

MANAGEMENT OF VIOLENCE AND AGGRESSION PROCEDURE



Heddlu
Gwent
Police

SUMMARY

STAFF ARE REMINDED THAT THIS SUMMARY IS STRICTLY AN OVERVIEW OF THE KEY ELEMENTS OF THE DOCUMENT AND FOR A MORE COMPREHENSIVE EXPLANATION THE WHOLE OF THE DOCUMENT SHOULD BE READ IN PARTICULAR SECTION 1.2'

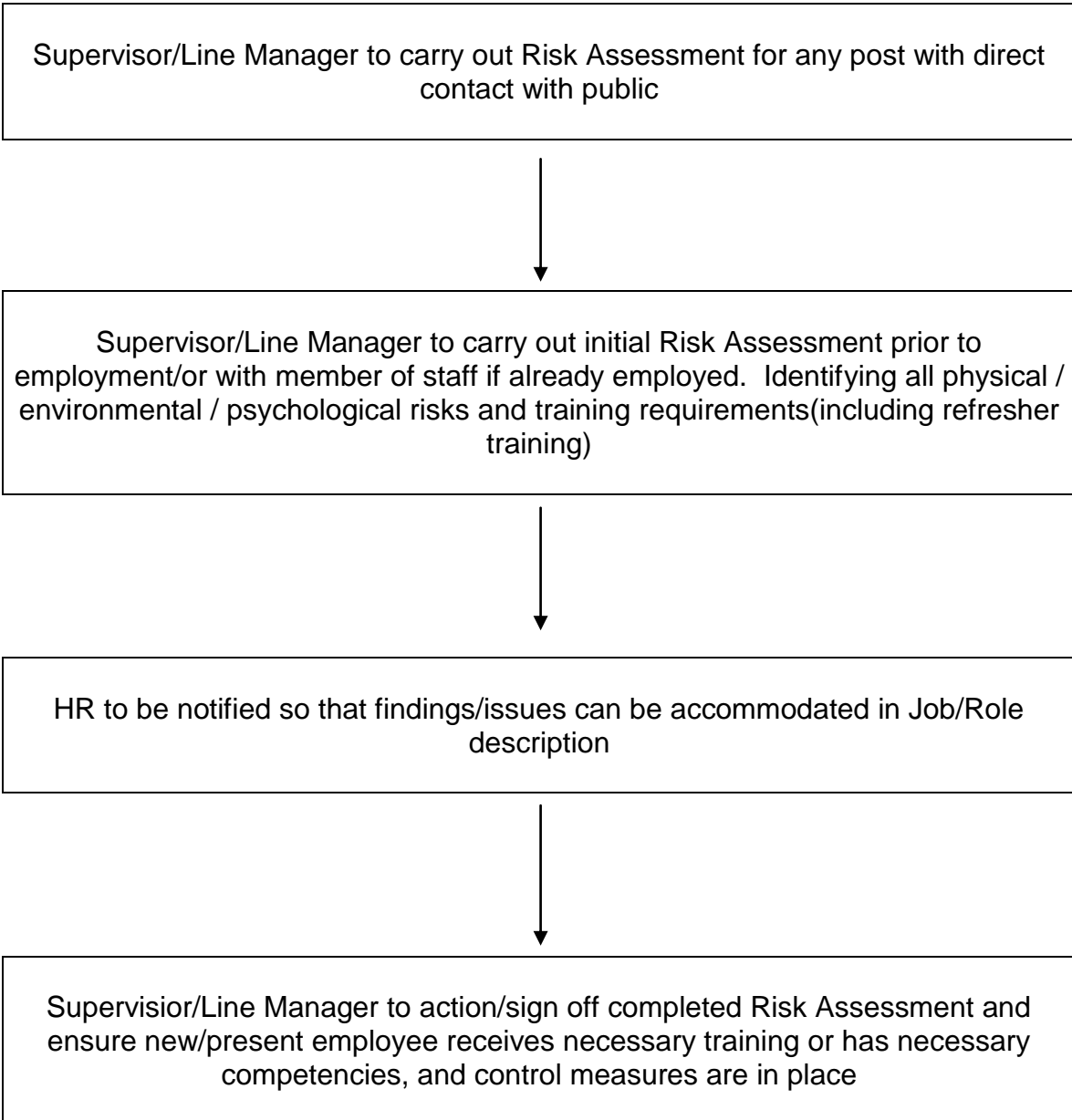
Violence to staff has many interpretations and definitions. The following definition has been accepted by Gwent Police.

'Any incident in which a member of staff is abused, **harassed**, threatened or assaulted in circumstances relating to their work'.

