



Combating Violence at Work

Whether working in social care, in housing, with vulnerable adults or children, or even for the church, members of the Community and Not for Profit Sector of Unite have reported incidences of violence at work, and the risks that they are frequently exposed to. On the whole, management are responsive to these concerns as is their responsibility under the Health and Safety at Work Act (1974), however other report that more needs to be done.

The Labour Research Department (LRD) has recently published “Tackling violence at work – a guide for union reps”, which Unite recommends representatives getting a copy of to ensure that their employer is doing all they can to prevent incidences occurring. There are also many examples of work that unions have done to raise awareness among their respective membership, and to protect their members in the workplace. The CWU with its “Walk Safe!” campaign has focused on postal delivery staff; Community, on staff working in betting shops; the health service unions, on the risks of those working in emergency services; USDAW on the threat to shop workers; and Unite on bus drivers to name but a few. As representatives you might want to visit the websites of these unions to find out more.

Legal Protection

All employers in the UK have a legal duty to protect their workers from assaults and abuse (this has an exception for ministers of religion, although we are currently campaigning against this exemption); health and safety law applies to risks from violence just as it does to other workplace issues. The Health and Safety at Work Act (1974) requires employers to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees. The working environment should be healthy and safe, and workers’ welfare is considered in any work activity. Under the Act, an employer has an obligation to ensure that any potential risk of violence is eliminated or controlled. The risks must first be considered and then it must be decided how significant these risks are and how they can be prevented or controlled, and develop a clear management plan to achieve this. Under the Safety Representatives and Safety Committee

Regulations (1977), it states that employees must be informed and consulted in good time on matters relating to health and safety. Safety representatives may investigate any violence-related issue, including stress from the fear of violence, that impact on the health and safety of employees. Any act of violence resulting in injury, incapacity or death has to be formally reported.

Workplace policies

Union representatives should ensure that they have good workplace policies in place, and these should include:

- A statement of intent;
- A definition of the types of violence covered by the policy – the best policies cover all acts from verbal abuse to physical assault and apply to all types of workers, perhaps using the Health and Safety Executive (HSE) definition violence as “any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work”;
- A summary of the law on violence at work;
- The roles and responsibilities of both managers and employees;
- A list of prevention, control and management measures that will be adopted to address the issue of violence – this should include risk assessment on attacks, with the involvement of union safety reps;
- The action to be taken when an attack has taken place, including methods of investigation and support that will be offered to the staff involved;
- Staff training requirements;
- Measures for monitoring and reviewing the policy, with union involvement.
- The policy should also be cross-referenced with related areas like Dignity at Work and Lone Working.

Anti-violence checklist

UNISON have produced a checklist for representatives:

- *Recognising the problem*
This asks whether the employer accepts that there is a violence problem and recognises it as a health and safety issue. The employer should be acting on the guidance published by the HSE and the Health and Safety Commission, and consulting safety reps on the application of this guidance.
- *Monitoring the problem*
This covers the first step of the risk assessment. There should be a reporting form specifically for violent incidents, with all employees (including agency workers and part-timers) made aware of it. Staff should be encouraged to report all violent incidents, including verbal abuse and threats.
- *Deciding what to do*
Once the nature of the incidents is known, safety reps should be consulted with a view to finding solutions, as should crime prevention advisers and victim support services.
- *Preventive measures*

These should be based on local risk assessment, with consideration given to measures such as increasing the physical security of work premises, employing properly trained and vetted security staff, ensuring that staffing levels are adequate at all times, fitting panic buttons (with reliable response procedure), providing personal attack alarms offering sympathetic support to staff who encountered awkward or aggressive clients, and training all staff in procedures for dealing with violence. Where appropriate, policies and procedures should be drawn up to cover specific areas such as home visits, lone workers and handling cash.

- *Implementing the policy*

A named senior manager should have responsibility for the violence policy.

All safety representatives should be given a copy of the policy, which should be regularly reviewed and updated in consultation with them.

More information on this is available from the UNISON website.

Preventing violence

Often frontline staff are attacked over services inadequacies. Employers can address these types of issues by ensuring that services are adequately resourced. Also employers can work with perpetrators of violence' or such vulnerable groups, to reduce the risk of violence occurring. Unions have also supported public awareness and education campaigns to highlight the consequences, for both victims and perpetrators, of violence against workers, including the possibility of bringing about prosecution.

Protecting workers

Properly trained security staff is obviously one measure that employers can take, however this would not be an option for the majority of employers in the Third Sector. However, they do have a duty to implement violence control measures, but increasingly they are turning to technology to achieve this, mainly with the usage of CCTV. Where CCTV is introduced it is important that this is for security reasons and not for disciplining staff. The FBU negotiated this wording in one policy to prevent this: "CCTV will be used in accordance with the requirements of the relevant legislation for the principal purposes of protecting operational employees against attacks or abusive behaviour. CCTV will not be used for covert surveillance and, with the exception of gross negligence or misconduct, may not be used in any conduct and performance proceedings."

Other technological solutions include the supply of panic buttons, personal alarms, mobile phones and other devices for lone or vulnerable workers.

Managing incidents

The management of violence at work is still generally poor. Employers need to put systems in place to record and catalogue violence at work, so that they can

understand the prevalence and reach of the issue. Simple to use recording systems that monitor all abuse is essential, and ensuring that the system can tease out whether attacks are connected with sex, race or any other category of discrimination is also important.

Training is emphasised by the HSE guidance. It is important that workers know what to do should an incident occur. We have had examples where a split second decision has meant life or death to workers.

Workers should also have the right to refuse to put themselves in risky environments, without consequence from management.

In conclusion

Trade unions play an important role in safeguarding workforces, not only through campaigning for better regulation but also in ensuring that individual employers are equipped with effective policies and practices. If you are a representative, you should ensure that you have an effective policy in place, that your employer provides adequate training for employees and that they have taken other appropriate measures. Finally you should ensure that monitoring systems capture all incidents and all areas relating to violence of work are reviewed regularly. Unite recommends representatives obtain a copy of the LRD guide, use the HSE website and contact their Regional Officer for more information.