

ZERO TOLERANCE STATEMENT OF INTENT

Introduction

This statement of Intent has been formulated in accordance with the requirement to stop and prevent violence, aggression and abuse that an employee working in the One Stop Shop, Sandwell Council House, Oldbury or any other face to face access points across the Authority, may be subject to by an individual or group of persons. This statement is produced in accordance with the Council's 'Arrangements for Preventing and Dealing with Violence at Work' (SHW/CORP/GUID/003).

Statement of Intent

The Council, Transform Sandwell and other organisations within the One Stop Shop, recognise their responsibility to provide and maintain a safe and healthy working environment. They recognise their statutory duty to provide information, instruction and training to enable employees to perform their work safely and efficiently and to make available necessary safety and protective equipment to provide adequate supervision.

Violence, aggression and abuse towards employees at work in any reception point / One Stop Shop will not be tolerated. To ensure that all employees have the confidence that the council will deal with all instances of violence, aggression and abuse in a robust and proactive manner, the Council have adopted a zero tolerance approach to protect employees. The safety and security of council employees is of vital importance.

This approach includes the following:

- Arrangements for preventing and dealing with violence, aggression and abuse at work.
- Withdrawal of services from customers perpetrating incidents of violence and aggression. It is recognised that we are unable to refuse service completely. To this end, alternative methods of obtaining the service will be advised to the customer.
- Training employees to manage conflict.
- A co-ordinated approach by all service areas in each reception area / One Stop Shop to provide a safe working environment.
- Police action where necessary.

There is a commitment to ensure employees can work in an environment, which is, so far as is reasonably practicable, free from the threat of violence, aggression and abuse. It acknowledges that within the spectrum of jobs and tasks undertaken by employees within the face to face access points, the potential for violence exists and it will therefore institute a management culture in which the prevention, recognition, response to and treatment of violence, aggression and abuse are an integral and important aspect of day to day activity.

We recognise that incidents of violence, aggression and abuse do sometimes occur, and that they damage the health, morale and well-being of those affected, as well as the organisation as a whole. We therefore acknowledge that employees have the right to be

concerned about the possibility of encountering violence, aggression and abuse at work, and therefore aim to deal with any incidents as quickly and effectively as possible.

We also support the view that it is for the recipient of violent, aggressive and abusive behaviour, to determine what is inappropriate and unacceptable behaviour. Employees will be encouraged to raise their concerns and take action to deal with any problems they may be facing. Employees can expect their concerns to be taken seriously and to be fully supported in dealing with problems.

The Council will make clear its stance on zero tolerance through prominent signage and electronic displays within each reception point and One Stop Shop facility.

The Council will use the full extent of the law to protect its employees and will support employees in any appropriate dealings with offenders.

How do we define violence, aggression and abuse (and other associated unwanted conduct)?

We use the following definitions:

Violence

Any incident where employees are abused, threatened or assaulted in circumstances related to their work, involving an explicit or implicit challenge to their safety, well-being or health. It can be seen from this definition that as well as physical assault and battery, “violence” includes behaviours such as harassment and bullying, an additional indication of their seriousness.

Harassment

Any conduct based on age, sex, sexual orientation, gender assignment, disability, HIV status, race, colour, language, religion, political, trade union or other opinion or belief, national or social origin, associated with a minority group, domestic circumstances, property, birth or other status, which is not reciprocated or wanted and which affects the dignity of men and women at work.

Racial Harassment

Unwanted, unwelcome and offensive conduct of a racial nature, or other conduct based on race, which affects the dignity of men and women at work.

Sexual Harassment

Unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work. This can include unwelcome physical, verbal or nonverbal conduct.

Verbal Abuse

Any verbal abuse issued with the intent of creating fear or intimidation to another individual, or group of individuals, or verbal remarks or comments expressed in a loud, harsh or threatening tone of voice or in an inappropriate joking manner within the workplace.

Physical Abuse

Any intentional movement of the body which may include touching, gesturing, pushing, striking, stalking, any unwanted intrusion of “reasonable space” of an employee or any intentional use of any object towards an individual.