Gwent Police recognises and accepts that it has a legal responsibility for the health and safety of staff and others. Recognition is also given to the responsibility placed upon individual staff members for the maintenance of their own safety and welfare. Gwent Police believes that violence to staff from whatever quarter is unacceptable. It recognises that violence is particularly distressing and can be difficult to deal with. It believes that positive action is needed to develop solutions to the problem of keeping staff safe at work.

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.

SUMMARY FLOW CHART
VIOLENCE AND AGGRESSION
RISK ASSESSMENT



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1.0 Guidance, Procedures, Tactics

1.1 Risk Assessments and Health and Safety Considerations

A training package in the use of risk assessment will be provided to all police personnel if required or requested.

Specific risk assessments on roles and responsibilities are in place and can be found on the Health and Safety Website or in relevant departments.

If in doubt please contact your Business Support Officer.

1.2 Introduction

Both employer and employees have an interest in reducing violence at work. Managers and Supervisors should ensure that the process contained within this procedural document are implemented in their area of responsibility.

Detailed records of violent incidents should be recorded through the use of Force form 2508 (Reporting of Assaults, Incidents and Near Misses). Managers and Supervisors should complete the 2508 form with the relevant staff member which, through investigation, will identify whether a more specific risk assessment needs to be completed or whether an existing risk assessment requires revision to incorporate additional control measures.

The attached HSE booklet is available for your guidance [indg69.pdf](#)

Areas to be considered:

1.2.1 Look for the Hazards

- Identify potential assailants – consider the full range of people staff may come into contact with. These may include members of the public calling at police stations, visiting people in their own homes, or policing the community.
- Consider particular activities, which might present a high risk of violence, such as domestic violence/disputes, drink or drug related incidents, public disorder.
- Consider whether violence might increase the risks of injury from other sources, for example back injury during handling of a suspect/prisoner.

1.2.2 Identify Who Might be Harmed and How

Identifying who might be harmed is not simply a matter of saying “all those who come into contact with the public”.

Consideration should also be given to the level skills and training provided to staff members as this might affect an individuals vulnerability to assaults.

In deciding how people may be harmed, remember the potential effects on staff of repeated or severe verbal abuse, **harassment** or threats. Continued exposure to verbal abuse **or harassment** can create stress and anxiety, reduce the morale of staff and lead to sickness absence.

The following list gives examples of the types of activities that may present a risk of violence to staff away from their work base:

- “Policing” activities
- Enforcement e.g. traffic warden duties
- Working alone
- Home visits (responding to report of assault, to take statements, firearm enquiry duties etc.)
- Working outside normal office hours (e.g. emergency call-outs)
- Working in unfamiliar surroundings

The following list gives examples of the types of activities that may present a risk of violence to staff in their permanent workplace:

- Reception duties
- Interviewing
- Custody duties
- Dealing with persons under the influence of alcohol, prescribed/illegal substances etc

1.2.3 Evaluate the Risks

Having identified who might be harmed and how, consider whether the precautions already in place are adequate. If not, and significant risks remain, you will need to do more.

The most effective precaution is to avoid risks altogether. This may not always be possible, in which case you need to consider the steps, which can be taken to minimise the risk. In developing precautions, consider the following questions:

Is there any way to change:

- The jobs people do and/or circumstances in which they work
- The workplace

- The information given to staff and the way it is communicated
- The system for sharing information
- The response to incidents

1.2.4 Reducing the Risk

When developing and implementing control measures, consider:

The workplace – the physical aspects of the premises or the area. The physical environment may affect the likelihood of violent incidents and the ease with which people can respond to them. Design, alteration or upgrading of work areas should include consideration of work-related violence.

Some areas of police premises and grounds are open to the public. Uncontrolled access may expose staff to unnecessary risk. Risk assessments need to take this into account and to consider measures such as:

- Careful positioning of entrances
- Good lighting of entrances and other access routes and thoroughfares
- Relocation of work activities which do not need to be in public areas
- Additional measures, such as screens of security glass in identified areas
- Emergency assistance for staff
- Provision of safety instructions to those attending police stations

Working patterns and practices - Risk assessments provide the basis for clear written procedures for work involving a risk of violence to staff. The procedures/role profiles should identify the levels of training and competence required for the role.

Staffing levels and competence - Managers who set staffing levels need to consider the availability of appropriate numbers of suitably trained staff required to cope with any foreseeable violence.

Training – Any awareness/training should be proportionate to the risk and provided to relevant staff.

Security – consider the requirement for security systems, communications and alarm systems in addition to:

- Who will monitor the system and respond in the event of an incident
- Training requirements for proper use of the system

Communications – the risk assessment should indicate the most appropriate system e.g. radios, mobile phones etc., which will need to be properly maintained.

