

Managing Personal Safety of Employees

A Toolkit for Managers

March 2020

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Contents

1.0	Purpose	1
2.0	Scope	1
3.0	How to use this toolkit.....	1
4.0	The legal position	1
5.0	Lone Working.....	2
5.1	<i>Identifying Risks to Lone Workers.....</i>	<i>2</i>
5.2	<i>Safe Working Procedures.....</i>	<i>3</i>
5.3	<i>Emergency Procedures.....</i>	<i>3</i>
5.4	<i>Managers Actions</i>	<i>4</i>
5.5	<i>Lone Worker Scenario Example.....</i>	<i>4</i>
6.0	Violence and Aggression	5
6.1	<i>Identifying Risks of Violence and Aggression</i>	<i>6</i>
6.2	<i>Safe Working Procedures.....</i>	<i>7</i>
6.3	<i>Emergency Procedures.....</i>	<i>7</i>
6.4	<i>Managers Actions</i>	<i>7</i>
6.5	<i>Violence and Aggression Scenario Example.....</i>	<i>8</i>
7.0	Bullying and Harassment	8
7.1	<i>Identifying Risks of Bullying and Harassment</i>	<i>9</i>
7.2	<i>Safe Working Procedures.....</i>	<i>9</i>
7.3	<i>Making Unacceptable Behaviour Clear</i>	<i>9</i>
7.4	<i>Manager Actions</i>	<i>10</i>
7.5	<i>Bullying and Harassment Scenario Example.....</i>	<i>10</i>
8.0	Dealing with a Social Media Incident	11
8.1	<i>Employee Actions.....</i>	<i>12</i>
8.2	<i>Manager Actions.....</i>	<i>12</i>
9.0	Dealing with an Incident of Violence, Aggression, Bullying or Harassment.....	12
9.1	<i>Employee Actions.....</i>	<i>13</i>
9.2	<i>Managers Actions.....</i>	<i>13</i>
10.0	Recording of Telephone Calls.....	13
11.0	Handling of abusive, aggressive or threatening telephone calls	14
11.1	<i>Employee Actions.....</i>	<i>14</i>

11.2	<i>Managers Actions</i>	14
12.0	Post-Accident / Incident Intervention and Support	14
13.0	Examples of Workplace Adjustments	15
14.0	Attending Court on Behalf of the Authority	16
15.0	Taking a Criminal Case against Individuals	17
16.0	Crown Prosecution Service Support	17
17.0	Equipment and Monitoring Systems	18
18.0	Corporate Personal Safety Register	18
19.0	Training	19
20.0	Further Advice and Support	19

1.0 Purpose

This toolkit complements existing policies and guidance and should be read in conjunction with the Council's Health and Safety Policy. Its **purpose** is to assist managers to risk assess and control personal safety risks including lone working, violence and aggression and bullying and harassment from a third party such as service users, members of public or other external contacts.

This document refers to violence, aggression, bullying and harassment towards employee of Carmarthenshire County Council from those not employed. Any issues relating to violence, bullying or harassment between employees should refer to relevant Behavioural Standards and Disciplinary Policies.

2.0 Scope

The **scope** of this toolkit applies to all Carmarthenshire County Council employees including School staff and Elected Members of the Authority.

3.0 How to use this toolkit

Managers should utilise this toolkit to assist them in managing the potential risks to their employees in relation to lone working, violence and aggression, harassment and bullying.

The toolkit has been divided into relevant sections to enable managers to select the most appropriate information to provide them with relevant guidance and information in order to assist with the completion of risk assessments or managing specific scenarios.

If you have any questions or would like any further advice on any part of this toolkit then contact the Health and Safety Centre.

4.0 The legal position

Health and safety law applies to risks associated with lone working, violence, aggression, harassment and bullying, just as it does from other risks from arising out of the work activity. Relevant legislation includes:

- *The Health and Safety at Work etc. Act 1974*
- *The Management of Health and Safety at Work Regulations 1999*
- *The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).*
- *Equality Act 2010*

- General Data Protection Regulations 2018 (GDPR 2018) - For updated information on GDPR 2018 please follow the link <http://intranet/our-people/information-governance/data-protection/>
- Malicious Communication Act 1988
- Communications Act 2003
- The Protection from Harassment Act 1997

5.0 Lone Working

Lone working activities are undertaken by a wide variety of employees within Carmarthenshire County Council. The Health and Safety Executive (HSE) define lone working as *'those who work by themselves without close or direct supervision'*.

