

A Guide to Tackling Violence at Work



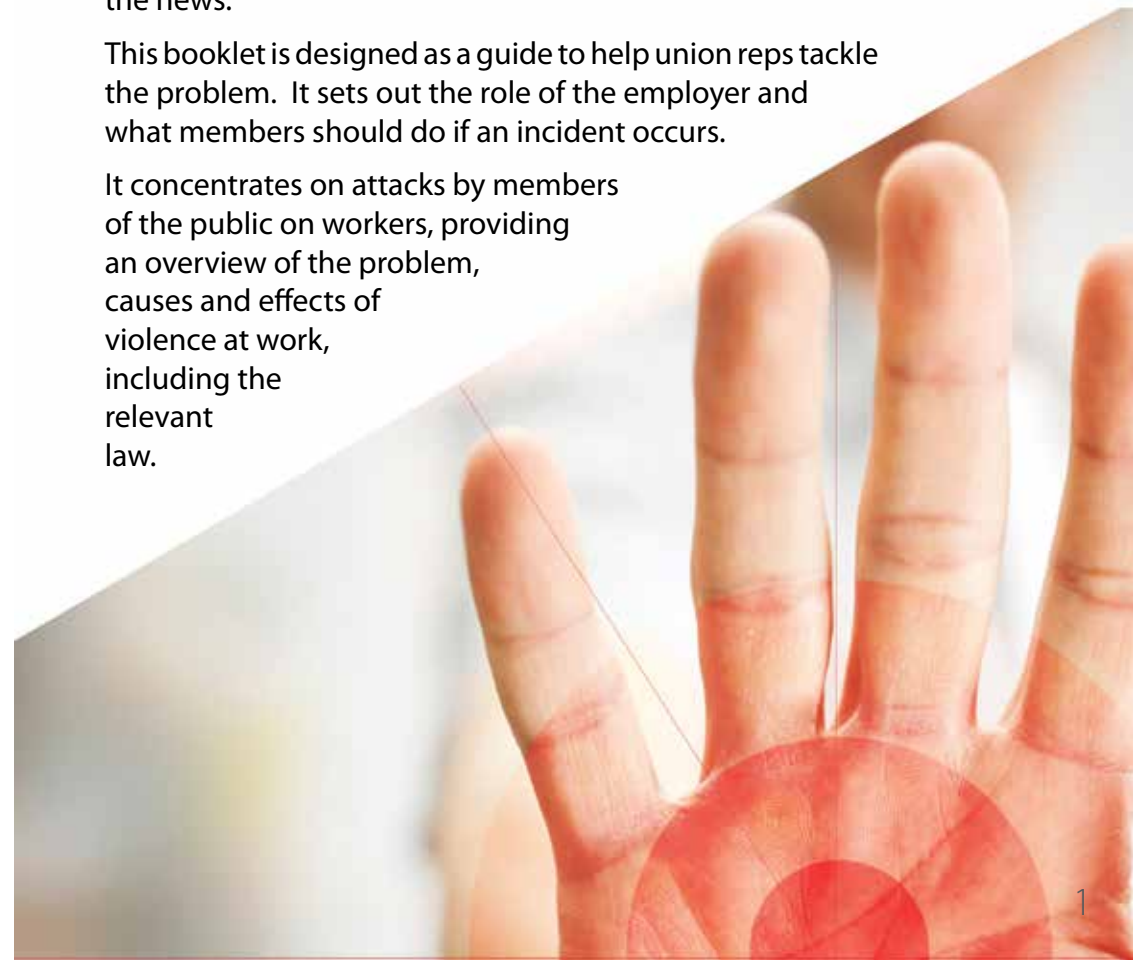
Introduction

Violence at Work, *meaning attacks on workers by members of the public, clients and service users*, is a major health and safety hazard in many workplaces. It is important to note that violence at work can also mean attacks by other members of staff.

As a result of the Government's austerity agenda with cuts to jobs, services and the welfare state we are witnessing increased incidents of members being attacked or abused just for doing their job. Special needs classroom assistants can be attacked by their students, patients can attack nurses or carers, someone denied benefits can take it out on the civil servant who has to give them the news.

This booklet is designed as a guide to help union reps tackle the problem. It sets out the role of the employer and what members should do if an incident occurs.

It concentrates on attacks by members of the public on workers, providing an overview of the problem, causes and effects of violence at work, including the relevant law.



What is violence at work?

The Health and Safety Executive for Northern Ireland's definition of work related violence is:

"Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work".

Who is at risk?

Anyone who comes into contact with the public during the course of their work can be at risk. But some jobs carry more danger of attack than others and there are certain types of work, such as lone working, where workers are particularly vulnerable.

