

HEALTH AND SAFETY

SAFETY POLICY & ARRANGEMENTS



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Subject: Violence to Colleagues - Managing & Reporting

Introduction

This document forms part of the National Ice Centre's organisational written safety policy arrangements.

Departments, services or teams may consider it appropriate to develop additional guidance and systems of work on specific work related activities.

Where proposals, additional guidance or changes to systems of work will have an impact on health, safety and welfare, this will be discussed and agreed at the Health & Safety Committee.

If you have any questions or require further information or support on the contents of this document, please contact The NIC Health & Safety Advisor or Corporate Safety Advice.

Overview Of Management & Colleague Responsibilities

Manager Responsibilities

Below is an overview of the responsibilities which is intended to support managers in identifying their key duties that need to be taken to comply with the requirements of this document and the safety management systems of the National Ice Centre.

- Managers need to understand what defines a violent incident and ensure that suitable and sufficient risk assessments covering violence to colleagues they manage are in place where it is likely to occur.
- Managers must ensure that the assessments are regularly reviewed and consider the work practices and safe working procedures.
- Managers must ensure colleagues are provided with information on the findings of risk assessments, safe working procedures, instructions as well as training on dealing with violence and aggression (part of induction, staff meetings and ongoing training).
- Managers need to ensure you and your colleagues are familiar with the National Ice Centre's requirements and procedures for reporting incidents of violence against colleagues.
- Managers must ensure all employees are aware of the procedure for reporting violence to colleagues (include violence reporting procedures in induction training and display the poster guide, at the end of this document, in a prominent location).
- Managers need to support colleagues and encourage them to report physical assaults and significant threats to the Police.
- Managers need to ensure that any colleague that has experienced violence receives ongoing support with access to appropriate counselling where requested by the employee.
- Managers need to ensure every incident is investigated fully and take appropriate action to minimise further risk e.g. review associated risk assessments.
- Managers must give support to colleagues and provide reasonable assistance to them in any actions that they may wish to take.

Employee Responsibilities

The Health & Safety at Work Act 1974 section 7 requires all employees to consider their own health & safety and the safety of others.

As an employee of the National Ice Centre, if you have concerns in relation to health & safety that is likely to cause you or someone else, injury or ill health then you must ensure that the concern is communicated to your manager immediately.

You are also required to co-operate with the management of the National Ice Centre to ensure compliance with the health & safety arrangements, policies and procedures and work to the requirements identified within this document.

To comply with the requirements of this document, in the event of a violent incident occurring, you must ensure that it is reported appropriately and your manager is informed

The Health & Safety Legal Framework

Although no specific health & safety legislation considers the issue of the management of violence in the workplace, the legal framework which requires employers to ensure the health, safety and welfare of their employees whilst at work identifies that all reasonably practicable controls to eliminate or minimise risks from workplace violence should be implemented.

The main health and safety legislation which has relevance to the management of violence at work are:

The Health and Safety at Work etc Act 1974

Employers have a legal duty under this legislation to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees.

The Management of Health and Safety at Work Regulations 1999

Employers have a legal duty to assess the risks to employees and **must** make arrangements for the effective management of health and safety where significant risk exist

The risk assessment process must, where appropriate, include elimination or controls of the risks to an employee's exposure to reasonably foreseeable violence.

Definition of Violence

The National Ice Centre has adopted the Health & Safety Executive's (HSE) accepted definition of workplace violence which is:

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



This is considered to include the following types of incident:

- Personal/physical attacks upon the person, whether or not causing injury and including threatening behaviour, with or without a weapon.
- Verbal attacks and threats of violence.
- Deliberate silence.
- Threats in writing addressed to or about a named employee.
- Gestures and/or foul and abusive language, whether by personal confrontation over the telephone, or other communication devices such as e-mail.
- Harassment that makes a person feel threatened, humiliated or distressed.
- Hate related abuse against a person's race, religion, disability, gender or transgender.
- Damage to personal and/or corporate property, equipment etc.

For the incident to be considered as workplace violence, the violent incident does not necessarily have to occur at work.

i.e. If a colleague encounters a person that they deal with at work, whilst visiting a supermarket for shopping on a non work day, and subsequently suffers violence at that location, it would be considered as a 'circumstance relating to work'.

