

# Staffing Committee

**Dorset County Council**



Date of Meeting	30 January 2017
Officer	Head of Human Resources and Organisational Development
<b>Subject of Report</b>	<b>Violence, Aggression and Harassment at Work Policy</b>
Executive Summary	<p>The following Health and Safety policy has been reviewed in line with the Forward Together for Support Services principles:</p> <ul style="list-style-type: none"> <li>• Violence at Work</li> </ul> <p>The changes aim to:</p> <ul style="list-style-type: none"> <li>• Review the existing policy and replace with a modernised policy which also reflects other threats to staff;</li> <li>• Support managers and staff alike in how to avoid potentially violent and aggressive situations;</li> <li>• Support managers and staff alike when violent and aggressive situations do arise.</li> </ul> <p>This report summarises the key changes and anticipated improvements.</p>
Impact Assessment:	<p><b>Equalities Impact Assessment:</b></p> <p>An EqIA screening has been completed and is attached. This has been considered by the Chief Executive Department's Diversity Working Group and circulated to the Chairs of all other Directorate working groups for comment. No issues have been raised in terms of the design of the policies and procedures.</p>
	<p><b>Use of Evidence:</b> The report is based on evidence including feedback regarding the practical application of the existing policy from Health and Safety colleagues, managers and trade unions.</p>

	<p><b>Budget:</b></p> <p>There are no financial implications arising from the proposal.</p>
	<p><b>Risk Assessment:</b></p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as:  Current Risk: Low  Residual Risk: Low</p>
	<p>Other implications: None.</p>
<b>Recommendation</b>	<p>It is recommended that the Staffing Committee approve the revised Violence, Aggression and Harassment at Work Policy to be effective from 1 April 2017.</p>
<b>Reason for Recommendation</b>	<p>The Staffing Committee oversee matters relating to staff terms and conditions and people management policies.</p>
<b>Appendices</b>	<p>Appendix: Draft Violence, Aggression and Harassment at Work Policy</p>
<b>Background Papers</b>	<p>None</p>
<b>Report Originator and Contact</b>	<p>Name: Paul Downton, Health, Safety and Employee Wellbeing Team Manager (DCC)  Tel: 01305 221515  Email: p.downton@dorsetcc.gov.uk</p> <p>Name: Alison Crockett, Service Manager – HR &amp; OD (DCC)  Tel: 01305 22  Email: <a href="mailto:a.crockett@dorsetccc.gov.uk">a.crockett@dorsetccc.gov.uk</a></p>

## **1. Introduction**

1.1. This report summarises the rationale for revising the following health and safety policy:

- Violence at Work

1.2. The Health and Safety Executive (HSE) sets guidance on matters relating to Health and Safety and states that all risks to employees from violence and aggression must be identified and the risk reduced, so far as is reasonably practicable.

1.3. Violence, aggression and harassment at work are one of the leading causes of reported workplace incidents within DCC and can lead to a number of different issues for teams and individuals alike, such as injury through assault, stress, depression and anxiety which in turn can lead to increased sickness/absence and low morale within teams and increased amounts of litigation against the council.

1.4. The revised policy has been developed in consultation with the recognised trades unions.

## **2. Summary of Changes:**

2.1. The current Violence at Work policy has been in place since February 2007 and this review is therefore required to modernise the policy and ensure that it meets the needs of the Council.

2.2. Changes to the policy and procedure will allow greater clarity and enable managers to address concerns more effectively by:

- a) Identifying the risk of violence by using our risk assessment process;
- b) Identifying the risk of aggression and harassment and the impact this has on staff and their service;
- c) Helping staff and managers to identify what support can be provided;
- d) Broadening the scope of the policy from Violence at Work to Violence, Aggression and Harassment at Work.

## **3. Trades Unions View**

3.1. The trades unions have been consulted regarding the policy. Their feedback has been incorporated into the final version attached.

3.2. The policy will apply to all council employees (other than those employed in schools) and to volunteers and elected members.

## **4. Next Steps**

4.1. The new policy introduces a greater expectation for managers at all levels to effectively identify, risk assess and manage risks of violence, aggression and harassment to their staff. In order that the new policies and procedures are applied consistently and that managers are equipped to deal with matters effectively, a range of communications and training will be provided from within existing resources. This will include:

1. Publication of the new policies, procedures and associated guidance on Sharepoint for all employees;
  2. Briefing sessions for teams in high risk areas and coaching for their managers to make effective use of our existing risk assessment tools and resources in this context;
  3. Sharepoint and other staff news items to raise awareness;
  4. Promotion of the new policy and guidance at appropriate staff roadshows;
  5. Personal safety training, including breakaway techniques;
  6. Revision of Learning on-line materials
- 4.2. Other Health and Safety policies, procedures and guidance which refer to the affected policy will be updated to reflect the changes.

