

Violence & Aggression Policy

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1 Introduction

Amber Valley Borough Council has a duty to ensure so far as reasonably practicable, the health, safety and welfare of its employees.

The Council is committed to providing a safe and secure work environment for all its employees, and will take all reasonably practicable measures to prevent, or reduce the risk of exposure to violence, aggression or threats when delivering services. This includes the dangers arising from individuals coming into contact with employees and dangers arising from activities at a particular address.

2 Zero Tolerance

A zero-tolerance policy towards violence and aggression is in place throughout Amber Valley Borough Council.

Council employees have the right to work in an environment free from violence, aggressive and threatening behaviour and everything will be done to protect that right. At no time will violence and aggression be tolerated within the Council.

3 Definitions

It is useful to define violence and aggression and threats so that employers and service users have a shared understanding of the issues. Definitions in relation to violence & aggression are detailed below:-

3.1 Violence & Aggression

Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. This can include verbal abuse or threats as well as physical attacks.

3.2 Physical Assault

The intentional application of force to the person of another, without lawful justification, resulting in physical injury or personal discomfort.

3.3 Non-Physical Assault

The use of inappropriate words or behaviour causing distress and/or constituting harassment.

3.4 Threats

An act or gesture, verbal or physical, which suggests that an act of violence may occur.

4 Involuntary Incidents

It is acknowledged that some incidents of violence & aggression can be attributed to a service user's medical condition or disability.

The principles of this policy will be applied whilst at all times respecting the individual needs of service users.

5 Employee Rights

The Council recognises that exposure to violence and aggression are not an acceptable part of employee's duties and that each employee has the right remove themselves from any situation where they could reasonably expect to be subject to violence, aggression or threats. This includes the termination of phone calls and the temporary cessation of Council services.

6 Police Involvement

Where the Council believes that there is a significant threat from a service user the Police will be informed of that person's identity and address.

7 Additions to the Risk Register

Where an individual carries out violence or aggression towards an employee, information about that behaviour and the identity of the individual will be shared with relevant employees via the Council's risk register. Before making additions to the register the Council will consider:-

- The circumstances leading to the incident
- The nature and gravity of the incident
- Any previous and subsequent behaviour of the individual
- Whether it is felt that the incident indicates a credible and on-going threat to employees
- Any witness statements
- Any other relevant information

Anecdotal and unsubstantiated evidence will not be considered.

7.1 Notification of Inclusion

On inclusion in the register the individual will normally be informed with information regarding:

- The incident that led to their inclusion on the Risk Register.

- Why their behaviour was unacceptable
- Who we may pass that information to
- When we will review the entry and consider removing the entry

7.2 Withholding Notification

Where it is believed that informing the individual would in itself create a significant risk of a violent reaction this notification may be withheld.

7.3 Review of entries

At the end of the inclusion period:-

If there is objective evidence that there is no longer an ongoing risk the entry will be removed.

If there is objective evidence that there is an ongoing risk the entry will be retained for a further period not shorter than the original period.

8 Withdrawal of Council Services

Where the Council has reason to believe that provision of a Council service is likely to put an employee or employees at risk of harm the Council retains the right to withhold that services in order to comply it's legal obligations under the Health and Safety at Work Act 1974.

9 Exclusion from Council Premises

Where the Council has reason to believe that a service user presence at a Council premise is likely to put an employee or employees at risk of harm the Council retains the right to deny access to those premises in order to comply with its legal obligations under the Health and Safety at Work Act 1974.

10 Data Sharing

Where the need to share risk register information with partners is identified this is done in a way which does not lead to unfair processing of the information therein.

To this end information sharing agreements are agreed between each party before information is shared.

11 Appeals

An individual may request that the Council remove their entry from the risk register if they believe that the entry is causing or is likely to cause substantial damage or substantial distress to themselves or another, and that damage or distress is or would be unwarranted.

Requests against inclusion in the risk register must be made in writing to:

Head of Paid Service
Amber Valley Borough Council
Town Hall
Market Place
Ripley
Derbyshire
DE5 3BT

The Council will have 21 days to respond to this request.

The Council may refuse the request on the basis that the data is held in order to comply with its legal obligations under the Health and Safety at Work Act 1974.