CAERPHILLY COUNTY BOROUGH COUNCIL

VIOLENCE AT WORK POLICY

Issue 3

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Mae'r cyhoeddiad hwn ar gael yn Gymraeg ac mewn ieithiodd neu fformatau eriall ar gais.

NOTE

Wherever the designation "manager" is used throughout this policy, it is taken to mean Head of Service, Head Teacher, Line Manager, Supervisor, Officer in Charge or anyone who has responsibilities for employees in the course of their work.

INTRODUCTION

1.1 This document sets out the policy and outlines the protective and preventative measures to be implemented by Caerphilly County Borough Council (the Authority) to ensure the health, safety and welfare of its employees in relation to violence and aggression at work.

1.2 This policy sets out the arrangements and responsibilities for preventing and managing violence at work within the Authority.

2. POLICY STATEMENT

2.1 The Authority considers any violent or aggressive behaviour directed towards staff in the course of their work to be unacceptable.

2.2 The Authority recognises that its employees are its most valuable resource in delivering high quality services to the community and will take all practical steps to ensure the health and safety of the Authority's employees, contractors and visitors to and users of council premises by taking steps to prevent exposing them violence within the workplace environment.

2.3 The Authority recognises there are inherent risks within some work activities that put employees at greater risk of work related violence, and will assess the risks and consider alternative safer systems of work where these hazards are identified.

2.4 The Authority accepts it has specific duties under the Health and Safety at Work etc. Act 1974 and The Management of Health and Safety at Work Regulations 1999.

3. SCOPE

3.1 This policy has been agreed with the Trade Unions and applies to all employees

3.2 This policy will be reviewed at least every two years to ensure it is in line with current legislation.

3.3 This policy does not deal with incidents of violence and aggression between employees at work. These types of incidences will be dealt with under the HR Policy on Dignity at Work. However where an employee is acting as a member of the public at the time of the incident this policy will apply.

3.4 The effective date of issue 1 of this policy was July 2006. The effective date of issue 3 of this policy is.

4. DEFINITIONS

4.1 The Health and Safety Executive (HSE) has defined violence as: 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.' This definition is accepted for the purposes of this policy. This applies irrespective of the location where the incident occurs.

4.2 For the purposes of this policy 'the public' will be deemed to include clients, pupils, parents, contractors and visitors.

4.3 For the purposes of this policy a 'visit' can be classed as a visit to a member of the public's home or can be an invitation extended to a member of the public into an Authority, or another, premises.

5. LEGISLATION

5.1 This policy along with its supporting procedures is designed to ensure the Authority meets its legal obligations as stated in:

- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999 (as amended)
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)
- The Data Protection Act 1998
- The Equality Act 2010

6. RESPONSIBILITIES

NB: All employees have a legal responsibility to comply with health and safety law, equalities law and the provisions of this policy. Failure to do so could result in personal and / or corporate liability.

6.1 The Chief Executive Officer will:

6.1.1. Be ultimately responsible for ensuring compliance with this policy within Caerphilly County Borough Council.

6.2 Directors will:

6.2.1. Be responsible for ensuring the effective implementation of this corporate policy, the corporate management arrangements and any associated arrangements, procedures or guidance within their service areas.

6.2.2. Ensure that appropriate resources are made available for the effective operation of the policy, including training.

6.3 Managers with responsibilities for employees will:

6.3.1. Identify posts which carry any element of risk of violence and aggression against the post holders.

6.3.2. Undertake, or ensure that a violence and aggression risk assessment for all identified posts is carried out in consultation with affected employees, put in place appropriate control measures and communicate the findings of the assessment to the relevant employees. Risk assessments must ensure that they consider how to prevent incidents of violence from occurring and what control measures should be in place to deal with the potential consequences (see Corporate Health and Safety Policy on Risk Assessment, and the associated Corporate Management Arrangements for further information on risk assessments).

