

FORUM HOUSING ASSOCIATION

Forum Housing Association is committed to the promotion of Equality of Opportunity, recognising that passive policies will not succeed in combating discrimination.

All the Association's Policies and Procedures have implicit in them a determination to challenge discrimination and promote positive action to achieve Equality of Opportunity which is not a paper exercise but a reality.

The above statement is applicable to this Policy.

VIOLENCE AND AGGRESSION

POLICY

1. In accordance with their responsibilities for the health and safety of all employees, the Association will take all reasonably practical steps to prevent any form of violence or aggression at work. This will include the provision of safe systems of work and appropriate training. Where incidents of violent behaviour occurs from members of the public, residents or any other person, the Association will provide appropriate support and help to the victim.

2. Definitions

2.1 For the purpose of this policy the following words require some definition.

Aggression - An unprovoked act, feeling or attack against another person or persons.

Violence - Any incident where staff are abused, threatened or assaulted in circumstances related to their work, involving an explicit or implicit challenge to their safety, well being or health (European Commission 1997)

2.2 Common situations for potential violence or aggression:

- Being kept waiting, unreasonably and without explanation.
- Being treated unfairly in comparison with another person or persons.
- Being refused something you expect as an entitlement.
- Being treated rudely or 'off-handedly'.
- Being given wrong information which can cause problems.
- Being lied to.
- Being physically pushed around.
- Experiencing any of the above repeatedly.

3. Legal Implications

- 3.1 It is important that all employees are as fully aware of the law in violent situations, as in any other area of their work.
- 3.2 The law does not give employees of the Association any rights or privileges over and above others in violence situations.
- 3.3 Employees do not have the same powers, responsibilities or protections as the police.
- 3.4 Staff can call upon the assistance of the police if they feel that a situation is potentially putting their safety and the safety of others at risk.
- 3.5 It is not to be assumed that the Courts will necessarily be more sympathetic to workers if they are brought under a charge of assault.

4. Points to consider when defending oneself

- 4.1 Self defence is permitted in law.
- 4.2 Self defence is permitted in law to the extent of what is "reasonably necessary" to stop that attack.
- 4.3 The test of "reasonableness" includes all the circumstances of the incident, including the defender's own physical condition.
- 4.4 Self defence is not permitted in law beyond what is "reasonably" necessary in time and degree to stop the attack.

5. Defending others

- 5.1 Reference - Criminal Law Act 1967 Section 3

"A person may use such force as is reasonable in the circumstances in the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, or of person unlawfully at large".

- 5.2 Staff must consider as paramount the safety of others and themselves in a situation. There is no obligation in statute law for workers to retreat from a situation but if it is determined that the situation is uncontrollable, the police may be called as soon as is practicably possible.

6. Prosecution and Criminal Injuries Claims

- 6.1 The Association will make available, the legal recourse for staff who may wish to prosecute or claim criminal injuries.

If a staff member chooses to take legal recourse against any person or resident who has direct connections with the Association, the Director of Human Resources will ensure that the appropriate levels of welfare are made available.

The Chief Executive will determine in extreme circumstances the appropriateness of supporting a prosecution against a staff member or resident by another staff member.

- 6.2 The Association will furthermore offer all necessary support and protection to its staff in the pursuance of legal action and claims.

7. Court Injunctions

- 7.1 The Association will consider an application to the Courts to have an injunction placed against any person who it is believed would put the safety of staff and residents at risk.

PROCEDURE

1. Preliminary Action

- 1.1 Line Managers, in conjunction with Head of Estates or a competent delegated person will carry out a risk assessment of the potential risk of violence in respect of each job within their area of responsibility.
- 1.2 Employees are requested to co-operate by completing incident forms (RC-VIO1) fully and accurately and by volunteering relevant information.
- 1.3 Information will be collated by the Director of Housing Services who will assess the scale and nature of the problem and will follow this up with a co-ordinated response.

2. General

- 2.1 All employees are reminded of their duty not to endanger themselves or their colleagues. In particular they are warned against using provocative language or gestures towards any other person whilst being on duty. (Further reference, Code of Conduct for staff.)
- 2.2 While attempting to prevent an act of violence no employee should risk his or her life or the lives of others.

- 2.3 If a threat has been made and the individual(s) are on site, the situation must be addressed quickly and the following points considered:
- Does there still appear to be any threat to the employees, residents, public or property?
 - Is the individual(s) on the point of leaving, if yes – do not detain.
 - Has there been any previous experience of violence from the individual(s)?
 - Do you need assistance to deal with the situation? If not, deal with the individual(s) calmly and talk through the problem with them. If yes, dial 999 and ask for the police.
- 2.4 The most senior member of staff on duty is authorised to take whatever immediate action he or she believes necessary in order to deal with an aggressive or violent incident. If help has been requested, the employee must move themselves away from the danger, for example, go into the staff only area.
- 2.5 Once the situation is under control, the employee must debrief all appropriate members of staff and complete an incident report form (RC-VIO1).