Those who are defined as lone workers should not be at more risk than other employees. Lone working activities can be undertaken on or off Council premises so consideration should be given to both. Examples of lone working activities include:

- Working alone on Council premises;
- Working alone in the Community;
- Working from home;
- Travelling alone;
- Undertaking home visits;
- Stand-by activities and key-holder call outs.

5.1 Identifying Risks to Lone Workers

When Managers have identified that they have staff who lone work. Managers should identify all situations where people work alone and ask questions such as:

- Does the workplace present a special risk to the lone worker?
- Is there a safe way in and out of the premises for one person?
- Can any temporary access equipment which is necessary, such as portable ladders or trestles, be safely handled by one person?
- Can the work, equipment, substances and goods used for the activity be safely handled by one person?

- Does the work involve lifting objects too large or heavy for one person or whether more than one person is needed to operate essential controls for the safe running of the equipment?
- Is there a risk of violence?
- Are vulnerable groups especially at risk if they work alone? (e.g. pregnant workers / young persons)
- Is the person medically fit and suitable to work alone?
- What happens if the person becomes ill, has an accident or there is an emergency?
- How does the worker travel to the location? (Consider times, emergency contacts etc.)
- Are there sufficient lines of communication available? (Mobile signal, telephone line).

After the identification of **all** lone working activities, managers need to undertake risk assessments of lone working activities to decide whether they have in place suitable management arrangements to protect the lone worker. The risk assessment should cover a number of aspects but these can be categorised in to three main headings:

- Risks with the work / task being undertaken (work at height, manual handling etc.);
- Risks which are specific to individuals undertaking the work / tasks (medical conditions, young person's etc.);
- Risks with the environment, communication and emergency arrangements (no telephone signal, isolated location etc).

Risk assessments should be **reviewed**, **monitored** and **updated** at suitable and appropriate intervals to ensure that there has been no change in the work / activity being undertaken e.g. if the work / activity changes on a regular basis the lone working risk assessment should be reviewed more frequently.

5.2 Safe Working Procedures

Following the completion of the risk assessments, managers should develop safe working procedures for the lone workers within their area of control. It is important to remember that any safe working procedures adopted should be communicated to all relevant staff and where necessary staff should receive written information, instruction and training.

Another key point to remember with safe working procedures is that they need to be regularly reviewed and monitored to ensure that they are being used, are suitable, practical and remain current with the work / tasks being undertaken.

5.3 Emergency Procedures

A clear set of emergency procedures should be developed, communicated and implemented prior to undertaking any lone working activities. There are many situations when emergency procedures may need to be followed including illness, accidents, incidents or vehicle breakdown etc.

The emergency procedures developed should also take into account cover for annual leave, sickness and out of office situations and should always include a 'back-up' arrangement.

Emergency procedures should be regularly discussed with staff and where possible should be tested at regular intervals to ensure that they are working and remain current.

It is vitally important that emergency procedures and contact details are kept up-to-date and are communicated to all relevant persons e.g. employees, managers, Llesiant Delta Wellbeing (out of hours contact centre) etc.

5.4 *Managers Actions*

In summary Managers should:

- Obtain as much **information** about the level of risk that the lone worker may be exposed to during their duties.
- **Involve** staff or their representatives when undertaking the required risk assessment process;
- Take steps to **check control measures** are in place (examples of control measures include instruction, training, supervision and issuing protective equipment);
- **Review** risk assessments regularly or when there has been a change in working practice;
- When a risk assessment shows it is not possible for the work to be conducted safely by a lone worker, address that risk by, for example, making arrangements to **provide help or back-up**; and
- Where a lone worker is working at another employer's workplace, that employer should **inform the lone worker's manager** of any risks and the required control measures.