Sheralyn Huntingford  
Head of HR and OD

**January 2017**

**Violence, Aggression and Harassment at Work Policy**

**1. Introduction**

- 1.1 Dorset County Council believes that all incidents of Violence, Aggression and Harassment to employees are unacceptable and is committed to providing full support to any employee who suffers any form of Violence, Aggression or Harassment in the course of, or arising out of, their official duties.
- 1.2 The objective of the policy is to ensure that, so far as reasonably practicable, the health, safety and welfare of staff is protected and that staff are aware of their own duties i.e. to identify the risk of such incident occurring and to report such incidents when they do occur.
- 1.3 Information and support will be provided to managers and staff in order to help them fulfil their duties.
- 1.4 Information will be available to members of the public in the form of a statement that violence is unacceptable and that the County Council will seek to take legal action if necessary to maintain employee safety and wellbeing.

**2. Scope**

- 2.1 This policy applies to all council employees (other than those employed in schools) and to volunteers and elected members.
- 2.2 This includes employees that work from home and work flexibly from home or other locations that are not their normal place of work, as this is still counted as being 'at work'.
- 2.3 This policy has been developed in consultation with the recognised trade unions and staff support groups.

**3. Definitions and Legal Requirements**

- 3.1 The Health and Safety Executive (HSE) defines work related violence as: 'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.'
- 3.2 Aggression is defined as: feelings of anger or antipathy resulting in hostile or violent behaviour; readiness to attack or confront.
- 3.3 Harassment is defined as: the act of systematic and/or continued unwanted and annoying actions of one party or a group, including threats and demands.
- 3.4 These definitions also include verbal abuse or threat, threatening behaviour, any assault, any serious or persistent harassment and extends from what may seem to be minor incidents to serious assaults and threat against the employee's family. There is specific guidance covering the risk of domestic violence available (LINK – to domestic violence guidance from the community safety team)

- 3.5 Other examples of unacceptable behaviour can be found here – (LINK to unacceptable behaviours document)
- 3.6 These definitions are also taken to include any form of hate crime against any individual or group of people including any form of racial hatred and racism, any form of sexual harassment or discrimination against anyone’s sexual orientation, Gender Identity, Disability, Religion, Belief, Ethnicity (including Roma, Gypsy and Traveller), or Age.
- 3.7 It is the intention of Dorset County Council to meet this as a minimum and that we will treat all reported incidents seriously and respond appropriately.
- 3.8 Relevant legislation includes:
- The Health and Safety at Work etc Act 1974
  - The Management of Health and Safety at Work Regulations 1999
  - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
  - Equality Act 2010

#### **4. Risk Assessment**

- 4.1 Managers should always assess the risk of violence, aggression and or harassment to their staff that may result or arise out of work duties. Sometimes this may be a combination of factors such as working under pressure with distressed, demanding members of the public, lone working or working in the public environment.
- 4.2 Staff have a duty to make their manager aware of any perceived risk of violence, aggression or harassment and should carry out their own ‘dynamic’ risk assessment.
- 4.3 Further guidance on risk assessments is available by following this link – (LINK)

#### **5. Incident and Accident reporting**

- 5.1 All incidents of violence, aggression and harassment, regardless of severity must be reported on the accident incident report form. The appropriate box should be ticked to identify if the incident is ‘Violent Actual’ or ‘Violent Threat’.
- 5.2 Violent Actual – this is taken to be where an actual physical assault has taken place whether the ‘victim’ has been seriously injured or not.
- 5.3 Violent Threat – this is taken to be where threats, aggression or harassment has taken place, whether it has made the victim feel uncomfortable or intimidated and would include incidents of racial abuse and aggression or any other hate crime as per definitions above. (LINK to Police for examples of Hate Crime – [www.dorset.police.uk/help-advice-crime-prevention/personal-safety-help-advice/hate-crime/](http://www.dorset.police.uk/help-advice-crime-prevention/personal-safety-help-advice/hate-crime/))
- 5.4 (LINK) to accident incident policy and form.

## **6. Training**

- 6.1 Personal safety training is available for all staff to complete, when a risk of violence, aggression or harassment is identified, or can be used to aid staff in identifying if there is a risk. This can be found on <https://www.dorsetlearningonline.org.uk/login/index.php>

## **7. Further Information on what guidance, information and support is offered.**

- 7.1 General Policy of Health and Safety – (LINK)
- 7.2 Lone Working Policy – (LINK)
- 7.3 Accident Incident Reporting Policy – (LINK)
- 7.4 Accident/Incident Investigation guidance – (LINK)
- 7.5 Personal Safety at Work Guidance – (LINK)
- 7.6 Diversity Policy (Link)