

	REPORT TO CABINET TO BE HELD ON 16 May 2017
	Key Decision Yes Forward Plan Ref No N/A
Corporate Priority Council	Cabinet Portfolio Holder Cllr. Sandra Turner

REPORT OF: DIRECTOR (TW) – Report reference 17/115

WARDS AFFECTED: ALL

SUBJECT: POLICY FOR DEALING WITH ABUSIVE AND VIOLENT CUSTOMERS

RECOMMENDATION (S):

It is recommended that Cabinet recommend that Council adopts the updated policy for dealing with abusive and violent customers as part of the Council’s Policy Framework.

REASON FOR RECOMMENDATION (S):

The Council has a duty to ensure that as far as possible it reduces the risk of violent, aggressive or threatening behaviour towards staff during the course of their work. It also has a duty to ensure that recording and retaining information relating to incidents is dealt with in accordance with the Data Protection Act. This policy sets out the framework and processes for recording, investigating and reviewing such incidents and includes new provisions, including the introduction of the cautionary contact register that will improve staff safety.

HIGHLIGHTED RISKS:

- Failure to approve and/or implement the updated policy would potentially put staff and members at risk.
- Failure to properly process personal data in accordance with the Data Protection Act may result in action being taken against the individual and the Borough Council.

1. INTRODUCTION

- 1.1 The updated Policy is attached as Appendix 1. The policy provides the framework for how the Council will deal with incidents of violent and aggressive behaviour towards staff and elected members.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 2.1 This policy supports the “council” priority of the Corporate Plan.

3. BACKGROUND AND ISSUES

- 3.1 The Health and Safety Executive define work related violence as “any incident in which an employee is abused, threatened or assaulted by a member of the public in circumstances arising out of the course of his/her employment”.

- 3.2 This policy relates to work related abusive and violent behaviour which includes the following types of behaviour, whether actual or threatened. This could include face to face or telephone contact or abusive/violent behaviour via letter, email or social media:

- Verbal abuse
- Threats
- Intimidation
- Harassment
- Physical abuse/assault
- Inappropriate sexual behaviour or comments
- Damage to property
- Harm to family members or friends

- 3.3 The existing policy adopted by Council in May 2014 has not been consistently implemented, and since the creation of that policy further work has taken place to create a central register accessible electronically.

- 3.5 The centralised register can be searched by staff and elected members who have face to face contact with the public, thereby enabling persons who may pose a risk to be more easily identified.

4. CONSULTATION

- 4.1 In reviewing the policies, feedback has been taken from Customer Services staff directly. All SUMS and Directors have been consulted during the development of the policy and changes made to reflect comments received.

5. ASSESSMENT

- 5.1 Incidents of staff experiencing actual physical violence are thankfully very rare. However, there are regular incidents of staff receiving verbal abuse and threats. Monitoring of incidents is currently inconsistent. Often the minor/major “accident, violent incident and dangerous occurrence” form is used and sent to the Council’s Health and Safety Officer. However, we know from feedback that staff do not always report incidents.
- 5.2 Of the incidents that have been reported in the last two years, these include incidents of threats, verbal abuse, an incident where a computer was thrown to the floor in an interview room and an incident involving a customer carrying knives. Staff regularly deal with customers who may be affected by drink or drugs and whose behaviour can be unpredictable and intimidating.
- 5.3 The policy makes it clear that the Council will not accept such behaviour and sets out a consistent and clear framework for dealing with the same.
- 5.4 Using the Council’s Firmstep platform the new “cautionary contact” procedures incorporate centralised systems and a searchable database accessible to all staff, which will provide a register of persons who have been violent and where “cautions” are in place. This might include, for example, restrictions in accessing services in person.
- 5.5. Specifically the new “cautionary contact” workspace will include:
- a) Cautionary contact recording and investigations (accessible via DASH). This is where all incidents will be logged and investigations, actions, appeals and reviews recorded.
 - b) Cautionary contact register, this is a database which will be available to all staff via a desktop link and is a searchable list of persons who have “cautions”. This will list brief details of incidents and any current precautions (e.g. if customers are restricted from entering specific premises). An automatic email will notify staff and elected Members when there is a new entry on the register.
 - c) Staff who work remotely and use mobile devices will have access to a simplified version of the register which will enable them to check and access

details of persons on the register via DASH through their mobile devices. This will be available to elected members.

- d) Where a customer is included on the cautionary contact register, the Customer Record will show a red symbol, enabling customers who may pose a risk to be easily identified.

6. IMPLICATIONS

6.1 Policy

The Policy and associated procedures have regard to national policy guidelines and recommendations of good practice.

6.2 Legal

The Policy takes account of the legal duties of Council's in relation to health and safety and data protection.

6.3 Financial

There are no direct financial issues arising from consideration of this report.

6.4 Equalities and Diversity

No direct implications.

6.5 Staffing Implications

This Policy will affect staff across the organisation. It is essential that staff are aware of their responsibilities and action to take if they experience a violent incident. Directors and Service Unit Managers have a key role to play in ensuring staff are aware of the Policy and ensuring it is consistently implemented in their area, as well as supporting staff who may be affected by violent behaviour.

6.6 Planning Implications

There are no planning implications arising from this report.

6.7 Crime and Disorder Implications

This policy sets out procedures to deal with incidents of violence in the workplace.

6.8 Health and Safety Implications

This policy and associated procedures aims to improve the safety and welfare of staff.

6.9 Environmental Implications

No identified implication.

7. ACTION PLAN

- 7.1 There will be a briefing for Service Unit Managers on the new Policy in June. SUMS will then cascade the information and implement within their service

areas. Guidance notes will be available for all staff in relation to the “cautionary contact” workspace. The policy will be fully implemented by 1 July 2017.



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Background Papers:
None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Jo Ireland ON 01723 384315, e-mail jo.ireland@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	May 2017	Failure to approve and/or implement the revised Policy	<ul style="list-style-type: none"> - Failure to meet statutory duties. - Staff potentially at risk - Action against the individual and/or the Borough Council for data protection breach. 	Adopt the revised Policy and ensure it is implemented across the organisation.	B4	A2	JI	