5.5 *Lone Worker Scenario Example*

Detail:

A member of staff is working out in the community alone. The type of work the employee undertakes means that they have scheduled appointments at residents / service users own homes. The community being visited are rural areas and this means phone signal is intermittent. Due to the distance between the visits the Employee will drive to the service user's property. The employee has four 1 hour visits scheduled at the service users own homes, the last visit is scheduled for 16:30 which means that their finish time falls outside of normal

working hours. The employee will use the authority's agile working zones in-between visits. A concern from an employee has drawn the manager's attention to the lack of arrangements in place.

Management Arrangements:

The manager reviews the arrangements of the visits and considers whether there are any amendments that can be done to the appointments e.g. can the times be re-arranged? As this was not possible, the manager then reviewed the current risk assessment and highlighted the gaps that would now exist due to the lack of consistent phone signal and the outside normal hours working. The following arrangements were put in place to ensure the gaps in arrangements were dealt with:

1. The internal system was checked to see if there were any known risks with the properties being visited.
2. One of the service users being visited had a note to attend in pairs so this visit was re-arranged when a colleague was available and all identified controls were implemented for the visit.
3. The manager researched the current mobile phone signal within the areas being travelled to and the employee was given this information.
4. The employee was linked to the Llesiant Delta Wellbeing lone working system to allow them to log on and off the system when mobile signal was available and an emergency procedure was added to the system (including the contact details of a nominated manager for use if needed).
5. The employee was reminded of the standard controls used for all visits e.g. parking in a suitable location, not entering the property if they felt a risk existed, leaving if they felt uncomfortable etc.
6. A de-brief with the employee was held the next day to identify if there were any issues of concerns with the arrangements in place.

*** Note: this is an example and not the only method of control available depending on the scenario***

6.0 Violence and Aggression

The term violence and aggression covers a wide range of incidents, not all of which involve injury. Workplace violence and aggression includes:

- Actual or threatened physical assaults;
- Psychological abuse e.g. persistent and substantial emotional abuse;
- Verbal abuse (which includes shouting, swearing and gestures);
- Threats against any employee which occurs out of or in connection with work;
- Intimidating behaviour (not always in an aggressive manner but makes individuals uncomfortable);

- An employee being held against their will.
- Threats on social media.

Violence and aggression is **NOT** 'part of the job' and is **NOT** acceptable at any time. The way in which it is identified, handled, controlled and addressed is key to reducing risks and managing difficult situations. Incidents of violence and aggression *may* be referred to the police. Some aspects of verbal or psychological abuse will fall into the scope of the Equalities Act and the protected characteristics contained within it.

It is extremely important that **ALL** incidents of verbal or physical aggression are reported to the line manager as soon as possible and the line manager must ensure these are recorded on the online accident incident reporting system (AIRS).

*** Violence and aggression from any source is UNACCEPTABLE in any form and will not be tolerated by Carmarthenshire County Council ***

6.1 Identifying Risks of Violence and Aggression

Risk assessments should include the potential for violence and aggression in general. Some questions to consider when undertaking violence and aggression risk assessments include:

- Are there any historical incidents of violence with the individuals being visited?
- What has been put in place previously for visits to the individual or property?
- Are there any behavioural management issues such as challenging behaviour from service users?
- Have any triggers for violence been identified e.g. enforcement action, when presenting bad news?
- Have any issues with access / egress been identified at the property, interview facility or housing estate;
- Have specific policies / procedures been considered e.g. restraint / break away etc.?
- Have the staff raised concerns about an individual that have not resulted in an incident but they feel there is potential for violence?

Where there is a known risk of violence it is appropriate to undertake a specific risk assessment to identify risks involved in undertaking visits or dealing with individuals face to face or over the telephone. Contact the Health and Safety Centre for additional support in completing specific risk assessments.

6.2 *Safe Working Procedures*

Following the completion of the risk assessments, managers should develop safe working procedures for employees within their area of control. It is important to remember that any safe working procedures adopted should be communicated to all relevant staff and where necessary staff should receive written information, instruction and training.

Another key point to remember with safe working procedures is that they need to be regularly reviewed and monitored to ensure that they are being used, are suitable, practical and remain current with the work / tasks being undertaken.

6.3 *Emergency Procedures*

A clear set of emergency procedures should be developed, communicated and implemented prior to undertaking activities that involve a risk of violence or aggression.

