

Prevention and Management of Abuse towards Staff Policy

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	JOB TITLE Dept / Directorate
CONTRIBUTORS: (By Job title, department, directorate)	
HR and Management	Policy and Diversity Manager, Strategic HR Manager, HRBP and Advisor for Employee Relations, Risk Management, H&S, Front Line Service Diversity Group – Front Line Managers
TUS	TUS Chair, secretary and branch members for policy
DATE/S OF PREVIOUS AGREED VERSIONS AND TITLES	
New Policy	At 2010 this is a new policy to meet organisational and employee needs

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- 1.1 The British Library values its staff and service users and recognises the duty of care required to ensure both their health and safety and their ability to conduct their business in a comfortable, safe and non-threatening environment.
- 1.2 The Library considers work-related violence to be a serious matter and although it is rare, incidents of violence, aggression or abuse can occur in the Library. This policy is designed to:
- Ensure managers and staff are encouraged to work closely together in identifying, assessing and managing risks so as to reduce the likelihood of, or to prevent, incidents occurring.
 - Secure the health and safety of employees and others who may be exposed to the risk of abuse, aggression or violence in the workplace.
 - Give appropriate guidance, support and assistance to employees and managers following incidents of abuse including how and where to report an incident
 - Provide for incidents of violence or abuse at work to be investigated and followed through.

2. SCOPE

- 2.1 This policy applies to all British Library staff, regardless of location.
- 2.2 This policy is primarily designed to cover any work related abuse or other unacceptable behaviour towards employees and / or other Library users that is perpetrated by:
- any user of the Library who has accessed the Library and
 - any member of the public on Library premises
- 2.3 In other circumstances of workplace abuse such as by one employee towards another employee, then other policies may be appropriately applied (such the Harassment, Bullying and Discrimination, Discipline and Grievance policies)
- 2.4 This policy does not affect the rights of any individual to take independent action following abuse or an assault, for example by contacting the Police or their Union.
- 2.5 Equally it may be appropriate in extreme instances for the Library to request police support e.g. where there is considered to be a real risk of violence to employees, other service users or the public.

3. DEFINITIONS

- 3.1 The Health and Safety Executive defines work-related violence as 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'. This includes verbal abuse and threats, not just physical abuse.

The four types of violence are shown in the diagram below:



The following definitions are used throughout this policy:

Non-physical Assault –use of inappropriate words or behaviour causing distress and/or constituting harassment e.g. this may include but not be limited to offensive language, unwanted or abusive remarks, racially aggravated remarks, intimidation and any other words or non-physical actions which either cause, or are likely / intended to cause, distress or constitute harassment.

Physical Assault: – the intentional use of force by one person against another, without lawful justification, resulting in physical injury or personal discomfort.

4. LEGISLATION RELATED TO THIS POLICY

- 4.1 The leading statutory authority for this provision is the Health & Safety Executive (HSE). The legislation (listed under Appendix G) provides that employers must:
- Ensure managers and staff are encouraged to work closely together in identifying, assessing and managing risks so as to reduce the likelihood of, or to prevent, incidents occurring.
 - keep employees / third parties free from risk of harm so far as is reasonably practicable
 - undertake suitable risk assessment of reasonably foreseeable violence
 - make arrangements to control risks and monitor and review these arrangements
 - Consult with staff along with safety representatives on promoting, developing and monitoring measures to ensure health and safety at work
 - Comply with the statutory duty to report any act of physical violence to a person at work that results in a fatality, major injury or incapacity for normal work

- 4.2 Employees are required to cooperate with / implement their employer's policies.
- 4.3 Employers and employees also have a common law general duty of care towards others who may be affected by their actions.
- 4.4 Employment law also provides for protection of employees from third party harassment. This confers responsibility on the Library and line managers to ensure action is taken if an employee has been harassed on two or more occasions by a third party (someone who does not work for the Library). Reasonable steps must be taken to protect the employee from further harassment. The Equality Act 2010 has broadened the potential liability beyond sexual or gender based harassment, into all protected characteristics which are: age, disability, gender re-assignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5. GENERAL PRINCIPLES

