

Painsley Catholic Academy



The Painsley Catholic Academy
Better Together

Preventing and Dealing with Violence at Work

September 2021

Introduction

The aim of this document is to raise awareness of the potential for violence against employees and to provide practical advice and guidance aimed at reducing the risk of violence and the harmful effects of it where it does occur. It sets out the College's policy in this area and its responsibilities to its employees, also what staff can do for themselves.

The document is divided into two main sections. **Part A** states the college's agreed policy on dealing with violence to employees, outlining the key responsibilities of the college as a whole, of individual managers and of employees respectively. **Part B** gives further advice to managers and employees on preventing and dealing with violence. Since the guide is intended to be helpful to employees generally the advice, too, is necessarily general.

Violence has been described as "behaviour which produces damaging or hurtful effects physically or emotionally in other people". The term will usually imply physical attack, but it is also important to consider means of dealing with actions which stop short of violence, for example shouting or kicking furniture, but which might result in physical violence if handled badly.

It must be recognised that behaviour which one person might consider tolerable may be totally unacceptable to another. For this reason, in attempting to define whether a violent incident has taken place the victim's own perceptions will always be important. It is also important that staff report all incidents of violence against them whether physical or verbal and no matter how trivial.

The legal position is quite clear. The Health and Safety at Work etc. Act 1974 (Section 2) places an obligation on employers to protect staff from violence. The Management of Health and Safety at Work Regulations 1992 require managers to carry out a written risk assessment of all work activities and remove or reduce risk to the lowest possible level - this includes the risk of violence.

PART A

Painsley Catholic College Policy on Violence to Employees

The County Council defines violence as "behaviour by another employee or member of the public which produces damaging or hurtful effects, physically or emotionally in other people". All forms of violence against employees are wholly unacceptable. All practical steps will be taken to minimise the risk of violence, but where it does occur, employees will be helped to deal with the consequences. Provided that employees carry out their duties in the correct manner, no incidence of violence in which they are involved will be taken as an adverse reflection on their performance.

The College's Responsibilities

As far as is reasonably practical, the College will:-

1. Provide guidelines for all employees, and training where appropriate;
2. Monitor the incidence of violent behaviour and respond accordingly;
3. Provide insurance cover for employees in case of a permanent injury;
4. Provide counselling support to help employees deal with the effects of violence to which they have been subjected in the course of their employment.
5. Provide managers with the appropriate training to deal with the issue of violence particularly support for the victim.

Individual Managers' Responsibilities

1. Assess the risk to staff and take steps to minimise it;
2. Immediately after a violent incident or as soon as is appropriate, to ensure the needs of the victim are addressed and met by speaking directly to them;
3. Investigate every reported incidence of violence;
4. Report violent incidents to the Police as appropriate, with victims' knowledge and consent;
5. Allow employees reasonable paid time off from duty in order to receive training, counselling, or medical treatment, as appropriate, in accordance with national conditions and College policy;
6. Report the violent incident, in conjunction with the employee in question, using the County Council's accident report form.
7. Ensure staff receive adequate and appropriate training.

Employees' Responsibilities

Each employee of Painsley Catholic College will recognise and fulfil, so far as it is reasonably practicable, their responsibility to:-

1. Take care for their own health and safety and that of colleagues and clients;
2. Participate in such training as is provided;
3. Perform their duties in accordance with such established policies and procedures, guidelines, codes of practice, instructions and rules as exist from time to time;
4. Act in a manner conducive to discouraging aggressive behaviour;
5. Bring to the attention of management any information pertaining to the risk or potential risk of violence to themselves or to colleagues and clients including aspects of the environment;
6. Report to their manager all incidents of actual or potential violence and cooperate fully in any ensuing investigation.

PART B

Guidance to Managers to accompany Policy Statement **Risk Assessment**

It is the responsibility of managers to identify situations where staff may be at risk. A risk assessment must be carried out with a view to reducing the risk to the lowest practicable level.

In carrying out an assessment, examples of questions to be asked are as follows:-

1. Can duties which staff undertake alone and where there is a foreseeable risk, be organised to reduce the risk or eliminate it altogether?
2. Does the workplace represent a special risk to the solitary worker either within the building or in leaving the building in hours of darkness?
3. Is external lighting of access footpaths adequate in darkness: are there other features of planting or screening which make staff vulnerable to surprise attack?
4. Have discussions been held with staff at risk on training opportunities such as dealing with aggression?
5. Is there an additional risk of violence due to cash being handled? Are staff in areas protected from public access?
6. Is there safe access and exit for one person in a foreseeable emergency situation?
7. Do employees who are required to work alone have any medical condition which may make them unsuitable for such work? Consideration should be given to both routine work and foreseeable emergencies which may impose additional physical and mental burdens on the individual.
8. Have procedures for lone working been developed and do staff have the knowledge and maturity needed in order to establish clear limits on what should and should not be done while working alone?
9. Is there adequate supervision of staff who work alone, and a system to monitor situations to ensure arrangements meet policy?
10. Do lone workers have access to a telephone or panic alarm for use in an emergency, also first aid equipment?
11. Under what circumstances or situations should staff never be on their own?