Emergency procedures should be regularly discussed with staff and where possible should be tested at regular intervals to ensure that they are working and remain current.

It is vitally important that emergency procedures and contact details are kept up-to-date and are communicated to all relevant persons e.g. employees, managers, Llesiant Delta Wellbeing etc.

Managers should consider sharing of emergency procedures developed with other departments or divisions who they know are involved in undertaking visits to known individuals or properties.

6.4 *Managers Actions*

- **Consider** the particular activities that could contribute to the risk of violence e.g. is a service being removed, is unwelcome information being delivered etc.
- Talk to colleagues, employees and representatives to identify what the issues **actually** are that they are dealing with.
- **Look at** incident records (in relation to the activity, location or team) to identify how many incidents are reported and whether they are being reduced through suitable controls and management arrangements or under-reported for any reason.
- **Consider** who the employees are coming in to contact with (e.g. service users, members of public, visitors etc) and if there is any known previous history of violence.
- **Identify** what control measures are in place, whether they are suitable and if further or alternative action is necessary to reduce the risk further.

- **Consider** whether the risk from violence will increase the risks of injury from other sources e.g. challenging behaviour from service users whilst staff are hoisting and undertaking manual handling techniques.

6.5 Violence and Aggression Scenario *Example.*

Detail:

An Enforcement Officer is investigating a report of Anti-Social Behaviour in the community, the site is well-known to the officer having dealt with previous complaints which resulted in the threat of violent and aggressive behaviour being displayed by the person being investigated. Council staff from other departments have also been targeted and their personal vehicles have been damaged as a result of visiting the site, although none of the incidents have been reported on an accident / incident form. The manager is concerned that the current risk assessment has not been reviewed since the last incident.

Management Arrangements:

The manager reviews the risk assessment and identifies the following additional controls:

- Employees are not permitted to attend the site to undertake enforcement activities unless the police are present.
- Pro-active site visits are permitted to offer support or undertake a visual inspection but only if there are two employees in attendance.
- A council pool car must be used when visiting the site and it should be parked in a safe area a short walk from the property facing the exit of the site.
- The staff are to leave the site immediately if there is any indication that there is a risk.
- In the event of the employees receiving any form of violent or aggressive behaviour towards them they should immediately leave site and report the incident to the police (where appropriate) and their manager as soon as possible.

Following any incident:

- Employees must report to their manager and the incident be logged on the Council's online accident / Incident Reporting Form.
- The manager should review the risk assessment and arrangements in place.
- Write to the individual, informing them that any form of violence or aggression towards employees is unacceptable and if any further incidents occur that the police will be contacted and it may result in further legal action (this should be agreed by Legal).

** Note: this is an example and not the only method of control available depending on the scenario**

7.0 Bullying and Harassment

Harassment and bullying at work occurs when someone is repeatedly and deliberately abused, threatened or humiliated by an individual or group of individuals due to the work they undertake e.g. service users or their families, members of public or people in receipt of Council services.

It involves any behaviour that undermines someone else's dignity and is considered by the recipient to be unacceptable or humiliating. It could be related to age, sex, racial orientation, sexual orientation, disability or other personal characteristics. It also could be a one-off incident or repeated actions.

Harassment and bullying from any source is UNACCEPTABLE in any form and will not be tolerated by Carmarthenshire County Council.

7.1 Identifying Risks of Bullying and Harassment

If a service user, member of public or external contact is known to have acted inappropriately on previous occasions then a suitable and sufficient risk assessment must be undertaken and measures be implemented to reduce the risk to as low as reasonably practicable. Examples of bullying or harassment include:

- Intimidating behaviour (not always in an aggressive manner but makes individuals uncomfortable);
- Stalking, following and making it known that this has happened;
- Taking unknown pictures, finding and sharing personal information;
- Sharing, naming or discussing individuals on social media to cause embarrassment or fear;
- Creating a negative impact on an individual by spreading rumours and untruths about them.

7.2 Safe Working Procedures

Following the completion of the risk assessments, managers should develop safe working procedures for employees within their area of control. It is important to remember that any safe working procedures adopted should be communicated to all relevant staff and where necessary staff should receive written information, instruction and training.

Another key point to remember with safe working procedures is that they need to be regularly reviewed and monitored to ensure that they are being used, are suitable, practical and remain current with the work / tasks being undertaken.

7.3 Making Unacceptable Behaviour Clear

It is vital that all service users, members of public and external contacts understand what constitutes unacceptable behaviour. This can be achieved by:

- Providing clear information on acceptable behaviour when discussing service provision;
- Display suitable signage and notices in public areas;

- Provide visitors with clear guidance on how they are expected to behave whilst on-site;
- Inform, in a calm and appropriate manner, service users, members of public and external contacts when their behaviour is escalating and becoming unacceptable;
- Prepare for visits e.g. where appropriate, write to service users prior to the visits outlining the expected behaviour.

7.4 Manager Actions

As soon as a manager is made aware of any type of bullying or harassment they should sit with the employee in receipt of this behaviour and discuss it with them. Managers should:

- **Discuss** the types of behaviour being received and ensure all behaviour is documented, report to the police (where appropriate);
- Undertake a **specific** risk assessment with the employee and relevant professionals e.g. HR Officers, Legal Advisors, Health and Safety Advisors etc.
- Put suitable and agreed **measures** in place to protect the employee as far as is reasonably practicable (see section 11 on examples of workplace adjustments available);
- Undertake regular **reviews** and **monitoring** of the situation to ensure any change in circumstances or behaviour is identified and the risk assessment reviewed.
- Offer **support** to the employee (ensure communication is kept open and offer for example additional one to one meetings, meetings with relevant officers for monitoring and support or a referral to Occupational Health etc.)
- Encourage all staff to **report** any incidents or suspicious behaviour or activity.

7.5 Bullying and Harassment Scenario **Example**

Details:

A member of staff has reported that over the space of one week they were constantly subjected to harassment from an individual member of the public due to the fact they work for the local authority. The behaviour of the individual made the employee feel very intimidated and has knocked their confidence while carrying out their work in the area where the harassment took place.

Management Arrangements:

The manager encouraged the employee to report the incident to the police and logged an online accident / incident report. The manager had a one to one meeting with the employee and it was agreed that a number of things would be implemented, which included:

- A referral to Occupational Health for Wellbeing Support.
- Daily brief meetings with the manager or a nominated representative would continue for the next few weeks so any issues or concerns could be raised.
- Any further incidents or concerns would be reported to the police and on an online accident / incident form.
- Workplace adjustments would be arranged for the employee starting with a temporary arrangement to park within the grounds of the workplace, use of a Council pool car to undertake visits in the community, issue of a mobile phone and if appropriate a personal safety alarm, the employee will use the flexible working policy to arrive and depart work at various times (as agreed with the manager).
- Social media will be monitored by the manager and any inappropriate posts concerning the employee will be removed and reported to the Social Media Company for investigation.
- A multi-disciplinary meeting would be arranged involving team managers, police, legal, health and safety and any other department that may be necessary to discuss how moving forward with further contact with the individual would be undertaken.

*** Note: this is an example and not the only method of control available depending on the scenario***

8.0 Dealing with a Social Media Incident

Social media allows people to interact with one another, to share information, knowledge and opinions; social media now penetrates every facet of our society, with few workplaces exempt from its influence.

It has evolved quickly and is now considered to be an invaluable communication tool, used as much for social and political commentary as it is to keep in touch with family and friends. However, it can expose staff to various risks if sufficient care and safeguards are not employed to help protect the individual.

Staff working in Local Government, due to their role and the public nature of their position, can be vulnerable to incidents involving the misuse of social media by the general public and members of staff.

Staff should carefully consider whether they include information relating to their job on social media.

(Guidance relating to internal cases involving other members of staff can be found in the Council's "Behavioural Standards in the Workplace" guidance and the "Use of Social Media Policy").

8.1 Employee Actions

In cases of misuse of social media which effects an employee, the employee should:

1. Contact the social media provider to have unfair or inaccurate posts about them removed; Where libellous or defamatory statements have been placed online and the operator has been contacted, made aware of the statements and asked to remove them, and this has been ignored, then the operator may be committing an offence under Section 5(3) of the Defamation Act 2013.
2. Take a screenshot of the post as evidence.
3. **Ensure the Incident is reported** to the line manager.
4. Following advice contact the police, giving information, evidence and records of the harassment (linked with point 6 below).

8.2 Manager Actions

1. Confirm that the employee has reported the incident to the social media provider.
2. Report the Incident using the Council's Accident / Incident Reporting system.
3. Inform the Head of Service and where necessary the Director.
4. Consider the actions that need to be taken to ensure the individual / group of individuals are clearly informed and made aware of the consequences of their actions (e.g. a formal letter sent to them identifying the unacceptable behaviour and that the behaviour may result in prosecution etc.)
5. Contact Carmarthenshire County Council legal team for advice on the actions being taken and for any further legal action that may be possible.
6. Following advice contact the police, giving information, evidence and records of the harassment (linked with point 4 above).
7. Contact HR and Health and Safety for further guidance, the advice will include further measures which could be put in place, such as risk assessment, and suitable adjustments and management arrangements as to reduce or stop exposure to any future harassment.
8. If the harassment is from an external source, this will be dealt with by the police, internal harassment will be managed using Carmarthenshire County Council HR policies.
9. Provide support for the employee this should include regular meetings to discuss concerns / arrangements and a referral to Occupational Health if necessary.

9.0 Dealing with an Incident of Violence, Aggression, Bullying or Harassment

9.1 Employee Actions

If an employee feels that they have been subjected to behaviour they find unacceptable, threatening or offensive they should:

1. **Report the Incident to their Manager who will Log the incident** using the Council's Accident / Incident Reporting system.
2. **Seek advice** from their line manager, Head of Service, Director or HR, who may advise the employee to contact the police.
3. **Retain any available material**, which may be required for evidential purposes, such as copies of messages, audio recordings, witness statements or photographs, to assist with any internal investigations.
4. **Never contact the individual** directly as this may escalate the situation and lead to a continuation of the behaviour. It also increases the risk of an offender using that contact as justification for their behaviour.

9.2 Managers Actions

1. **Log the incident** using the Council's Accident / Incident Reporting system.
2. It is the responsibility of line managers to liaise with the relevant departments (HR, Health and Safety, Legal etc.) following an incident, to review it and decide what, if any, further internal action should be taken.
3. Where appropriate, report the incident to the police. This should automatically occur if there is a physical assault, threatening behaviour or harassment of any employee.
4. Ensure there is increased communication, support and guidance available for the employee and colleagues available following an incident.
5. Update risk assessments, safe working procedures and emergency arrangements to ensure all are appropriate to deal with the now foreseeable risk.
6. Monitor and review the situation regularly and encourage all staff to be vigilant and report any incidents or suspicious behaviour.

10.0 Recording of Telephone Calls

Carmarthenshire County Council must comply with the Regulation of Investigatory Powers Act 2000 (RIPA), which regulates the powers of public bodies when they carry out surveillance and investigation, and it also covers the interception of communications.

Members of public recording calls are not covered by any specific regulation, however, if the recordings are being used as a form of bullying or harassment of an employee then action may be taken to prevent this affecting the personal safety and wellbeing of the employee.

11.0 Handling of abusive, aggressive or threatening telephone calls

Employees can be subject to abusive, aggressive or threatening telephone calls from members of the public or customers who are not satisfied with the service that has been delivered or in reaction to communication they may have received from the authority.

11.1 Employee Actions

1. If the customer is abusive, aggressive or threatening ask the member of public / customer to refrain from using abusive, aggressive or threatening behaviour.
2. Stay calm and maintain a professional manner. Do not respond aggressively back to the member of public / customer as this will inflame the situation.
3. Do not enter into a debate with the member of public / customer and where necessary ask for support from supervisors / managers.
4. If the member of public / customer continues in the same manner, warn them that the call will be terminated if they continue.
5. If the behaviour does not improve, inform the member of public / customer that the call is being terminated.
6. Report incident to the line manager and complete an accident / incident report.

