incidents are reported so that accurate information is collated and appropriate action can be taken to reduce or eliminate the risk of further incidents. The employee may also wish to contact his/her trade union representative.
- iv. If appropriate, counselling of employee(s) can be arranged e.g. by the Employee Counselling Service (029 20468565), or the Victim Support Scheme (029 2057 8408) or Teacherline Cymru (0800 0855088).
- v. An employee who has been subjected to a violent incident, (or an alleged violent incident), even if there has been no injury, , must immediately report the incident to his/her manager or other senior member of staff as soon as practicable. If it is not possible to do this personally, then a colleague or other representative should report the matter.
- vi. A report of the incident will be recorded, in accordance with the procedures of the People to be Aware of Corporate Database (PACD), by the line manager together with the employee using the on-line violence at work report form within PACD.
- vii. If immediate access to the on line reporting system is not available the victim and line manager should complete the paper version of the Violent Incident Report Form and forward it to the appropriate person within their Service Area who can enter the information on PACD.
- viii. Where an act of physical violence to a person at work results in death, major injury or more than three consecutive days being lost from work, the Health and Safety Executive must be notified by the Service Area in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. A copy of the notification to the Health and Safety Executive should be forwarded to the appropriate Health and Safety Adviser in Corporate Services. The procedure for reporting incidents to the Health and Safety Executive is detailed in the [Code of Guidance – Accident Reporting](#). All employees who are injured and/or absent from work as a result of a work related violent incident should be referred immediately to the Occupational Health Service in accordance with the Council's Sickness Absence Policy.

- ix. The manager should ensure that, if appropriate, the senior management of the Service Area is informed of the incident at the earliest opportunity. The manager should ensure that factual written statements are obtained as soon as possible from any witnesses together with their names and addresses. The Service Area should retain copies of all statements and if appropriate, copies should be sent to Legal Services.

7.0 FURTHER PROCEDURES

- i. An employee, who suffers shock or injury as a result of a violent incident, should consult a doctor as soon as practicable and request a medical report on any injuries sustained. Any costs incurred in the provision of a medical report as a result of a violent incident occurring to an employee as a consequence of his/her employment will be met by the Council.
- ii. If an implement is used in an attack on a member of staff, it should be retained provided this can be done without causing further difficulty or risk. In most instances the implement should be left where it is so that it can be assessed for physical evidence, if necessary, by the Police.
- iii. Any appropriate CCTV footage should be retained for possible use in an investigation or risk assessment review.
- iv. If appropriate, the manager, acting on behalf of, and with the consent of the employee should inform the police of the incident of assault which occurs whilst carrying out or in connection with work duties. In certain circumstances the victim may not wish the police to be informed and although his/her wishes may be taken into account, the Council has a responsibility to protect its staff in the event of serious offences, and the police may have to be informed. In all cases the victim has the right to report the matter personally to the police.
- v. If a decision to prosecute is made and the victim is required to give evidence in court, the Council will grant leave of absence with pay to facilitate his/her attendance in court. Witnesses employed by the Council will be granted paid leave of absence to give evidence.
- vi. If the police decide not to prosecute, the individual may have the right to issue proceedings him/herself and he/she may have a right in the civil courts to seek damages or some other remedy.
- vii. The Council may, after consideration of the facts of the case by Legal Services, take legal action on behalf of the employee.
- viii. If the Council does not take legal action, it may still be appropriate for the Council to send a letter to the perpetrator of the violence explaining that the behaviour displayed is not acceptable. The assessment of the need to send such a letter should be made by a senior manager. This letter can either be in addition to, or instead of, the letter sent to comply with Data Protection requirements within PACD.

- ix. After an incident it is the responsibility of the line manager and senior management to review risk assessments to determine if further action can be taken to reduce the risk of similar violent incidents occurring and to ensure appropriate action is taken.
- x. In some instances it may be appropriate to notify external partner organisations of the details of the incident. This should only be undertaken with Chief Officer or Head of Service authorisation.
- xi. If appropriate, the Occupational Health Service (029 2078 8546) can be contacted for further advice on supporting employees involved in violent incidents. Managers or individuals with concerns about the effects of a violent incident on their staff, or themselves, should contact the Service for advice and options for support.

Flowchart

Flow Chart Summarising Action to Be taken After a Violent Incident Or Alleged Violent Incident.