Having assessed the risk, Managers will need to devise plans for dealing with any hazardous situations which have come to light. The plan should incorporate a mechanism for monitoring and review of the effectiveness of any action taken.

Guidance to Staff - Minimising the Risks

Preparation Check List

Thorough preparation and planning can greatly reduce the risk of violence. Consider the following preparations if your job involves meeting members of the public:-

- ***Check the records** - What is known about the person?
- ***Interview in the office** - Whenever possible, avoid interviews in the person's home.
- ***Remove Potential Weapons** - Clear the interview area of objects such as heavy ash trays which could be used as weapons.
- ***Office Familiarity** - Make sure you know where the nearest colleague is situated.
- ***Choose your Time** - For example if you know the client drinks alcohol at lunch time, schedule the interview for the morning.
- ***Work in Pairs** - If you have the slightest suspicion of danger.
- ***Movement Diary** - Never leave the office to visit a client without telling colleagues where you have gone and when you expect to return.
- ***Adequate Data** - Be well prepared for the interview and try to anticipate the questions you might be asked.
- ***Stay Detached** - Never reveal personal details about yourself, for example your address or telephone number.

Home Visits

It is not always possible to avoid meeting people in their own home, in which case the following additional precautions should be taken.

- ***Check the Address** - Check it is correct; do not be drawn into meeting elsewhere.
- ***Check Authenticity** - For example, check the telephone directory and cross match the name and address, if the client is unknown to you.
- ***Parking** - Park as close as possible to the meeting place and position the car so as to be able to leave the scene quickly, if need be.
- ***Carry a Torch** - Particularly if visiting in darkness, or if you have to use unlit passageways.
- ***Let the Client Lead** - Follow the client into rooms and avoid having the client behind you.

***Choose your Seat** - Sit between the client and the door so that you can leave more easily if necessary.

***Other People** - If possible try to arrange the appointment for a time when other people, for example family or neighbours of the client, will be around.

***Work in Pairs** - If you have any reason to suspect you might be at risk, speak to your manager about taking a colleague with you. If necessary, re-arrange interviews so that you can take a colleague with you.

Dealing with Animals

It is not unheard of for people to use their animals - usually dogs - as 'weapons'. If you are concerned about the presence of an animal, tell the owner that you would like it to be restrained or, preferably, put into another room. If the owner refuses, speed up the interview but try to avoid conflict. If you are really concerned, terminate the interview and ask the client to call at your office.

Handling Cash

Sensible precautions will minimise the risk of theft or robbery:

***Avoid setting patterns** which others can discern. Vary routes, parking and timing as much as possible.

***Keep Cash out of sight** - If you have to give change, do so from a separate, small float.

***Keep it Secret** - Never discuss the fact that you carry or collect cash.

***Don't try to be a hero/heroine!** - Your safety is the most important thing, hand over the cash.

Coping with Difficult Situations

Recognising Potential Problems

Although thorough preparation and planning can greatly reduce the risk of violence, it is nevertheless important to be sensitive to the signs that a client may be on the verge of becoming violent or abusive. The following are examples but may be supplemented by training as appropriate:-

***SAYING "NO"** - think about the reaction that saying "no" might provoke. Take a colleague with you if you anticipate problems.

***PHYSICAL NEEDS** - the presence of pain, illness, hunger, exhaustion, thirst or drugs - including alcohol and solvents - can all be factors in bringing about abuse or violence, as can worry, bereavement and fear. While these factors do not excuse violence, recognising them can allow appropriate action to be taken, such as enabling an arthritic client to sit down, supplying a hot drink, terminating the interview if you suspect the client is intoxicated.

***PHYSICAL SIGNS** - watch out for changes in mood and/or behaviour which might signal possible violence, such as heightened pitch of voice or increased volume or speed of speaking; increasing frustration; increased movement such as fidgeting or arm waving; clenching of fists or tensing of muscles; sweating or staring.