3. Monitoring

- 3.1 All staff, subject to violent incidents inclusive of verbal abuse, threats and actual physical assault, must complete an incident report sheet (RC-VIO1) at the earliest possible opportunity and return it to their line manager.
- 3.2 As a priority line managers must inform their senior as soon as possible. Statements, if applicable, should be taken from witnesses and passed on accordingly.
- 3.3 The senior will, after initial consultation with the Head of Estates, prepare a report on the incident and make recommendations for immediate action.
- 3.4 Reports will be analysed by the Director of Housing Services and incidents classified in order to build up a picture of violent occurrences from which lessons may be learnt. When a pattern of violence emerges the Director of Housing Services will take appropriate action following consultation with the Chief Executive.

Reports will be submitted by the Head of Estates to the Association's Risk and Audit Committee.

4. Preventative Action

- 4.1 Where the need for preventative action is identified, the Association will take all practicable steps to achieve a safer workplace. These may include:
- measures to improve the systems of work;
 - provision of alarm systems;
 - re-designing work areas;
 - increased training of staff;
 - re-assessment of staffing levels.
- 4.2 Employees are requested to co-operate fully in planning and executing any changes considered necessary to safeguard the workforce.
- 4.3 Employees are requested to identify any risk situations that could lead to violent and aggressive behaviour in order for the risk to be addressed and reduced where possible.
- 4.4 All employees who are working away from base must observe safe practices and not put themselves at risk from attack.
- 4.5 In situations where staff are required to work alone appropriate procedures are in place. (Further reference, Lone Worker Policy and Procedure)
- 4.6 When keeping an appointment away from base, employees must check the identity of the person(s) they are going to meet and leave details with other staff on duty. Details should include time and place of meeting and expected time of return.
- 4.7 When travelling on Association business employees should not carry large amounts of cash, either Business or Personal.
- 4.8 When transporting Association cash or valuables, staff should not travel alone and should never adopt a regular pattern of bank visits.
- 4.9 Members of staff must on no account give lifts to hitchhikers while travelling on Association business.
- 4.10 Travelling employees should report to their line manager at regular intervals.
- 4.11 The following six stage plan will be displayed on all staff notice boards. The information offers a simple guide to staff for reducing the risks of aggressive and violent behaviour.

SIX STAGE PLAN

STAY CALM AND SIGNAL NON-AGGRESSION

SHOW CONCERN

ACKNOWLEDGE EXPRESSED AGGRESSION

DEFUSE!

IDENTIFY CAUSES - SEEK SOLUTIONS

RE-NEGOTIATE RELATIONSHIP

5. Dealing with Abusive Phone Calls

- 5.1 Due to the nature of the Association's work, the Association's Projects do occasionally receive abusive phone calls. These calls may involve people using abusive language and shouting.
- 5.2 Employees should always try to stay calm if they receive an abusive phone call as being abusive back will only ignite the situation. Employees should inform the caller that if they continue to be abusive they will put the phone down, if the caller does continue to be abusive, staff should put the phone down.
- 5.3 Following an abusive call all employees must inform their line manager and complete an incident report sheet (RC-VIO1).

6. Training and Selection

- 6.1 Not all violent incidents are avoidable. With effective training employees can learn to defuse potentially violent situations and to minimise risk.
- 6.2 Training in appropriate techniques will be offered to those employees who have identified the need to develop their skills and therefore requested extra training in their supervision.

7. Aftercare

- 7.1 Staff are expected to display a sympathetic and supportive attitude towards victims of violence.
- 7.2 Where an employee suffers injury or illness as a result of violence in the course of employment which necessitates time off work, the sick pay scheme may be extended at the discretion of the Chief Executive.
- 7.3 Counselling or referral to a counselling service will be offered by the Director of Human Resources.
- 7.4 Guidance and help with legal action, where applicable, will be provided.

8. Health and Safety Issues

- 8.1 The Association has in place a Health and Safety Policy with procedures which ensure that the places of work are laid out to provide the safest environment for all staff, residents and visitors.
- 8.2 In addition staff are required to consider the environment when working with individuals and groups to ensure that risks are kept to a minimum.

9. Additional Clauses

- 9.1 The Association will use the powers laid down within its Disciplinary, Grievance and Complaints procedures in dealing with any member of staff who has been identified as a perpetrator of aggressive or violent behaviour towards another.
- 9.2 The Association will use the powers laid down within its Equality and Diversity Policy in dealing with aggressive or violent behaviour relating to discriminatory practices.
- 9.3 The Equality and Diversity Monitoring Officer (Director of Human Resources) must be informed of all situations identified under the Equality and Diversity Policy.
- 9.4 All proposals relating to measures to reduce the risk of violence will be brought to the appropriate Committee. Where urgent action is necessary the Chief Executive will take the appropriate steps and consult with the Committee Chair as soon as possible.

10. Resource Implications

- 10.1 The Association will ensure that adequate resources are available to service this policy.

Non-compliance with this policy may result in disciplinary proceedings.

RC-VIO1

(previously known as P-VIO1)

INCIDENT REPORT

PRIVATE AND CONFIDENTIAL

DATE:

PLACE:

PERSONS INVOLVED:

REPORTED BY: