

Policy

Personal safety

Corporate health and safety procedure

Distribution: This corporate policy, procedure and guidance for personal safety should be brought to the attention of all relevant staff.

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Appendix 1 - corporate personal safety incident report form IRF1(V)

Title	Corporate Personal Safety Policy/Procedures & Guidance
Reference number	HS 012
Number of pages	14
Author	Wendy Parkin Corporate Personal Safety Officer/ Corporate Personal Safety Group
Approved/authorised	Corporate Risk Management Group
Date of issue	Oct 2010
Issue Number	1
Due Review Date	31 March 2016
Location of document	Health & Safety Risk Management

Electronic file	Intranet
Archive location	

1. Policy

1.1 The purpose of this policy is to protect staff during the course of their work. Personal safety is a shared responsibility between the County Council and employee.

1.2 Personal safety is defined specifically as harm caused by other people's behaviour and covers a range of issues staff may face at work where they feel their health and safety may be at risk due to lone working, violence, abuse, harassment, bullying or threats, and the resultant stress from such issues.

1.3 The County Council is committed to ensuring that all staff are able to work in a safe environment which, so far as is reasonably practicable, is free from violence or the threat of violence. Violence, threats and abuse of staff is unacceptable, including sexual and racial harassment and threats to family and property, however it might occur and whatever reasons are cited for it. Violence and abuse are not part of the job!

1.4 The County Council acknowledges that within the spectrum of roles and tasks undertaken by some staff, the potential for encountering aggressive behaviour and violence exists. All staff concerns for their personal safety shall be treated seriously and responded to appropriately.

1.5 It will be the County Council's objective to:

- Minimise the risk from lone working and violence to employees
- Support all staff members, agency staff and volunteers with clear procedures and guidance about their personal safety
- Provide appropriate training for staff in recognition, avoidance and management of potentially violent and abusive situations
- Ensure staff report incidents of a violent and abusive nature, including near misses and to support staff where incidents need to be formally reported to the police
- Give personal support to members of staff when they have been abused, threatened or assaulted during the course of their work

2.0 Scope

2.1 This policy covers the requirements to safeguard the personal safety of all staff including full and part-time employees, temporary employees, trainees, volunteers, agency and seconded staff, and staff working within partnership arrangements.

2.2 This policy is supported by a number of guides for specific personal safety issues: lone working, public interface, travel and working in other people's homes.

2.3 This policy does not address any issues arising from conflict between members of staff where other HR procedures will apply.

2.4 This is a corporate health and safety document and forms a part of the arrangements of the County Council's corporate health and safety policy. Staff may also need to refer to directorate and local operational procedure and guidance to ensure safe working practice.

2.5 This policy replaces the previous violence against employees policy, procedures and guidance.

3.0 Definition of Terms

3.1 The Health & Safety Executive (HSE) defines work-related violence as:

“Any incident where persons are abused, threatened or assaulted in circumstances relating to their work, involving an explicit or implicit challenge to their safety, well being or health”.

This can include verbal abuse or threats as well as physical attacks.

3.2 A loneworker is defined as:

“Anybody who is an employee and works without a colleague (ie another employee)”.

This includes:

- Employees working away from their fixed bases
- Employees who visit people in their own homes
- Employees who drive during the course of their duties
- Employees who work outside of normal working hours (ie evenings/weekends)
- Employees working in premises where they are the only person on the premises or working separately from others in the same premises
- Home workers and Mobile workers

4.0 Legislation

The requirement to address personal safety at work falls under the following main pieces of health and safety law:

- The Health and Safety at Work etc. Act 1974
- The Management of Health & Safety at Work Regulations 1999 & Approved Code of Practice.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- The Corporate Manslaughter & Corporate Homicide Act 2007

5.0 Responsibilities

5.1 Managers responsibilities are to:

- Communicate the personal safety policy, procedure and guidance effectively to all staff, including students, volunteers, agency or seconded staff, and staff involved in working partnership arrangements.
- Develop with staff an appropriate procedure for preventing and managing violence and abuse which includes carrying out relevant risk assessments. Ensure these are reviewed at least annually or following an incident.
- Develop staff awareness via induction of new staff, supervision and regular discussion at staff meetings.
- Ensure access to and provision of training for staff to enable them to recognise, avoid and manage potentially violent and/or abusive situations.
- Establish call in/call back arrangements for staff and what to do if no call back takes place (Take up of the Voiceconnect system fulfils this responsibility).
- Structure their service so that, where necessary, sufficient back-up from colleagues is available should the need arise in potentially violent and abusive situations. This may include double up arrangements for visits, or escorts where there is a perceived unacceptable level of risk following risk assessment.
- Ensure adequate provision of equipment seen as an aid to personal safety such as mobile phones and personal alarms, torches, reflective and protective clothing, etc.
- Review office/premises security arrangements and highlight any problem areas.
- Give careful consideration to every concern raised by staff members.
- Investigate all incidents promptly and thoroughly and implement any necessary remedial measures.
- Ensure reporting of any incidents including the completion of the correct paperwork.
- Ensure any staff member who experiences verbal or physical abuse, or who is anxious about their personal safety, is fully supported. This may include reporting incidents to the police where appropriate, and liaising with other services from within the County Council or external.
- Maintain links with other agencies with potentially relevant information, for example with health, police, local authority housing departments.
- Consider excluding or refusing service where repeated aggressive behaviour is encountered where all other remedial and preventive measures have been taken, having regard to any statutory responsibilities.

5.2 Employees responsibilities are to:

- Take reasonable care of themselves and colleagues.
- Familiarise themselves with, and follow, the personal safety policy, procedure and guidance, and any other directorate and local procedures implemented to keep themselves safe including how they raise concerns with colleagues and managers.
- Participate in the risk assessment process.
- Never knowingly compromise their own or their colleagues safety. Share concerns and information with colleagues as appropriate. Report all concerns to their manager, however small or trivial seeming. Report to their manager any new hazards encountered during the course of their work that have not been considered previously during the risk assessment process or if circumstances change.
- Report and record all incidents of violence, threatened violence or aggression to their line managers immediately in accordance with the County Council's reporting requirements including the completion of the correct paperwork.

- Be aware of and use, if necessary, counselling support provided either by the County Council or any other source.
- Participate in any relevant training provided by the County Council to raise awareness of personal safety issues, or more specialised training tailored to their role/duties.
- Observe the requirements outlined in the personal safety guides attached.
- Seek support and advice – contact their line manager in the first instance.

6.0 General guidance

This section covers the following issues:

- 6.1 Risk assessment
- 6.2 Reporting of Incidents
- 6.3 – 6.5 Support available to staff including counselling, legal support, and insurance and compensation
- 6.6 Reviewing of incidents
- 6.7 Training

In addition to this there is a separate booklet entitled managers' guidance to assist with implementation of the policy, which provides a three step process to follow, and paperwork to use.

There are also a series of guides for staff containing practical advice, useful checklists and tips to help staff develop their own best practice as follows:

- Guide 1 An introduction to personal safety – explains what personal safety is and encourages staff to re-assess their own ways of working and the messages they give out.
- Guide 2 Loneworking – includes checklists for staff to use to assess their own safe working practices, guidance on the use of buddy systems, signing in/out whiteboards, homeworking, and the County Council's Voiceconnect Loneworking Tracking System.
- Guide 3 Working in other people's homes – again contains a useful risk factor checklist for staff to use, together with advice on the range of personal safety equipment available and dangerous dog guidance
- Guide 4 Public interface – provides advice on reception areas, dealing with verbal abuse, cash handling, interview rooms and interviewing and panic buttons. It also covers security issues eg the use of ID Cards, door entry controls, CCTV and alarms, and the control of contractors and visitors.
- Guide 5 Travel - covers driving, parking and the use of public transport.