- 5.1 The Library will not tolerate any form of assault or abuse against its staff, irrespective of the level of abuse used or injury caused and considers that:
- Any potential risk of work-related violence or abuse is a serious matter
 - Addressing these risks requires careful consideration, coordination and compliance by all who work in or use the Library;
 - All reasonable steps must be taken to reduce risks of violence to employees and others and to eliminate work-related violence.
- 5.2 To achieve safety from violence and abuse at work the Library, managers and staff (including security, HR, trade union safety and employee representatives) must work closely together in consultation on the content, implementation, monitoring and review of this policy. The aim will be:
- To eliminate work-related violence where possible and for staff to be protected as far as practicable from violent and abusive behaviour whilst on Library premises, and;
 - Where this is not reasonably practicable, to undertake a suitable and sufficient risk assessment of the risk of violence where identified risks will be reduced as far as is reasonably practicable through safe systems of work, suitable equipment, and information and training. To consider other policies that contribute to/ have a bearing on this policy e.g. those; governing expectations of conduct for staff and service users (e.g. "Conditions of Library use")To ensure that the handling of risk and of potential incidents from non-reader service users / public visitors are also included.
- 5.3 Library managers will undertake risk assessments to determine preventative measures to remove or reduce the risk to employees in contact with members of the public. Once measures are identified in this process, employees will be required to support these by making proper use of any equipment and systems of work provided for their safety. Periodically, any existing arrangements that are in place and any changes to the level, source and

likelihood of risk of work-related violence will need to be re assessed (see section 7 and Appendix E and F for further details on risk assessment).

5.4 It is rare for serious assaults to occur, but if they should occur, the Library recognises that following an incident of abuse:

- Appropriate support and assistance must be provided
- Any incidents of violence at work will be investigated
- Action will be taken in the event of Violence, Aggression or Abuse, be it physical or non-physical

(See sections 8-10)

6. LIBRARY, MANAGEMENT AND EMPLOYEE RESPONSIBILITIES

6.1 **The Chief Executive / Head of Integrated Risk Management** respectively have ultimate and delegated executive responsibility for ensuring the health and safety of all staff at risk from violence and abuse and for ensuring that this policy is effective and resourced.

6.2 **Managers with responsibility for front line services** have operational responsibility for ensuring the implementation of this policy and that effective arrangements are in place to ensure that:

- Risk assessments are carried out, collated and preventive measures put in place
- Incident reports are submitted, collated, acted upon, retained held and monitored
- Resources for training and awareness are made available when required
- Procedures for support and assistance for staff involved in incidents (e.g. access to counselling, help with formal procedures, etc) are appropriate and proportionate.
- The Executive Team are notified of serious incidents of violence / aggression
- Incidents that need to be reported to the Police or the HSE are identified and acted upon.

6.3 **Line Managers responsible for activities must:**

- Carry out risk assessments to identify and take steps to eliminate work-related violence and abuse.
- Ensure staff are aware of the appropriate policies and procedures relating to abusive behaviour.
- Identify staff who may require training and to what level, and enable those staff to attend training where appropriate.
- Encourage reporting of incidents
- Ensure that where an employee raises a matter related to abuse, they take steps to investigate the situation whilst seeking appropriate advice (e.g. HR Business Partner, employee assistance programme (EAP) etc).
- Provide immediate support and assistance to staff when they need it

6.4 Employee Responsibilities - Staff must take reasonable steps to protect the safety of themselves and their colleagues by:

- Co-operating with the policy
- Informing their manager of any concerns that they have relating to violence at work
- Acting responsibly to avoid putting themselves or others in danger or at risk including withdrawing from serious and potentially threatening or actual violent situations until appropriate assistance and support is available.
- Following any advice, procedures, systems or training that has been developed for their safety and introduced in order to reduce or eliminate risk'
- Reporting any incidences of violence, including verbal abuse, that have occurred as part of their work to their line manager or in exceptional instances to any alternative sources of support and advice (see 9.2);
- Filling in the appropriate Incident Report form detailing the circumstances of any incident that has taken place. (See the form at Appendix A for incidents involving a reader and Appendix B for incidents involving a member of the public / non-reader / where reader status is unknown)

Note: in exceptional instances where employees may deem approaching their line manager to be uncomfortable or inappropriate, an alternative source of support and advice is available from the HR Business Partner, or the Library's employee assistance programme in confidence.