Creating a Hostile Working Environment

Any intentional non-physical action that can be considered intimidating or harassing with the intent of creating an environment that has a purpose or affect of unreasonably interfering with an employee carrying out their duties.

Incidents

It is very difficult to provide a comprehensive description of all types of incidents, which are covered under a non-physical assault policy. However, examples of the types of behaviour are summarised below, although the list is not exhaustive:

- Offensive language, verbal abuse and swearing, which prevents employees from doing their job or makes them feel unsafe;
- Loud and intrusive conversation;
- Unwanted or abusive remarks;
- Negative, malicious or stereotypical comments;
- Deliberate invasion of personal space;
- Brandishing of objects or weapons;
- Near misses i.e. unsuccessful physical assault;
- Offensive gestures;
- Threats or risk of serious injury to a member of employees or visitors;
- Intimidation;
- Stalking;
- Spitting;
- Alcohol or drug fuelled abuse;

- Unreasonable behaviour and non-cooperation;
- Any of the above, which is linked to destruction of or damage to property.

What does the law say about violence, aggression, abuse (and other associated unwanted conduct) at work?

We are aware that violence and aggression, is unlawful in many circumstances. The following statutes apply:

The Health and Safety at Work Act (1974), which requires all organisations to ensure, so far as reasonably practicable, the health, safety and welfare at work of its employees.

Sexual harassment, and the victimisation of anyone making a complaint of sexual harassment, may amount to discrimination under The Sex Discrimination Act (1975).

Racial harassment, and the victimisation of anyone making a complaint of racial harassment, may amount to discrimination under The Race Relations Act 9 (1976).

Harassment on the grounds of impairment, and the victimisation of anyone making a complaint of harassment on the grounds of impairment, may amount to discrimination under The Disability Discrimination Act (1995).

Under The Criminal Justice and Public Order Act (1994) and The Protection from Harassment Act (1997), harassment, including racial harassment, is also a criminal offence. Wherever necessary we will report the matter to the local police.

The Race Relations (Amendment) Act (2000) imposes a duty on us to monitor incidents of harassment by racial groups.

Employee's rights

First and foremost, employees at all levels have the right not to be attacked or intimidated whilst at work. You have the right to decide what is inappropriate and unacceptable.

You have the right to expect that any concern or incident is taken seriously and dealt with quickly and effectively.

Employer's response

The Council have overall responsibility for ensuring that this policy and the accompanying procedures are implemented effectively and for ensuring that levels of violence, aggression and abuse are reduced and ultimately eradicated.

Employers approach to dealing with violence, aggression and abuse

All employees working from reception points or within a One Stop Shop will be briefed about the Zero Tolerance stance, with the aim of making everyone clear that they have a responsibility for preventing violence, aggression and abuse from arising.

The policy statement will be communicated clearly to service users. It will be displayed in prominent positions, within reception areas and One Stop Shop premises and on information leaflets.

Specific training programmes are available via the Corporate Development Programme for managers and employees on how to create a culture that prevents violence, aggression and abuse, as well as how to identify and deal with problems that do arise.

Risk management and risk assessment procedures will be developed, as part of face to face access health and safety management activities.

Incident reporting and monitoring procedures will be developed to enable the face to face access points to identify problem areas and focus on preventative measures accordingly.

Support following incidents

We recognise that violence, aggression and abuse at work is distressing and damaging to the health and well being of those involved. Support and assistance will therefore be made available to anyone affected.

Support provided to those involved will include:

- Support related to the physical and emotional effects of violence, aggression and abuse;
- Advice on managing conflict in future;
- Support in any formal procedure;

Those who will be trained to provide such support include:

- Senior Managers
- Line Managers
- Human Resources employees
- Recognised trade unions
- Occupational Health and Counselling Service

Immediately following an incident the employees member/s involved should have access to their supervisor or manager for support, supervision, guidance and help with what to do next. This may include taking time out or going home if deemed necessary.

Following an incident, on the next working day a meeting should be organised for the employees member(s) and with representation if requested. This should be with their manager to discuss the incident freely, to inform the employees of the way in which the incident will be managed, the possible outcomes and to ascertain what further support

may be needed. This may include discussion on possible relocation of duties if appropriate.