Alarm systems – the choice of alarm system will depend on the nature of the workplace, the activities and the level of risk. All such systems need to be well maintained and regularly tested.

1.2.5 Violence and Lone Working

Please refer to Lone Working Procedure available on the Intranet

1.2.6 Third Party Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. Under the Equality Act 2010, harassment applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. Employees are able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

An employer can be held responsible for harassment of a worker by someone who doesn’t work for them, such as a customer. This is sometimes called ‘third-party harassment’.

The employer will become legally responsible if they know that their worker has been harassed by someone who does not work for them at least twice before but they have failed to take appropriate action to protect the worker from further harassment. It does not have to be the same person harassing the worker on each occasion. Notices will be put up in public places within Gwent Police premises to advise that harassment or abuse of staff and officers will not be tolerated.

Line managers will deal positively with the issue which may involve speaking to the individual who has harassed the worker to tell them their behaviour is not acceptable. In some cases it may be appropriate to tell the individual to visit alternative police premises or to consider using criminal legislation.

1.2.7 Protective Marking

Managers should comply with the information processing requirements of the Government Protective Marking Scheme.

2.0 Procedure Statement & Intentions

2.1 Principle & Scope of Procedure:

Violence to staff has many interpretations and definitions. The following definition has been accepted by Gwent Police.

‘Any incident in which a member of staff is abused, harassed, threatened or assaulted in circumstances relating to their work’.

Gwent Police recognises and accepts that it has a legal responsibility for the health and safety of staff and others. Recognition is also given to the responsibility placed upon individual staff members for the maintenance of their own safety and welfare. Gwent Police believes that violence to staff from whatever quarter is unacceptable. It recognises that violence is particularly distressing and can be difficult to deal with.

2.2 Aims of Procedure

Gwent Police have a general duty to eliminate or reduce the risk of injury to staff from violence, so far as is reasonably practicable.

This will be achieved by:

- Identifying and assessing the risks
- Developing strategies for the prevention of violent and aggressive acts
- Examining and improving working environments and administrative systems
- Providing training for managers and supervisors on how to identify the impact of violence
- Training for staff identified as at risk in recognising violence and aggression and how to deal with the potential impact
- Investigating all reported incidents
- Monitoring and reviewing the effectiveness of all the measures

See Flow Chart at beginning of Procedure.

3.0 Introduction

3.1 Origins/Background Information

WHAT THE LAW REQUIRES

There are five main pieces of health and safety law which are relevant to violence at work. These are:

- **The Health and Safety at Work etc Act 1974 (HSW Act)**

Employers have a legal duty under this Act to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees.

- **The Management of Health and Safety at Work Regulations 1999**

Employers must assess the risks to employees and make arrangements for their health and safety by effective:

- Planning;
- Organisation;
- Control;
- Monitoring and review.

The risks covered should, where appropriate, include the need to protect employees from exposure to reasonably foreseeable violence.

- **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

Employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury or incapacity for normal work for three or more consecutive days. This includes any act of non-consensual physical violence to a person at work.

- **Safety Representatives and Safety Committees Regulations 1977 (a) and The Health and Safety (Consultation with Employees) Regulations 1996 (b)**

Employers must inform, and consult with, employees in good time on matters relating to their health and safety. Employee representatives, either appointed by recognised trade unions under (a) or elected under (b) may make representations to their employer on matters affecting the health and safety of those they represent.

3.2 The Legal Basis and Legitimate Aims

The H&S at Work, etc Act 1974 (HASWA)

The Management of H&S at Work Regulations 1999

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

The Safety Representatives and Safety Committees Regulations 1977(a) and the Health and Safety (Consultation with Employees) Regulations 1996(b)

[Equality Act 2010](#)

4.0 Implications of the Procedure

4.1 Financial Implications

There should be no additional financial implications.

4.2 Human Resources/Training

Training needs will be identified through the process of risk assessment and if necessary training will be provided.

4.3 Strategic Plan Links

This procedure supports and is consistent with the Gwent Police/Human Resources Plan and Government Health and Safety Targets and Plans.

4.4 Diversity

In the application of this procedure consideration must be given to the possible social impact of this procedure on the community. An equality impact assessment is a requirement to ensure all issues are considered. This is also a requirement of the Gwent Police Race Equality Scheme. Equality impact assessments must be undertaken before and after the application of this procedure.

Under the Race Relations (Amendment) Act 2000 Gwent Police is required to undertake proactive work to meet the General Duty of :

- Eliminating unlawful racial discrimination;
- Promoting equality of opportunity;
- Promoting good relations between people of different ethnic groups.

The General Duty is outlined in Section 71 (1) of the Act, and must be met in its entirety.

Monitoring must be undertaken to ensure that there is no adverse impact either positive or negative upon any one particular social group or individual. The results of monitoring must be analysed and be available for publication, and appropriate changes made.