7 RISK ASSESSMENTS

- 7.7 Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation. This includes contacting the alleged perpetrator. Advice should be sought first from the Library's legal advisor, the police or the local councils safeguarding team (see 8.2).
- 7.1 Risk assessments are the starting point for considering the potential risks and measures to be taken for managing the risk of violence and abuse to employees in contact with users of the Library and members of the public.
- 7.2 Assessments should take account of the way in which risks vary according to the role of the employee, the areas and the environment in which the employee works, the service base, and many other factors (e.g. Employees who handle money, work alone or work on night shifts etc). Account should also be taken of the incidents that have occurred so that these can be assessed and recommendations used.
- 7.3 A written record of the risk assessment will be kept as part of the Health and Safety Reporting System and should include:
- Brief description of the risks involved / any risk factors specific to that area.
 - Details of the groups of workers exposed to the risks.
 - Brief details of the preventive measures to mitigate or reduce the risks.

- Date when the risk assessment was last reviewed.

NB: for details of what the risk assessment will include see Appendix E and F and also refer to the Health and Safety Policy

7.4 Recommendations for preventive measures from the risk assessment to reduce or mitigate the risk for employees in contact with members of the public could include:

- Physical measures such as alarm systems, video cameras, security doors, panic buttons, signage, improved lighting and physical barriers;
- providing information to employees on the people they are dealing with and likely sources of aggression;
- reviewing complaint, refund, cash handling procedures
- reviewing staffing levels
- appropriate training for staff to enable them to avoid aggression through identifying its early signs and to have awareness of handling incidents;
- designing work practices to avoid lone working and potentially violent situations;
- ensuring arrangements are in place for regular reporting where lone working is unavoidable
- reducing the need for staff to carry money, valuable items

8. REPORTING SYSTEMS AND ACTIONS

8.1 Reporting procedures are in place for staff to report incidents and staff are encouraged to report all incidents including incidents of verbal abuse, intimidation, or harassment, as this is essential information for handling and prevention.

8.2 The forms for reporting of an incident can be found in Appendix A and B. The form should be completed promptly and in full and handed to the appropriate manager or line manager who will handle this sensitively and take this seriously.

8.3 Where reports reveal a serious or persistent problem, suitable support will be provided and prompt action will be taken by the manager responsible for that front line service (see 6.2 and also section 9 for support that can be provided)

8.4 Mechanisms exist for handling the two categories of incidents:

- For Readers - Library readers can be more easily identified and handled. The "Conditions of Library Use" details the actions and penalties that can be taken against Library readers who have breached the conditions of use (see Appendix C) or page 1 of the Breaches of Conditions of use Guidelines at <http://www.bl.uk/reshelp/pdfs/Appendix%201.pdf>.
- For Non-Readers (such as the general public and visitors). It is less easy to identify and handle non-readers who may be transient, or irregular or one-off users of Library's public facilities. However there is guidance on actions and penalty measures that can be taken (see Appendix D)

8.5 Action in the event of Serious abuse

Non-Physical Assault or Abuse

- The Library will consider a range of measures depending on the severity of the incident (see Appendix C/D) and which may assist in the management of unacceptable behaviour. This will be with the aim of reducing the risks of recurrence as well as demonstrating acceptable standards of behaviour by users.
- The Library will consider taking internal or external action against the aggressor, subject to other relevant policies and legal advice, where non-physical assault or abusive behaviour is likely to:
 - Prejudice the safety of staff or lead a member of staff to believe that they are no longer able to undertake their duties properly as a result of fearing for their safety;
 - Be in breach of codes of conduct or Conditions of Library Use
 - Contravene legal requirements around harassment, bullying, discrimination etc.
 - Prejudice the safety of other service users;
 - Result in damage to property or collection material;

Physical Assault

- The Library advises all staff to withdraw from violent situations until appropriate assistance and support is available. However, should this not be possible, it also supports the right of all staff to reasonably and proportionately defend themselves should the need arise.
- Following an incident, the Library will consider use of the measures described in 10.1 below and in Appendix C/D.
- Any person who assaults an employee during the course of their employment may be liable to prosecution. The British Library or the victim of an assault may report that offence to the Police for consideration as to whether a crime has been committed and if so, whether to proceed against the person concerned (subject to discussion with the victim and consideration of their wishes where appropriate). If the Police decide not to take action then the Library may support the victim, if that is what they wish, in pursuing an action against the perpetrator in consultation with its legal advisors.