11.2 Managers Actions

1. **Log the incident** using the Council's Accident / Incident Reporting system.
2. It is the responsibility of line managers to liaise with the relevant departments (HR, Health and Safety, Legal etc.) following an incident, to review it and decide what, if any, further internal action should be taken.
3. Where appropriate, report the incident to the police.
4. Ensure there is increased communication, support and guidance available for the employee and colleagues available following an incident.
5. Update risk assessments, safe working procedures and emergency arrangements to ensure all are appropriate to deal with the now foreseeable risk.
6. Monitor and review the situation regularly and encourage all staff to report any incidents of aggressive/abusive telephone calls.
7. Contact the Health and Safety Centre for further advice where necessary.

12.0 Post-Accident / Incident Intervention and Support

The actions taken immediately following an incident can be vital to the health, wellbeing and continued attendance at work of the employee.

Actions to take include:

- Secure the scene of the incident and make individuals involved as safe and comfortable as possible;
- Take down the facts of the incident and include any witness information and retain any evidence e.g. photographs etc.;
- Contact with the departmental Health and Safety Advisor to begin an internal investigation;
- Immediate contact and offer of support for the employee involved (taking in to account any injury or sensitive emotional state of the employee);
- Immediate contact and offer of support for any witnesses involved;
- Visiting the individual as soon as possible following the incident (accompanying to hospital etc.);
- An Occupational Health referral (to see the physician / counsellor);
- Adjustments of work activities / responsibilities on a temporary basis;
- Good communication / support and regular meetings / supervision with line manager;
- Long term adjustments / updates to risk assessments and working practices where appropriate;
- Any other reasonable adjustments or support as required by the employee / witnesses.

The Critical Incident Protocol should be referred to for accidents / incidents that involve fatal or potentially life threatening injuries.

13.0 Examples of Workplace Adjustments

To support the risk assessment process, managers are able to make reasonable, risk based adjustments for the employee during and following incidents of harassment. Example of these adjustments are outlined below, however, managers should contact the Health and Safety Centre for support, advice and guidance when dealing with specific cases.

- Work location – is the employee vulnerable at their current work location? Is it possible to temporarily re-locate to an alternative location? Is it reasonable for them to work from home for set days or part of the working day? Can they change their area of responsibility (e.g. they normally cover Carmarthen but could alternatively cover Llanelli etc.);

- Working hours – do the hours the employee works pose additional risk? Can they temporarily work alternative hours so they arrive and leave the workplace when people are in the office etc.?
- Travelling – does the use of a set vehicle pose a risk? Can a pool car be used? Can the employee travel with a colleague? Can they start / finish their journey at alternative locations?
- Lone working / limited contact – does lone working / limited contact with colleagues / managers pose a risk? Are there suitable lone working arrangements in place? Can temporary arrangements be made to provide mobile phones (if they are not already issued with one)? Can they ring in / out when starting finishing shift? Can a lone worker system (through Llesiant Delta Wellbeing) be provided and its use monitored? Are calendars kept up to date? Is there a tracker system installed on the vehicle being used? Are emergency arrangements in place?
- Support – does the employee require additional support? Do they need additional one to one meetings? Are they being included in relevant meetings around arrangements being implemented to protect them? Do they feel supported by colleagues and managers? Have they been offered the individual stress assessment tool? Do they need additional support from Occupational Health? Have the police provided victim support (following an incident etc.)?

Additional support, advice and guidance is available through the Health and Safety Centre on CEHealthandSafety@carmarthenshire.gov.uk

14.0 Attending Court on Behalf of the Authority

There are circumstances where employees will be expected, as part of their job role, to attend court cases on behalf of Carmarthenshire County Council.

In these circumstances, it will be the responsibility of the line manager, Head of Service and Director to ensure that necessary risk assessments, controls and support are put in to place.

Each case will be unique, therefore, no general rules can be applied, however, the level of risk must be taken into consideration along with the employees emotional and mental welfare and the known history of the case (e.g. have there been concerns previously etc.).

Considerations when conducting the risk assessment and arranging suitable controls:

- Has legal support and advice been sought?
- Has the court process and expected running of the case been explained?