Jobs that involve greater risks

- Handling money;
- Providing care, advice or information;
- Working with violent people;
- Dealing with complaints;
- Having the power to act against the public such as inspecting premises and enforcing legislation.

Circumstances in which work is done

- Working alone, in clients' homes, in physically isolated units, or at hours when few other employees are around;
- Working under pressure created by increased workloads, staff shortages and the absence of alternative support for the client.

Combined Risks

Often it is a combination of factors than a single cause:

- Handling money in isolation;
- Operating a driver-only bus at the end of the day;
- Coping with angry and distressed patients or relatives in an isolated emergency unit late at night;
- Working under pressure with distressed, demanding clients in isolation from colleagues and other support.

The Impact of Violence at Work

For the Individual

- Physical harm;
- Stress;
- Emotional trauma;
- Feelings of powerlessness;
- Demotivation.

For the Organisation

- Increased absenteeism;
- Sickness absence;
- Higher insurance costs;
- Higher staff turnover;
- Reduced productivity and performance;
- Work disrupted and delayed;
- Increased recruitment and training costs.
- Personal Injury Claims

The Law on Violence at Work

Health and Safety law applies to risks from violence just as it does to other risks from work. The main pieces of relevant legislation are:

Health and Safety at Work (NI) Order 1978 (The Order) (Amended 1998)

The Health and Safety at Work (NI) Order 1978 places a legal duty on employers to ensure, so far as it reasonably practicable, the health, safety and welfare at work of their employees.

This means employees should work in a healthy and safe environment and that their welfare is considered in any work activity. Under the Order an employer has an obligation to ensure any potential risk of violence is eliminated or controlled.

Management of Health and Safety at Work Regulations (NI) 2000,

Under the Management Regulations 2000, employers must consider the risks to employees (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this. Under the Management Regulations, employers are required to lay down procedures for workers in the event of “serious and imminent danger” to stop work and immediately proceed to a place of safety.

Safety Representatives and Safety Committees Regulations (NI) 1979

The Safety Representatives and Safety Committees Regulations (NI) 1979 require employers to inform and consult employees in good time on matters relating to their health and safety.

Safety reps may investigate any issues of concern under these regulations on any aspect of violence that concerns the health and safety of employees, including stress from the fear of violence.

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (NI) 1997 (RIDDOR)

Under RIDDOR, employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury, on incapacity for normal work for three or more days. This includes any act of physical violence done to a person by a member of the public or a member of staff.

What should employers do?

Whatever the cause of violence, the employer has a duty under health and safety law to protect your health, safety and welfare while you are at work. This means that they must assess threats to their staff and work out how they will eliminate or minimise them. All employers must have proper systems for managing health and safety, and these should cover threats of violence just as they should any dangerous chemicals on their premises. Some violent incidents cannot be predicted but many are foreseeable. Employers have a responsibility to identify these and seek to prevent them.

NIPSA believes employers should develop safe systems of working through practical policies which include:

- Investigations of risk areas and groups;
- Proper reporting procedures;
- Creation of safer workplaces (which may include increasing staffing levels);
- Information and training for all workers at risk;
- Checking the relevance of training and any training gaps;
- Counselling and support for the victim and their colleagues;
- Effective monitoring.

More information

The Health and Safety Executive (GB) has published guidance explaining how employers should tackle violence at work, including guidance for particular sectors. Essentially this follows the well established process of risk assessment, followed by the introduction of prevention and control measures and regular review. Safety reps should be involved at every stage of this process. The Guide can be accessed online at www.hse.gov.uk/pubns/indg69.pdf

What you can do

Do not wait for a violent incident to occur. Raise the issue of violence at work with your employer. Bring this information to their attention. Ask for a copy of your employer's risk assessment. By law all employers must carry out a workplace risk assessment, which should include assessing the risk of violence. The next step, having identified whether or not there is a problem, is to implement the prevention strategy. If there is a risk, ask your employer what he or she is going to do to protect you.

Speak to your union rep who will be able to advise you on the best way to get your employer to take your concerns seriously. NIPSA takes violence at work, in all its forms, very seriously, has wide experience in dealing with the issue, and access to a number of areas for support.

If you are subject to physical attack or verbal abuse at work, however 'minor', report it to your manager or supervisor – preferably in writing. Even if you do not make a written report keep a note for yourself setting down the nature of the incident, who you reported it to and whether action was taken. This will be important later if you want to convince your employers that there is a pattern of violence at your workplace or, if it comes to the worst, that an attack means that you have to go to court either to get compensation or to act as a witness in criminal proceedings.

