

SCARBOROUGH BOROUGH COUNCIL

POLICY FOR DEALING WITH ABUSIVE AND VIOLENT CUSTOMERS

DOCUMENT CONTROL

Author	David Kitson
Owner	Democratic and Legal Services
Protective Marking	NOT PROTECTIVELY MARKED
Review Date	

Revision History

Date	Revised By	Version	Description of Revision
April 2014	David Kitson	0.1	Creation of Policy
May 2017	Jo Ireland David Kitson	0.2	Amendments to Policy to correspond with new reporting system – includes change of Policy name (previously Risk of Violence Register Policy).

Document Approvals

Approval	Date
Cabinet	8 April 2014
Council	12 May 2014

INTRODUCTION

- 1.1 The Council is committed to providing a safe working environment and will not tolerate work related violence, intimidation, abuse or threatening behaviour.
- 1.2 The Council expects that customers and the public treat Officers, Members, and other relevant persons with consideration, dignity and respect.
- 1.3 Incidents of work related violence are thankfully very rare. Nonetheless, it is important that the Council has in place measures to prevent or reduce potential exposure to the same.

2. DEFINITION OF WORK RELATED VIOLENCE

- 2.1 Work related violence includes (but is not limited to) the following types of behaviour whether actual or threatened:
 - Verbal abuse;
 - Physical abuse;
 - Assault;
 - Inappropriate sexual behaviour;
 - Use of weapons;
 - Intimidation;
 - Harassment;
 - Damage to property;
 - Harm to family members or friends.
- 2.2 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. THE USE OF A CAUTIONARY CONTACT REGISTER

- 3.1 A Cautionary Contact Register (‘the Register’) is a system under which records are kept about individuals who represent a risk to the Council’s Officers, Members, and any other relevant persons. Entering details within the Register will help reduce risk by enabling the appropriate consideration and implementation of measures for protection.

- 3.2 The use of a Register must not be a mechanism for attributing blame; instead it must be a process for alerting Officers, Members, and other relevant persons to the possibility of work related violence. Entries to the Register should be made regardless of whether the act was intentional or not.
- 3.3 The records contained within the Register (and any associated information) must be available to all Officers and Members who, because they may have face to face contact with a particular individual, may be subject to an increased risk of violence.
- 3.4 The Council will ensure that a Register and procedure is in place which;
- is appropriate and effective;
 - complies with relevant legislation (including the Data Protection Act 1998);
 - provides a clear and confidential reporting system;
 - appoint appropriate Officers who have responsibility for;
 - receiving reports of work related violence;
 - investigating;
 - gathering evidence;
 - assessing risks posed; and
 - making the decision as to whether an individual should be placed upon the Register;
 - ensures that decisions are;
 - fair;
 - justified;
 - necessary;
 - lawful;
 - in accordance with the Council's procedures; and
 - based upon clear reasoning and evidence;
 - establishes an appeals and review panel with clear terms of reference in order to;

- deal with appeals;
- make decisions upon any reports referred to them; and
- review existing Register entries;
- allows for the handling of complaints.

4. RESPONSIBILITIES

4.1 Managers will;

- ensure that they implement this Policy;
- ensure their staff are aware of and understand the Policy;
- treat reports of work related violence, threats or abuse seriously and respond to them promptly;
- be supportive of their staff where a report is made;
- set a positive example by reporting all incidents of violence and abuse and by not tolerating abusive behaviour; and
- act in a way that does not incite or increase the risk of violence.

4.2 Officers will;

- be aware of and comply with this Policy;
- take responsibility for their own behaviour;
- recognise the potential for work-related violence and take action to resolve it early on. Officers should take positive action and, for example, contact a Manager if they think that an individual might cause problems;
- report any instances of violence, threats or abuse;
- act in a way that does not incite or increase the risk of violence; and
- be supportive of colleagues.

4.3 Members will;

- be aware of and support this Policy;
- report any instances of violence, threats or abuse;

- take responsibility for their own behaviour; and
- be supportive of Officers and fellow Members.

5. INFORMATION SHARING

- 5.1 It is sometimes necessary for the Council to share information with partner organisations and third parties in order for services to be delivered effectively and safely.
- 5.2 For example the Council may share information with other public bodies involved in the provision of services to the public, central government departments or to quasi-public bodies such as social housing providers.
- 5.3 In accordance with guidance issued by the Information Commissioner's Office, and the Data Protection Act 1998, sharing information (relating to a violent warning register) between the Council and one of the abovementioned bodies or third parties for the purpose of alerting others to the potential risks of violence is permissible and legitimate, as long as the sharing is fair and justified.
- 5.4 The Council will however ensure that information will only be shared where it is lawful to do so.

6. LEGISLATION

- 6.1 The proper use and implementation of a Register will contribute towards the Council's duty of care towards Members and Officers, and its obligations under health and safety legislation.
- 6.2 The Council will ensure that the processing of information pursuant to this Policy is in accordance with the relevant legislation, in particular the Data Protection Act 1998.