Within 5 working days a formal debrief will take place. The debrief should be an opportunity for all employees to reflect upon thoughts and feelings evoked by the incident, the team's current working practise and whether any changes are necessary. If so the group, in collaboration with the manager, will formulate an action plan for change which the manager will bring to the attention of appropriate stakeholders for decision in the implementation of the plan.

All employees will have access to the Council's counselling service. It is vital that all employees are made aware of this facility.

Reporting and monitoring

The Council will establish robust and effective mechanisms for reporting and monitoring violence, aggression and abuse at work.

Data will be collected on the number of incidents occurring in the One Stop Shop and other reception points, which will include date and type of incident, service area related and those including police response. Records will also be retained to include personal details of the perpetrators of the incidents.

It will be the responsibility of every employee to assist in the prevention of work place violence, aggression and abuse. Early reporting of dangerous or potentially dangerous incidents will facilitate an effective investigation and response by the Council. To ensure that we are fully aware of all or any instances of work place violence, every employee must report events as soon as is reasonably practicable in line with Council procedures.

Employees should, in the first instance, report to their supervisor or manager any threats or acts of violence, aggression and abuse, which they experience, witness or become aware of.

Risk Assessments

Risk assessments should be carried out in line with the Council's Health and Safety management systems, procedures, recommendations, method statements and control measures will be implemented appropriately to the working environment associated to individuals or groups of individuals. Assessments will be undertaken at intervals of no longer than six months, unless a violent incident has occurred or modifications are being undertaken within the work environment, in which case the assessment should take place immediately.

The environment and circumstances in which employees work and members of the public have access can have a significant influence on behaviour, and it is important that managers undertake a regular review of the risk factors within their area of responsibility.

Such reviews should include the following issues:

- Cleanliness of facility, including reception and waiting areas.

- Temperature control during seasonal extremes to maintain an environment, which is comfortable, e.g. warm enough in the winter and cool in the summer.
- The extent to which space is properly planned to avoid overcrowding and facilitate ease of movement.
- The provision of appropriate and comfortable seating arrangements (secured to the floor if necessary).
- The provision of clear, simple and suitably visible signage to direct visitors to the appropriate locations.
- Maximising the use of available daylight and where artificial lighting is used, to ensure that this provides sufficient lighting for the tasks being undertaken.
- The provision of secure doors to areas where visitor's access is restricted.
- Measures to alleviate boredom of visitors by the provision of light/popular reading materials, relevant and interesting information etc.
- The provision of up-to-date and easily understood information on waiting times together with clear advice on how and where to raise queries regarding these.
- The extent to which employees have relevant up-to-date skills in relation to handling a complaint and the importance of local resolution and that employees have been trained in the management of aggression and break away techniques.
- The use of pre-agreed procedures to enable employees to raise the alarm of a violent situation without antagonising the situation further.
- The extent to which risks concerning the general security of the area in question and the employees that work within it have been identified and addressed.
- The extent to which employees feel safe in relation to their general working arrangements and any concerns raised by employees regarding this.

Where risks have been identified, these must be notified to the One Stop Shop Coordinator, Director of Transformation, and Risk Manager, and local action plans devised to manage risk. Consideration should be given to a range of measures as are reasonably practicable and appropriate to the circumstances, including the use of CCTV cameras, discreet panic alarms, the implementation of appropriate protective measures for employees etc. Such measures must be addressed by the director and appropriate senior manager within local action plans, which should be developed with support of the risk manager.

Promoting the policy

This policy will be publicised to visitors throughout reception points and One Stop Shop via notices and posters. These will carry the following message concerning violence, aggression and abuse against employees:

“Our employees are committed to providing quality services for the benefit of all service users. Sandwell MBC is determined to ensure employees are able to work without fear of violence, and will not tolerate aggressive, threatening or violent behaviour towards them. Individuals behaving violently towards employees will face sanctions and be reported to the police”.

Policy Review

This policy and procedures will be reviewed regularly on an annual basis. This review will be more frequent if deemed necessary.