- Who will accompany the employee to the court?
- How will they get to the court?
- Where will they be placed whilst at the court? (where appropriate a separate waiting room should be requested)
- Does the employee need additional support from colleagues, managers or Occupational Health?
- Is there any other additional information required prior to the court attendance?

15.0 Taking a Criminal Case against Individuals

Where a physical or verbal assault or incidents of bullying or harassment have taken place and criminal action by the police has been taken, the employee involved may be required to take a personal criminal case against the individual involved (on advice from the police).

During this process there are limited actions that the authority can be involved in, however, as an employee of the authority there is support available in the form of:

- Occupational Health;
- Legal services assistance with preparing for court attendance (this is not legal advice for the employee but support on what to expect when attending court);
- Assistance with transport / getting to the court;
- Allowances for time to attend court and seeking legal advice etc.;
- Support following the outcome of the case (e.g. not dealing with the individual involved etc.);
- Updated / specific risk assessments and necessary controls for the employees and their work activities;
- Trade Union advice and support;
- Any other support that is suitable and accessible e.g. charitable organisations or support groups.

16.0 Crown Prosecution Service Support

Support and guidance on attending court is available through the Crown Prosecution Service (CPS). The support for witnesses is split in to two:

The Witness Care Unit: The Witness Care Unit is part of the joint Police and Crown Prosecution team and is responsible for providing you, with support, information on the

progress of your case and making the arrangements for you to attend Court. The Witness Care Unit should be your first point of contact.

The Victim Support: The Witness Service helps witnesses and victims, their families and friends before, during and after a court hearing. It is a national charity, which helps people cope with crime. If you come to court to give evidence a Victim Support representative will offer you support.

More information, on the support services, is available from the court in which the case is being heard.

17.0 Equipment and Monitoring Systems

The Llesiant Delta Wellbeing Service provides a lone working monitoring system. This service is available to accompany lone working risk assessments and form part of the safe working procedure. The system requires emergency procedures to be identified, developed by managers and be regularly monitored and updated.

For further advice, guidance and to discuss the potential use of this system please contact the Llesiant Delta Wellbeing Manager on 01554 899446. Telephone recording equipment and other forms of monitoring equipment are available for management of and evidence gathering for extreme cases but **must** only be used following a risk assessment, agreement from Service Managers, in liaison with Legal Services and where necessary the Police.

18.0 Corporate Personal Safety Register

Carmarthenshire County Council's Personal Safety Register (PSR) is a register of individuals who pose a significant (i.e. reasonably foreseeable) threat of physical or mental harm to employees who have, or who will come into contact with, them during the course of their work. Such threats or risks may be presented either directly in-person via face-to-face contact, telephone or email communication but also indirectly via online and social media platforms such as Facebook, blogs, Twitter etc.

When an incident of violence and aggression is logged via the accident / incident reporting system it will be reviewed by the Health and Safety Centre to consider whether it is appropriate for inclusion on the PSR.

Employee's undertaking visits in the community will see an identification number logged on their own administration system and will be able to log on to the PSR to identify the controls needed to undertake the visit safely.

For more information, contact the Health and Safety Centre on:

- CEHealthandSafety@carmarthenshire.gov.uk.

19.0 Training

There are various courses available for Personal Safety. These include:

- Managing Violence and Aggression Workshops (1/2 day);
- Customer Care;
- Personal Safety for Employees;

All courses can be tailored to suit the service / division attending. Risk assessments and work guidelines need to be developed and communicated in order to maximise the impact of the course.

Additional training, such as computer based training courses, can be developed and should be discussed with the Senior Business Partner (Working Safely).

Specific Positive Behavioural Management (PBM), Safer Holding (Care), Strategies for Crisis Intervention and Prevention (SCIP) or similar training for staff is available for management of identified service users / pupils etc. with challenging behaviour.

20.0 Further Advice and Support

For further advice, guidance and support please use the contact details below:-

Email: CEHealthandSafety@carmarthenshire.gov.uk
Phone: 01267 246088

GOLEUDY Victim & Witness Service

Victim Services contact details

Email: goleudy@dyfed-powys.pnn.police.uk
Phone: 0300 123 2996

Witness Care Unit

Email: witnesscareunit.cjit@dyfed-powys.pnn.police.uk
Phone: 01267 226039