All individuals using this procedure must be aware of the potential impact that this procedure has on the individuals to whom it is applied. The following strands of diversity and their corresponding pieces of legislation must be considered when answering these questions.

- Welsh Language Act 1993
- Race Relations Act 1976
- Race Relations Amendment Act 2000.
- Disability Discrimination Act 2005.
- Sex Discrimination Act 1975.
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Where appropriate, as amended by the Equality Act 2010

4.5 Consultation

Police Authority
Chief Officers
Heads of Service Area / Departmental Heads
Superintendents' Association
Police Federation
UNISON
Gwent Police Women's Association
Gwent Black Police Association
Gwent Police Disability Network
Gwent Police Gay Support Network
Gwent Police Flexible Working Network
Freedom of Information Officer
Legal Services

5.0 Human Rights Consideration Certification

5.1 Auditing for potential interference and discrimination

Q1. What articles of the Human Rights Act 1998 may be engaged?

Article 3

Article 6

Article 8

Article 9

Article 10

Article 11

Article 14

Q2. Where individual rights are engaged what is the potential to discriminate against the parties involved?

" In the application of this procedure the Force will not discriminate against any persons regardless of age, sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status as defined under article 14 of the European Convention on Human Rights ".

5.2 Key Human Rights Principles

Q1. What is the legal basis for your procedure?

Section 3.3 refers

Q2. Does the procedure provide details of what could be considered as a legitimate aim for the potential interference with an individual's rights, through the exercising of this procedure?

Restrictions on the rights protected in articles 8 - 11 in the Human Rights Act will be compatible with the convention only if they are aimed at protecting one of the interests listed in articles 8(2), 9(2), 10(2) and 11(2) respectively. The interest protected are broadly the same and generally include:

1. National Security
2. Public Safety
3. The protection of health or morals
4. The prevention of disorder or crime; and The protection of the rights of others.

Q3. How are staff made aware of the clearly defined decision making processes?

Section 1.2 refers

Q4. What are the minimum standards of documentation in relation to decision making?

Section 1.2 refers

Q5. How does your procedure provide guidance on the justification for assessment and actions as to whether the action is the least intrusive?

Section 1.2 refers

5.3 Rights, Publication, Audit and Inspection

Q1. Are there any sections of the document which should not be disclosed to the public on the Force Publication Scheme; because they consist of tactical or operational procedures, that would inhibit the apprehension or prosecution of offenders if publicly known, or would compromise the ability of the force to carry out its duties? Please outline the relevant sections that cannot be disclosed.

This procedure can be disclosed

Q2. What rights to make representation and appeal process are available?

Persons who wish to make representations regarding the operation of this procedure will have recourse to civil law. There is also the right to use both formal, informal and organisational complaints procedures in respect to the operation of this procedure. Where dismissal is contemplated an individual has a statutory right to attend a hearing to discuss the matter. This includes a statutory right to be accompanied to the meeting by a trade union representative or a work colleague. There is also a statutory right to appeal.

Q3. What internal review and audit process is in place or is proposed?

This procedure has been drafted in accordance with the principles and rights contained within the Human Rights Act 1998. It will be reviewed and continuously assessed in the light of any relevant changes and developments in the application of the Act.

Q4. What external independent scrutiny is recommended?

This procedure document can be scrutinised during Inspection undertaken by the Police Authority and HMIC.

5.4 Certification of Compliance

Consideration has been given to the compatibility of this procedure and related policies and procedures with the Human Rights Act; with particular reference to

the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

5.5 Legal Vetting

There are no issues in this procedure under ECHR which cannot be resolved. This procedure has been vetted.

6.0 Promotion and Distribution

In order to highlight the existence of this procedure to staff there will be the following :

- GO entry following ratification
- Publication on the Force Intranet and internet

7.0 Monitoring / Review

Monitoring of the application of this procedure will be undertaken by the Head of Human Resources in conjunction with the Health and Safety Policy Group.

8.0 Procedure Identification Page

Title – Management of Violence and Aggression

Reference: 518/3 b issue 3

Procedure Ownership: Head of Human Resources

Portfolio/Business Area Owner: ACPO Operational Support

Procedure Written By: Health and Safety Adviser

Department Responsible: Human Resources

Procedure Lead: Health and Safety Adviser

Links to other Policies/Procedures:

Health and Safety Policy, Equal Opportunities Policy, Information Security, Data Protection, Fairness at Work, Disciplinary/Misconduct Procedures, Lone Working.

Procedure Implementation Date: 1st March 2009 Approved by Health and Safety Committee. Reviewed 20/01/2010 and 24/11/10

Procedure Reviewed: Three years from review