6.3.7 Ensure employees are aware of the Employee Protection Register and that there are arrangements in place to ensure all appropriate employees are able to access the information held on the register.

6.3.8. Ensure local arrangements are in place for the checking of the Employee Protection Register before any employee visits are carried out, including out of hours visits where applicable.

6.3.9. Ensure employees are aware of the reporting procedure for violent and aggressive incidents and encourage the completion of Violent Incident Report and Good Visit Forms.

6.3.10. Ensure a 'Violent Incident Report Form' (See *Appendix 1 of the Violence at Work Corporate Management Arrangements)* is completed when an employee is exposed to any verbal or physical abuse, and sent to the Health and Safety Division. Where the individual sustains an actual physical injury as a result of the violent incident then this should also be reported as detailed within the Accident and Incident Reporting and Investigation policy.

6.3.11. Ensure that, where notification of an individual's entry on the Employee Protection Register to that person may create a further risk of a violent or threatening reaction, a section 29 exemption on notification is applied in line with the guidance in the Employee Protection Register Procedure and that the relevant sections of the Violent Incident Report form are completed, giving the reasons why an exemption has been applied.

6.3.13. Ensure a 'Good Visit Form' (See *Appendix 2 of the Violence at Work Corporate Management Arrangements)* is filled out when a visit is completed with a person on the register without incident. Completed Good Visit Forms must be forwarded to the Health and Safety Division .

6.3.14. Communicate to employees the provisions for support the Authority has in place if they experience a violent or aggressive incident.

6.3.15 Investigate any violent or aggressive incident as appropriate and ensure that suitable measures are put in place to minimise the likelihood of further incidents

6.3.16 At the request of the Health and Safety Division form part of a review panel to establish whether a person should be added to or retained on the Employee Protection Register.

6.3.16 Ensure this policy is communicated to their employees.

6.3.17 Ensure their employees comply with this policy, the corporate management arrangements and any associated Directorate arrangements, procedures or guidance for managing violence at work.

6.4 Each employee of the Authority will:

6.4.1 Comply with any risk assessment, working procedure or precautionary measure introduced to minimise the risk of violence and aggression against them or their colleagues.

6.4.2 Where appropriate carry out or request a search on the Employee Protection Register before any visits are carried out. Where a 'hit' is found discuss actions to be taken with their line manager and if necessary review any risk assessment.

6.4.3 Inform their manager or appropriate officer promptly of any incident involving violence and aggression and complete the Violent Incident Report Form.

6.4.4 At the request of the Health and Safety Division form part of a review panel to establish whether a person should be added to the Employee Protection Register.

6.5 Health and Safety Division will:

6.5.1 Ensure the violence at work policy is reviewed at least every two years to ensure it is in line with current legislation.

6.5.2 Act as a system administrator for the Employee Protection Register, including making entries and removals as appropriate.

6.5.3 Co-ordinate meetings of the review panel as and when required.

6.5.4 Send notifications to individuals on the Employee Protection Register to whom an exemption has not been applied and send the relevant correspondence to those individuals when they are removed from the register.

6.5.5 Direct any 'Freedom of Information' or 'Subject Access' requests to the Information Unit, and act as a central point to provide information and advice relating to the Employee Protection Register.

6.5.6 Provide advice and information on legislation or guidance relating to violence and aggression.

6.5.7 As required, provide advice and support to managers with regards to carrying out assessments of the risks of violence and aggression.

6.5.8 Where appropriate, investigate violence at work incidents together with the relevant manager.

6.5.9 Ensure any violent incident, which is reportable under RIDDOR is reported to the HSE within the required timescale as detailed in the Corporate Health and Safety Policy.

6.5.10 Monitor the effective implementation of this Corporate Policy, the corporate management arrangements and any associated Directorate arrangements, procedures or guidance.

6.6 Occupational Health Department will:

6.6.1 If required provide advice and support to employees and managers who have been affected by violence and aggression.

6.6.2 Where relevant maintain health records of any employees relating to violent or aggressive incidents.