Further guides are planned on communication covering body language, and de-escalation techniques and also covering what to do in the aftermath of an incident.

6.1 Risk assessment. The key to addressing personal safety is identification of the hazards through risk assessment, followed by prevention and reduction of risk through adopting suitable control measures.

6.1.1 Managers must carry out specific risk assessments for staff, tasks, and work environments and take remedial action to eliminate or reduce risks to the lowest practicable

level.

6.1.2 Such risk assessments must be recorded, signed and dated. They must be reviewed and updated at least annually or if circumstances suggest they are no longer valid eg after an incident.

6.1.3 Risk assessments must be shared with staff and others as necessary for example other users of a building such as reception staff.

6.1.4 The level of detail recorded should be broadly proportionate to the identified risk. Any consideration of the use of personal alarms, panic buttons, CCTV cameras, manual “buddy” systems or technological solutions should be incorporated into this process.

6.1.5 Recognising that the use of technology may be of benefit, North Yorkshire County Council have introduced the Voiceconnect Lone Working Tracking system to complement safe working practices. All employees involved in lone working, home working and travelling throughout the county in the course of their work can access this system without any re-charge. Whilst Voiceconnect is an excellent system, it must not be considered as a stand alone measure and should be part of a package of control measures implemented following risk assessment.

6.1.6 Mobile phones can be useful in supporting local safety arrangements but it should be remembered that a phone alone will not keep someone safe. There will be areas where signal is poor, staff may become a target for theft if seen using it, and someone needs to be available to answer their call.

6.2 Reporting of incidents. The primary concern after an incident will be for the wellbeing of the staff and/or customers involved and medical attention must be sought immediately, if required.

6.2.1 The manager must be notified as soon as possible after an incident while details are still fresh and all incidents must be investigated to see if further control measures are needed to prevent recurrence.

6.2.2 Examples of personal safety incidents which need to be reported include incidents that have involved one or more of the following:

- Major injury or injury which requires medical assistance from GP or hospital
- A staff member requires time off work to recover from the incident or injury
- The police are involved
- Sexual assault
- Verbal abuse
- Physical abuse
- Racial abuse
- Serious or persistent threats of physical violence
- Stalking
- Firearms
- Where legal action may be taken

- Where directorate health and safety risk managers have notified the Health & Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

6.2.3 The manager must decide with the staff member whether the police should be informed. A member of staff has the right to report the incident to the police in the case of an assault, even if the manager does not support this course of action. The immediate actions of the person assaulted and other staff involved may be crucial to any subsequent prosecution.

6.2.4 In the event of firearms being used as a threat against staff, the police must be informed on every occasion.

6.2.5 Facts must be recorded accurately and immediately. As a minimum the following information should be collated/action taken:

- Name(s) of person(s) involved and location of incident
- Name(s) and address(es) of any witnesses to the incident
- Obtain a medical statement about any injuries sustained
- Retain any damaged clothing or other evidence
- Retain any weapon used if available
- Do not remove any physical evidence unless it is likely to create a danger to others

6.2.6 Where individual directorates do not have a report form in use, a corporate personal safety incident report form is provided at Appendix A – IRF 1(V). The form should be completed and sent to your directorate H&S risk manager.

6.3 Support to staff. The County Council will support any member of staff who has suffered an assault. It will take firm action against any perpetrators, including calling the police and initiating legal action should this be necessary and in the Council's interests.

6.3.1 Should a service user be involved and continually or severely abuse staff, the County Council will consider taking further action. This action may vary considerably, but could, as a last resort, where all other measures have failed and taking into account statutory duties of care, result in withdrawal of service(s).

6.3.2 Irrespective of whether the police are informed, managers should be guided by the person involved as incidents can affect people in different ways. Action following an incident may include any or all of the following:

- Debriefing – it is well documented that the victims of assault find it beneficial to talk through their experience as soon as possible after the event.
- Time off work – all individuals will react differently and need differing amounts of time off work to recover. The HR team will help with this and managers may be able to offer “therapeutic returns” – that is a staggered approach to getting the member of staff back to full-time working
- Support for sickness – any absence from work by an employee which directly results from an incidence of violence during the legitimate discharge of his/her duties, will be treated as “sickness” absence.