Risk Assessments

Managers have a legal duty to ensure the health, safety and welfare of employees under their control are protected.

The line management of colleagues who may be exposed to violence must ensure appropriate risk assessments are in place and identify potentially violent situations or persons within their working environment and consider any reasonable actions / measures required to reduce or control the level of risk to employees.

Further information on the risk assessment process can be found within the Safety Manual SPA 'Risk Assessment'.

Training on understanding and the completion of risk assessments and the 'management and assessment' of violence is available from the NIC Health & Safety Advisor & Corporate Safety Advice.

Reporting & Recording Violent Incidents

Who Should Complete the NIC 'Incident Report' Form?

The NIC 'Incident Report' form is in two parts.

1. The employee who has been involved in the incident/assault must complete the first side of the relevant form, as soon as possible after the incident. Where it is not possible for the assaulted person to complete the form a responsible person acting on their behalf may complete the first side of the form. (The responsible person will usually be the supervisor or manager in control of that area). Wherever possible and appropriate, a copy of the assaulted person's side of the form only, should be sent to the assaulted person to ensure that the description of the incident is accurate.
2. The assaulted employee's Department Manager should complete the reverse side of the form, as soon as possible after it is received from the employee. This represents the department manager's investigation and should detail their findings such as root causes, action taken to prevent a recurrence etc.

What to do with the Completed Form?

1. The completed form must be copied.&
2. The original must be sent to the NIC Health & Safety Advisor.
3. The copy must be retained by the Department Manager.

What Happens Next

When the NIC Health & Safety Advisor the completed 'Incident Report' form, the details are recorded on the Accident/Incident database.

Where further investigation and/or recommendations are considered necessary, this will be undertaken by the Department Manager with support from the NIC Health & Safety Advisor.

Colleague on Colleague Violence

NIC colleague on colleague violent incidents are not recorded using the on-line violence reporting system

These incidents **must** be reported to HR following the relevant HR policies and procedures.

Information & Training

Information and training is not a substitute for eliminating / minimising the risks and is only part of the recommended control measures.

Training

A training session on the assessment and management of violence, is available from Corporate Safety Advice, and an E-training session on violence and lone working is also available.

If you would like any further information on the content of this course please contact Corporate Safety Advice

Reporting Violent Incidents To The Police

Where an incident falls within the following categories of incident, line management should strongly encourage the assaulted person to report the incident to the police.

1. Actual physical assault.
2. Face to face incident where an attack is threatened and there is an ability to carry out the threat at that time.
3. A separate more serious offence of making a threat to kill or damage property where the person does not need to be in a position to carry out the threat immediately.

There are many be circumstances where it is considered not appropriate to report an incident to the police.

However, where there is an ongoing threat to either the assaulted person or colleagues, it is appropriate to report the incident as the employee has a duty of care both to themselves and other colleagues to prevent further incidents occurring

Where a colleague does not wish an incident to be reported but it is considered by their manager that it is appropriate to notify the police, this can be done.

For the police to take action where a colleague is unwilling to support the police investigation, the police will attempt to gain information from other means including witnesses or CCTV.

If they are unable to progress the matter within the support of the colleague, the investigation will then finish

Reporting to the Health & Safety Executive Under 'RIDDOR'

It is the responsibility of the identified reporting manager to ensure that the Health & Safety Executive is informed when an employee suffers a physical injury resulting in significant injury or results in more than 7 days off work.

Full guidance on the reporting requirements for RIDDOR can be found within the Safety Manual SPA - 'Reporting Accidents, Near Misses and Work Related Ill-Health'.

What Happens Next

The NIC Health & Safety Advisor & Corporate Safety Advice manage the 'Incident Management System' and where appropriate will assist and support management and may undertake further investigations and provide additional advice support and recommendations where considered necessary.

Does The Assaulted Person Need A Copy

Where the assaulted person has requested a copy of the incident, their manager can give a copy of the 'Incident Report' form.

This can also be printed off from the 'Incident Management System'.

References & Further Information

The following information and reference material is in place to assist managers to understand their responsibilities and duties.

NIC Documentation

- Working Alone Safely
- Risk Assessment - A Guide for Managers
- Reporting Accidents, Near Misses and Work Related Ill-Health
- Incident Investigation Procedure

External References

- INDG 69 – 'Violence at Work (A guide for Employers)' (HSE)