Union reps' checklist on tackling violence

The following checklist can be used by union reps and safety reps, in conjunction with HSE guidance, when tackling violence at work.

Recognising the problem



- Does the employer agree that there is a violence problem?
- Does the employer recognise that it is a health and safety issue rather than a security problem?
- Is the employer aware of, and acting upon the guidance provided in HSE and other relevant publications?
- Has the employer consulted safety representatives on how this guidance applies in the workplace?

Monitoring the problem Risk assessment Step 1

- Has the employer introduced a reporting form system specifically for violent incidents?
- Do employees, including agency staff and part-timers know about the scheme?
- Are staff encouraged to report all violent incidents including incidents of verbal abuse and threats?
- Are supplies of report forms readily available to staff?
- Are the results of monitoring used to check the effectiveness of the employer's policy?

Deciding what to do – Risk assessment Step 2

- Does the employer consult safety reps to seek possible solutions to the problem?
- As part of the consultation, are the returns from the report form system reviewed and classified?
- Has the employer consulted any outside experts (such as a security consultant, the local police crime prevention officer, victim support etc.)?
- If so, were safety representatives involved in the discussion?

Preventive measures

- Are all preventive measures based upon local risk assessment?
- Is there anything that can be done to increase physical security of car parks, grounds, etc. to restrict access to buildings, and provide refuges for staff?
- Are panic buttons fitted? If so, do they work? Is there a reliable procedure for responding to them quickly?
- Are personal attack alarms provided? Is it clear that they are not in themselves a complete solution to the problem of violence?
- Are specialist security staff employed? If so, are they properly trained and vetted? If not, who is responsible for security matters, such as dealing with intruders? Are they given specialist training? Are they provided with personal protective equipment?

- Is there a policy or procedure for home visits?
- Is there a system for passing on information about potential incidents, or about clients, including new clients for new staff?
- Has attention been given to rooms or areas used by the public/clients to make sure they are suitable, do not create tension, or leave staff trapped if an incident arises?
- Have measures been taken to prevent staff working in isolated buildings, offices or other work areas on or off site?
- Have arrangements been made for lone workers and staff working in the community?
- Does the employer take account of the risk of violence when setting staffing levels, altering working hours or shifts?
- Are all staff, including part-timers, given training in the procedures for dealing with violence?
- Is that training suitable and appropriate?
- Does it make clear that staff should not put themselves at risk to protect cash or property?
- Does the employer make sure that junior or inexperienced staff are not left to cope alone?
- Does the employer have a 'client/patient care' programme? If so, does it avoid a one-sided 'client is always right' approach?

- Does the employer give sympathetic support to staff who encounter awkward, aggressive or abusive clients?
- If name badges are worn has the risk of violence been taken into account?
- Where the risk assessment shows that wearing name badges is necessary are forenames only used on the badges?
- Are there detailed procedures for dealing with cash handling and banking?
- Does the employer provide sympathetic support to victims of violence (for example access to counselling, time off to recover, awareness of psychological effects, etc.)?

Implementing the policy

- Does the employer include procedures for dealing with violence in their written safety policy?
- Does responsibility for implementing the violence policy lie with a named senior manager?
- Are all safety reps provided with a copy?
- Is the policy regularly reviewed and updated in consultation with safety reps?
- Are safety reps checking that the policy works and is being followed properly?

Further Information

Health and Safety Executive Northern Ireland

83 Ladas Drive, Belfast. BT6 9FR

Tel: 028 90243249

Email: mail@hseni.gov.uk

Web: www.hseni.gov.uk

Health and Safety Executive

Redgrave Court, Merton Road, Bootie,
Merseyside. L20 7HS

Tel: 0151 951 4000

Web: www.hse.gov.uk

Victim Support Northern Ireland

70/74 Ann Street, Belfast. BT1 4EH

Tel: 028 0924 3133

Email: belfast@victimsupportni.org.uk

Web: www.victimsupportni.co.uk

Suzy Lamplugh Trust

National Centre for Personal Safety, 218
Strand, London. WC2R 1AT

Tel: 020 7091 0014

Web: www.suzylamplugh.org

Criminal Injuries Compensation Agency Northern Ireland

6th floor, Millennium House, 25 Great
Victoria Street, Belfast. BT2 7AQ

Tel: 0300 200 7887

Web: [www.dojni.gov.uk/index/
compensation-agency](http://www.dojni.gov.uk/index/compensation-agency)

TUC

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London. WC1B 3LS

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*This booklet is available
as a PDF download from
the NIPSA Website*



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