- Counselling – staff might want to do this through work or privately via their GP (See section 6.4)
- Legal support – (See section 6.5)
- Other employees who work closely with victims of assault may need help and guidance and possibly even some training to help them to react appropriately – especially to the victim.
- If unsure - advice and guidance is available from legal services, insurance and risk management, health and wellbeing, and directorate health and safety risk managers.

6.4 Counselling. It is a generally accepted principle that individuals who have been subjected to violence during the course of their work may require counselling support in order to reduce the effects of the incident becoming problematic to them.

6.4.1 Employees are advised that, in the first instance, they should approach their manager to discuss their feelings, concerns and fears. The manager must then consider and discuss with the employee whether either party feels further support is required.

6.4.2 The employee may feel straightaway that discussion of feelings, concerns and fears may be more beneficial with an “expert” and progress to professional counselling very early on in this process.

6.4.3 Alternatively, the employee may feel they don’t need any or have had sufficient support, but if after careful monitoring, the manager considers that the after effects of an incident are still appearing to be detrimental to the employee’s ability to cope with any aspect of their work ie attendance, or performance, they can and may suggest further professional support is still required.

6.4.4 If further professional support is required, or is suggested by the manger, referral can be made to the health and wellbeing service for further assessment and/or advice on the options available to the individual.

6.4.5 Employees can either access the County Council’s staff care network or choose to seek further advice from their GP. Only staff can refer themselves to the staff care network, however it may be appropriate following an incident for a manager to facilitate this.

6.5 Legal support. Employees must seek their own legal advice and representation, either directly or through their trade union or professional association. However, the County Council is ready to give support and preliminary information to employees who have been the victims of verbal or physical aggression or threats. Help and support from the County Council may include:•

- a preliminary discussion with an appropriate member of the legal services team. Employees wishing for such a preliminary discussion with appropriate County Council legal staff should refer their request through their manager.
- early and continuing consultation, if requested by the employee's professional association/trade union, can take place between an appropriate member of the legal services team and the association/trade union, with a view to giving guidance to the employee as to the options in terms of the appropriate action to be taken.

- in cases where court action is not to be taken, consideration will be given to a request by the employee for an appropriately worded letter to be sent by the County Council (either separately or jointly with the professional association / trade union), to the person who committed the assault or who was known to have threatened such action.

6.5.1 Where court action is not taken by the police or individual employee (whether or not assisted by a professional association/trade union) the County Council reserves the right to consider taking action in its own right and at its own discretion, in exceptional circumstances. The County Council would need to be satisfied, however, that any such action would be in its interest and those of the employee concerned. Action, where taken, might be to prosecute in respect of the assault.

6.5.2 Insurance and compensation. The County Council has a number of personal accident insurance policies currently in operation including a policy which covers death or injury of an employee as a result of an assault sustained in the course of employment. All queries relating to insurance matters should be referred to the insurance and risk management section in finance and central services at County Hall, Northallerton.

6.5.3 In exceptional circumstances, consideration may be given by the County Council to making an ex-gratia payment to an employee who has been assaulted.

6.5.4 The appropriate conditions of service contain provisions for allowances and compensation payable to employees for absence due to sickness and injuries sustained whilst at work. In addition, there is provision in the Local Government Pension Scheme for the payment of grants and benefits for dependents and service credits for enforced retirement. The legislation also contains provisions for the payment of injury allowances.

6.6 Reviewing of incidents – managers should review each incident and determine whether any action to prevent recurrence/minimise the risk of subsequent incidents could be taken. This may need discussion with the individual involved in an incident, their Union representative, and other members of staff who might be affected.