9. INTERNAL SUPPORT FOR EMPLOYEES EXPERIENCING ABUSE

9.1 An employee who experiences abuse should make their line manager aware and discuss the situation so that the manager can, as appropriate:

- Support the employee
- Investigate or initiate the investigation of the incident
- Take measures to prevent further incidents and ensure workplace health and safety of employees
- Ensure any effects or subsequent issues with performance or attendance would be handled appropriately

- Minimise possible disruption to the service / colleagues caused by dealing with the employees situation
 - Refer the employee to the Employee Assistance Programme (EAP) (see 9.3)
- 9.2 An alternative source of support and advice is available from the HR Business Partner, or the Library's Employee Assistance Programme (EAP), in confidence.
- 9.3 The Library's Employee Assistance Programme (EAP) is available to all employees experiencing abuse either directly or indirectly and provides professional support from qualified counsellors and access to counselling 24 hours a day and 365 days a year. The Library will publicise the availability of this support regularly through notice boards, the intranet and ongoing health and wellbeing initiatives.
- 9.4 It should be noted that incidents affect individuals in different ways and there is a significant degree of subjectivity as to whether a person feels threatened, alarmed, distressed or harassed. The impact of a violent or abusive incident on employees' physical and mental health can be long lasting and sometimes may not be obvious. They may require support and care from their employer to help them recover and in some cases may need specialist counselling.
- 9.5 HR and/or the Line Manager (seeking advice where appropriate from Occupational Health or the EAP) should consider the provision of other support within the workplace where appropriate, being mindful of the employee's team, service and individual needs. For instance:
- Employees who have experienced abuse may need to be temporarily absent from work to recover and individual absences can be discussed and agreed between the employee and the line manager, with HR support where appropriate.
 - Other working arrangements may need to be considered to support or protect the employee while they recover, such as temporarily reducing hours, working more flexibly, assistance to manage their workload or transfer to alternative work or work location.

10. MANAGING WORK PLACE SAFETY

- 10.1 The Library will work to protect the safety and security of all employees at work following an incident, especially if a need to minimise any risk of further incident to them has been identified. This may include consideration and provision of the following:
- Identifying an emergency contact person should the manager be unavailable to contact
 - Where a particular employee is at risk, changing the employees work arrangements e.g.
 - telephone number
 - offering temporary or permanent changes to location or schedule (e.g. away from visible, front line or public areas to a more secure area or arranging varied start and finish times)

- Reminding relevant staff not to divulge personal information about employees
- If there are abusive phone calls / letters at work, look at screening these with the employee's consent and identifying whether these can be saved as evidence
- Review of parking arrangements and possibility of escorted exit / entrance to the building
- With the employee's consent, advising colleagues and security on a need to know basis
- Agreeing the response if the perpetrator of abuse contacts the work place

10.2 Where the situation is deemed a real threat to other employees or service users or the public it may be that more serious actions are required for safety and security such as:

- Discussions with HR and Integrated Risk Management about additional measures to be put in place
- Other relevant employees that need to be informed of safety concerns
- Providing a photograph or description of the perpetrator to the manager, reception area, and security staff.
- Setting up procedures for alerting security staff and / or the police, and;
- Providing instructions about what to do if the perpetrator gains unauthorised access to the workplace etc.

11. EQUAL OPPORTUNITIES

11.1 Abuse or violence can be perpetrated or experienced by anyone and it occurs regardless of age, gender, sexual orientation, cultural or political beliefs, ethnicity, disability, class or location.

11.2 Any information or personal details with regard to abuse or violence such as race, gender, age and disabled status will be kept confidential by Human Resources and will be used for no other purpose than to enable the Library to fulfil its obligations for monitoring equal opportunities. It should be noted that there is also a responsibility to monitor the effectiveness of the policy in terms of preventing and managing abuse as well as the diversity aspects

12. RESPONSIBILITY

12.1 All members of staff referred to within the scope of this policy are required to adhere to its terms and conditions. All line managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with Human Resources prior to any action being taken.

12.2 Human Resources has the responsibility for ensuring the maintenance, regular review and updating of this policy. Proposed changes to the policy will follow the process as described in Section A: Introduction: Paragraph 1 of the Staff Handbook.