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we make a
difference

Zero Tolerance Policy

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1. INTRODUCTION

1.1 Introduction

Wyre Council is committed to providing a safe and secure working environment and acts or threats of physical violence, intimidation, harassment, verbal abuse or coercion which an employee is subjected to during the course of their duties will not be tolerated.

1.2 The Council will deal with all instances of violence or abuse in a robust and proactive manner. The Zero Tolerance Policy and associated policies and procedures have been put in place to reduce risk and to enable staff to manage an aggressive or violent situation should it arise.

1.3 An act of work-related violence or aggression is defined as any incident in which a person is faced with an aggressive or violent situation, is verbally or physically abused, threatened or assaulted whilst undertaking duties expected of them in the course of their employment, regardless of the location at which it occurs.

These include, but are not limited to:

Verbal Abuse: any verbal abuse issued with the intent of creating distress, fear or intimidation to another individual, or group of individuals.

Physical Abuse: any intentional movement of the body which may include touching, gesturing, pushing, striking, stalking, spitting, any unwanted intrusion of “reasonable space” of an employee or an intentional use of any object towards an individual.

Creating a Hostile Working Environment: any intentional non-physical action that can be considered intimidating or harassing or which involves the explicit or implicit challenge to the safety, well-being or health of an individual.

A Hate Crime: any criminal offence, perceived by the victim or any other person, as being motivated by hostility or prejudice based upon the victim’s disability, race, religion or belief, sexual orientation or gender identity. This could include verbal abuse, physical assault, damage to property, threats, intimidation or harassment. If no criminal offence is committed it will be recorded as a hate incident.

1.4 The Council will make clear its stance on zero tolerance through prominent information and staff awareness. The Council will use the full extent of the law to protect its employees and support them in the prosecution of offenders.

2. ASSOCIATED POLICIES

- 2.1 **The Dignity at Work Policy** – makes a clear statement that unwanted or unaccepted harassment, bullying, victimisation or discrimination will not be tolerated.
- 2.2 **Whistleblowing Policy** – provides a confidential route for concerns to be brought to the attention of the Council without any fear of reprisals.
- 2.3 **Personal Safety and Lone Working Procedure** states Wyre Council will:
- Not tolerate verbal or physical harassment of its employees, assaults upon employees or their property by customers or other members of the public either during or outside working hours, which are a result of their employment
 - Provide training for employees who may face violence at work
 - Record and investigate all reported incidents of violence at work and take any remedial action that may be necessary
 - Provide counselling facilities for victims of incidents and threats of violence at work

3. ROLES AND RESPONSIBILITIES

3.1 **Managers:**

Managers should ensure that the Council's policy and agreed procedures are communicated to staff and visitors and that they are made fully aware that the Council will deal with any assaults on employees accordingly.

Notices to this effect are displayed prominently within service areas.

Key responsibilities:

- Encourage and support staff to report all incidents of abuse
- Establish a safe system of working and ensure that they have specific guidance for their service areas which is written and communicated appropriately to staff. This should include arrangements for lone/mobile workers;
- Carry out an assessment of the risk of violence /abuse within their working environment;
- Ensure that staff attend appropriate training;
- Ensure that records are maintained of risk assessments and training and that all reporting documentation has been completed;

- Ensure that staff receive relevant and timely support following incidents;
- Investigate reported incidents;
- Inform staff of the outcome of the investigations;
- Take appropriate action against service users who assault, threaten or abuse staff;
- Evaluate the effectiveness of any measures undertaken.

3.2 Employees:

All employees will conduct themselves in such a way as to reduce the possibility of any conflict and will not act in a way that would create a violent, abusive or unsafe workplace environment for themselves and others.

If confronted with a situation that has the potential to escalate into an abusive/violent incident an employee must make a serious attempt to remove themselves from the situation and report the event to their manager.