6.6.1 Actions/recommendations may include:

- A review of the care plan and/or risk assessment as soon as reasonably practicable or at least within 10 working days of the incident
- A customer being warned as to their future behaviour by nominated staff and the likely outcome if there is another incident
- A formal letter being sent to the customer by a manager
- A formal review as to whether service will continue to be provided, which may involve discussions with other agencies
- Consideration of information sharing with others
- Customer only being seen in the office or other suitable venue by appointment
- Customer being banned from the premises
- Communication with customer by telephone or letter only
- Co-working with other staff or transference of customer to a different worker for a period of time
- Review of security of the environment where the incident occurred

- Check understanding of procedures and safe practice and whether further training is required for the individual or team members

6.7 Training. Developing people's knowledge and skills can be addressed in a number of ways appropriate to the nature of the activities of the particular service. It is envisaged that Personal Safety Training will be provided in a 3 level approach:

- Level 1 – Basic awareness raising training undertaken by every member of staff.
- Level 2 – More specialised training – usually delivered face to face and proactively provided following identification of a specific need in either an individual or team during the appraisal process. It could also be following identification of a specific need in reaction to a personal safety incident, where for instance a one day training course on body language and de-escalation techniques could be commissioned for a team of social workers either in-house or from an outside provider.
- Level 3 – Challenging behaviour – mandatory training for staff who work in an environment where they may be at risk of experiencing a range of challenging behaviours. Training covers low level response up to physical intervention and safe holding.

It should be noted there is no natural progression through the levels and it may well be that for most staff, level 1 will be sufficient to meet their needs, never requiring the more specialised training specified under Level 2, whilst other staff may already possess a high awareness of personal safety issues and need level 2 training to respond to changing circumstances at different times during their working lives.

Level 3 training should only be required by staff in care provider or residential setting type roles.

6.7.1 Level 1 basic awareness raising of personal safety issues can be fulfilled by accessing the personal safety e-learning package which is now available on the Learning Zone. The package consists of five modules:

- Module 1 – An introduction to personal safety
- Module 2 – Listen to yourself - following your instincts and the effects of stress
- Module 3 – Communication
- Module 4 – Working in other people's homes
- Module 5 – Travel in safety

Every member of staff should undertake modules 1 to 3, whilst only staff whose roles requires them to work away from their fixed bases, for example visiting in the community or driving for work will go on to complete modules 4 and 5.

6.7.2 Level 2 training – each directorate will currently have its own arrangements for accessing training and/or a training calendar which should be consulted in the first instance to ascertain which courses are already on offer.

6.7.3 It is hoped to eventually co-ordinate a more corporate approach to this and issue further guidance in due course.

6.7.4 Level 3 challenging behaviour training – a continuing programme of relevant courses which are already run in CYPS and ACS directorates provided by Team Teach, SecuriCare and other “BILD” accredited providers. If this training is relevant to your job role, you will be required to attend this as a matter of course.

6.7.5 Staff in other roles who consider this training may be of benefit to them, should discuss with their manager, and/or contact either ACS workforce development unit or CYPS workforce development unit.

7.0 Further information and assistance

Should staff require further information or assistance from the County Council the following can be contacted:

Wendy Parkin, Corporate Personal Safety Officer e-mail: wendy.parkin@northyorks.gov.uk or tel: 01609 534021 or mobile 07817 229887
Directorate health and safety risk managers
Health and wellbeing
Staff care network or tel: 07885 260198.
Insurance and risk management section
Legal services

Source URL: <http://nyccintranet/node/1003>

Links

- [1] <http://nyccintranet/node/1003>
- [2] <mailto:wendy.parkin@northyorks.gov.uk>
- [3] <http://nyccintranet/tags/health>
- [4] <http://nyccintranet/tags/safety>
- [5] <http://nyccintranet/tags/hs>
- [6] <http://nyccintranet/tags/personal>
- [7] <http://nyccintranet/tags/violence>
- [8] <http://nyccintranet/tags/work>
- [9] <http://nyccintranet/tags/incident>