Defusing the Situation

If a situation is obviously going from bad to worse, there are a number of positive steps you can take, and a number of things to avoid:

DO ... keep control of your own emotions and behaviour

*Talk calmly and sensibly, talking more quietly if the client raises his/her voice

*Use words and phrases the client can understand, summarise often

*Adopt an open posture (don't fold your arms), look interested and make some eye contact, but avoid staring

*If things are getting too heated, suggest a short break, at which point the client can calm down and you can summon help if necessary

*Agree, without commitment, to reconsider the client's point of view

*Ask the client to summarise what they want, then repeat what they have said so that they know you understand

*Personalise yourself if you are receiving abuse because of your position. For example, say "I find it upsetting when you speak to me like that" rather than "The Council won't tolerate you saying that"

*Choose your words carefully - say you are "upset" rather than "angry", say please rather than making a demand

*Keep your distance

*Leave the client and/or call for assistance if you feel the situation is getting out of hand

*Consider involving the Police before visiting a client's home if you think there might be problems

DON'T ... argue, raise your voice or insult

*Use provocative phrases such as "don't be silly" or "just calm down"

*Touch the client, point or wag your finger

*Punish or threaten to punish

*Corner yourself with phrases like "I'll give you just five minutes to leave"

*Personalise the issue. If your actions are governed by departmental rules, make sure your client knows that your refusal is not a personal issue

FINALLY ... if in doubt GET OUT

If things are getting really heated, if you are threatened, or if the client produces any kind of weapon, leave immediately. Withdraw as calmly as possible and avoid turning your back on the client. Whenever possible, call for assistance.

Physical Restraint

Physical restraint should only ever be used in self defence when it is impossible to back off: it is lawful to use reasonable force in self defence. The best guide to what is "reasonable" is that physical restraint should be the least force sufficient to stop further attack and should seek to avoid injury. Try to restrain by holding arms or legs by avoiding contact with the sexual areas, the head or the face and by not interfering with breathing. Do **NOT** use a neck-hold!

The law expects you to retreat whenever possible but there are occasions when to protect yourself from attack you may injure the attacker, and the law accepts this.

However, the general legal position is that physical restraint of a child can be justified only to prevent:-

- (a) immediate danger to the child;
- (b) immediate danger to others; or
- (c) immediate risk of serious damage to property.

Damage to County Council Property

Although the safeguarding of equipment is important, it is secondary to your protection.

It is a matter of your own judgement whether you should try to stop violence directed at college property - only take action if you are confident of success and there is no chance of injury.

It is much safer to call for assistance rather than to try and tackle the incident alone.

Training

Central Training Provision

Staffordshire County Council Central Training Unit regularly runs a course aimed at staff at risk of personal attack. The course recognises that although it is incumbent upon employees to ensure their own personal safety, the employer has an overriding duty to ensure (so far as is reasonably practicable), the health, safety and welfare at work of their employees. The seminar is therefore aimed at providing advice on both preventing (or at least minimising) the chances of attack and suggesting action that might be taken in the unfortunate event of such a personal violation. The seminar is open to any member of staff who might find themselves working in isolation and be vulnerable to physical attack.

The responsibility of ensuring that those in need of training access the seminar is placed jointly on manager and employees. Managers should identify training needs as part of the process of assessing risk. This should not, however, prevent employees from putting themselves forward for training if they feel vulnerable.

After an Incident

In the event that, despite precautions and care, you are the victim of violence or have experienced a potentially violent situation, there are a number of things you should do and a variety of assistance available to you.

Medical Assistance

Seek medical assistance immediately if required, either from a qualified first aider, the occupational health unit staff, your own doctor or from a hospital accident department.

Time away from work will be paid for by the college in line with normal sickness absence provisions.

Report Forms

Although not currently reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1985, it is expected that injuries caused by violence will become reportable when RIDDOR is revised. Managers are required, therefore, to report violent incidents using the County Council accident report form.

Police Involvement

If you have been assaulted, or if your property has been damaged, you have the right to make a complaint to the Police if you choose to do so. The police should be informed immediately.

If the incident involves damage to college property only, it is for the head teacher to decide whether to involve the police.

The Police (Crown Prosecution Service) may decide to prosecute the assailant as a case of criminal assault and/or criminal damage.

Assistance in Legal Action

You may wish to consider taking out a personal prosecution against an assailant. This is your decision but you should seek guidance from an appropriately qualified legal advisor.

You may prefer to consult your own independent solicitor, the cost of which may have to be borne by yourself. You may be able to get legal aid.

Counselling

It is important if you are assaulted that you have the opportunity to discuss the incident and receive counselling and support. Arrangements will be made for you to see a trained counsellor, either in your own department, the Occupational Health Unit, or from external sources.

All counselling is totally confidential. No information whatsoever - not even the fact that you have sought counselling - will be divulged to anyone without your prior permission. Appropriate time off from work will be given if required.

Compensation

If you are injured as a result of violence arising in the course of carrying out your duties, you may be entitled to claim compensation from the authority's insurers.

Depending on the circumstances, you may be entitled to seek compensation from the Criminal Injuries Compensation Board or to pursue a civil action against the assailant for compensation. You are advised to obtain legal advice if you wish to pursue either of these options. If you are a member of a trade union, they may be able to help you.