All staff have the responsibility to:

- Identify high-risk situations and agree action plans with managers as part of the risk assessment process;
- Report and complete incident reports in an accurate and timely manner;
- Undertake all training identified as appropriate to their role;
- Always work in a professional way and be aware of how their own behaviour might be perceived by others;
- Consider the safety of others who may be affected by their actions or omissions;
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4. RISK ASSESSMENTS

- 4.1 Prevention of violence/abuse at work must start with a full assessment of the risks. Risk Assessments should be carried out in line with the council's Health and Safety Policy and appropriate control measures will be implemented to protect individuals in their working environment.
- 4.2 Risk assessments should be in place to cover all reasonably foreseeable risks of violence or abuse.
- 4.3 Managers must take care to assess all possible personal security risks within their responsibility. Police assistance should be sought where the presence of drugs/weapons has been detected and/or to deal with violence or threatened/suspected violence.

- 4.4 When dealing with a known or suspected violent or abusive individual, under no circumstances should staff see such people on their own. They should seek advice from their Line Manager before face-to-face meetings are arranged. Where meetings of this nature are arranged they should be on Wyre premises with support.

5. TRAINING

- 5.1 Training is provided for appropriate employees to manage conflict / personal safety aimed at equipping them to handle conflict and understand the issues of personal safety and the need for appropriate risk assessment and control measures.
- 5.2 Managers are responsible for ensuring their staff receive the training appropriate to their needs for their job role as identified in the risk assessment. The type of training will depend on the area of work and the risk assessments associated to those activities.

6. INCIDENT REPORTING

6.1 **Physical Assault, Threat of Physical Violence or Verbal Abuse**

In the event of an employee being threatened, receiving verbal abuse or being physically assaulted in the workplace the Head of Service/ Corporate Director and the Health and Safety Advisor should be contacted immediately. Consideration will be given in such event to reporting the matter to the police with the agreement of the employee who has been subject to the treatment.

The line manager will ensure that all possible preventive action is taken to minimise the risk of a similar incident occurring. Actual incidents of violence and near misses will be reviewed as soon as possible after they occur, as a means of assessing whether or not there are any improvements that can be made to the risk assessment.

6.2 **Police Involvement**

Council employees are entitled to ask the police to investigate alleged incidents of assault against them. Management should fully support staff wishing to take this course of action.

Where there has been an act of violence in the workplace and the individual wants to prosecute, the council and the individual concerned would take advice from the police as to whether to proceed or otherwise.

6.3 Verbal Abuse

In the case of verbal abuse the Council may need to consider the seriousness of the incident before involving the police. For example, someone swearing at a member of staff could be dealt with administratively through warning letters about their behaviour. However, where the verbal abuse involves threats or the use of a weapon the police should always be informed.

6.4 Hate Crime

No hate incident or crime is too minor to report and staff are encouraged to report all incidents as soon as they occur which can be done through Lancashire Victim Services, contact details as follows:

Tel: 0300 323 0085

E-mail: info@lancashirevictimservices.org

Website: www.lancashirevictimservices.org

Secure E-mail: vcu.lancashire@victimsupport.cjism.net

6.5 Incident Report Form

An incident/accident report (as appropriate) must be completed by the employee subjected to the abuse / assault and forwarded to the relevant Head of Service/Corporate Director and the Health and Safety Advisor.

On receipt of the incident report form, the line manager will ensure that any necessary support arrangements, such as counselling are offered.

Following a specific violent or aggressive incident by a member of the public/service user/visitor, and after appropriate consultation, the Head of Service/ Corporate Director will consider the possibility of banning the alleged offender(s) from Council premises

7. EQUALITY IMPACT ASSESSMENT AND MONITORING

- 7.1 Data will be collected as part of the wider Health and Safety incident reporting and will form part of the normal reporting regime to the Management Team.
- 7.2 The operation of this policy will be monitored for its impact on different staff groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

8. DATA PROTECTION

- 8.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with Data Protection requirements.