



HEALTH AND SAFETY ARRANGEMENT FOR THE MANAGEMENT OF VIOLENCE AND AGGRESSION IN THE WORKPLACE

This instruction applies to:-		Reference:-
National Probation Service		PI 12/2015
Issue Date	Effective Date <i>Implementation Date</i>	Expiry Date
01 April 2019	01 April 2019	01 April 2021
Issued on the authority of	Operational Policy Sub-Board	
For action by	<p>All staff responsible for the development and publication of policy and instructions</p> <p><input type="checkbox"/> HMPPS HQ</p> <p><input type="checkbox"/> Public Sector Prisons</p> <p><input type="checkbox"/> Contracted Prisons*</p> <p><input checked="" type="checkbox"/> National Probation Service (NPS)</p> <p><input type="checkbox"/> Community Rehabilitation Companies (CRCs)</p> <p><input type="checkbox"/> Other Providers of Probation and Community Services</p> <p><input type="checkbox"/> Governors</p> <p><input type="checkbox"/> Heads of Groups</p> <p><input type="checkbox"/> HMPPS Rehabilitation Contract Services Team</p> <p><i>* If this box is marked, then in this document the term Governor also applies to Directors of Contracted Prisons</i></p>	
Instruction type	HR function/legal compliance	
For information	All NPS staff and MoJ Estates	
Provide a summary of the policy aim and the reason for its development / revision	<p>Employers are required to manage the health and safety risks of work-related violence and aggression.</p> <p>This is a new Probation Instruction that sets out the framework for the effective risk assessment and implementation of reasonably practicable control measures to minimise the risks of violence at work.</p>	
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Associated documents	<p>PI 03/2015 Policy, Organisation And Summary Arrangements For The Management Of Health And Safety</p> <p>PI xx/2015 Health and Safety Arrangement for Risk Assessment (yet to be published)</p> <p>PI 13/2015 Health and Safety Arrangement for the Management of Accident Reporting, Recording and Investigation</p> <p>PI 42/2014 Staff Grievance,</p> <p>PI 41/2014 Reporting Wrongdoing</p> <p>PI 34/2014 Conduct and Discipline</p>	
Replaces the following documents which are hereby cancelled: None		
Audit/monitoring: Mandatory elements of instructions must be subject to management checks		

(and may be subject to self or peer audit by operational line management), as judged to be appropriate by the managers with responsibility for delivery. In addition, HMPPS will have a corporate audit programme that will audit against mandatory requirements to an extent and at a frequency determined from time to time through the appropriate governance.

Introduces amendments to the following documents: None

Notes: *All Mandatory Actions throughout this instruction are in italics and must be strictly adhered to.*

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1. Executive summary

Background

- 1.1 This instruction is one of a number of Probation Instructions (PIs) which forms part of HMPPS' (NPS) Health and Safety Management Arrangements as required by the Health and Safety at Work Act and subsidiary legislation. It is a legal requirement for these arrangements to be brought to the attention of all employees.
- 1.2 NPS has a duty to reduce, so far as is reasonably practicable, the risks of violence and aggression that staff maybe exposed to in the workplace.
- 1.3 The implementation of an effective risk assessment process and appropriate physical security controls, safe working practices and staff training can significantly contribute to successful health & safety management in NPS and reduce the likelihood and impact of such events.
- 1.4 It is recognised that even with proactive measures, incidents of violence may still occur. Therefore it is also NPS intention that appropriate emergency response procedures and post incident support systems are implemented.
- 1.5 This arrangement outlines the key duties to be undertaken by managers and staff to minimise the violence and aggression risks in NPS.

Desired outcomes

- 1.6 All staff and managers are aware of the organisation, responsibilities and arrangements to minimise the risks of violence at work.
- 1.7 The potential for violence and aggression at work is effectively assessed and appropriate control measures are identified and implemented in a consistent manner throughout NPS.
- 1.8 Local emergency response procedures and arrangements for post incident support are implemented.
- 1.9 All staff receive information, instruction or training necessary to minimise the likelihood of a violent or aggressive incident during their work and be able to respond appropriately in the event of such an incident occurring.

Application

- 1.10 This instruction applies to all NPS work-related activities (whether undertaken in NPS premises or premises under the control of others), where violence or aggression may be encountered.
- 1.11 Violence and aggression in relation to this instruction means any incident where NPS staff (including agency staff and others acting on behalf of NPS such as Partnership staff) are abused, threatened or assaulted in circumstances related to their work including any hostage situations, by offenders, members of the public or contractors.
- 1.12 Abuse includes incidents of foul language, verbal, sexual, homophobic or racial abuse.
- 1.13 Abuse, threats or assault on NPS staff does not require an intention on the part of the perpetrator (e.g. they could be committed by someone who is perhaps in pain, confused or is being aggressive because of a clinical or psychological condition).

- 1.14 This instruction does not apply to incidents of violence, aggression, harassment or discrimination directed towards staff by work colleagues. These are covered by other PIs (PI 42/2014 Staff Grievance, PI 41/2014 Reporting Wrongdoing & PI 34/2014 Conduct and Discipline).

Mandatory Actions

- 1.15 *All actions in this Instruction are mandatory unless otherwise specified and are shown in italics. All levels of management and all employees must ensure that they are aware of these mandatory actions and ensure this policy is implemented and adhered to.*
- 1.16 *All managers must ensure that the potential for violence and aggression is considered in all health and safety risk assessments and appropriate control measures implemented as necessary, including emergency response procedures, staff training and post incident support procedures.*
- 1.17 *All staff must comply with any safe systems of work, rules or procedures developed to reduce the risks of violence to themselves or others and not take unnecessary risks with regard to their personal safety.*
- 1.18 *All staff must make use of any safety devices/alarms, security equipment or personal protective equipment provided for their personal safety.*

Resource Impact

- 1.19 The management of workplace violence and aggression is already part of NPS business arrangements for managing health and safety. This policy serves to standardise the arrangements across NPS and to clarify who is responsible for carrying out the different aspects of this area of work and therefore should not have any significant impact on resources.

(Approved for Publication)

Dave Mann
Director of Human Resources, HMPPS

2. Operational instructions

Risk Assessment

- 2.1 *Managers must ensure that violence and aggression is taken into account in all risk assessments. Assessments of violence and aggression must be conducted and recorded by a person competent to do so and necessary and appropriate control measures must be implemented, maintained and reviewed and revised as and when necessary.*
- 2.2 It is recognised that the threat of violence does not stop when the work period has finished and assessments should consider for example staff who are required to work late, or lock up an office alone.
- 2.3 *When undertaking such risk assessment the opinions and views of staff and their elected Union Health and Safety representatives must be sought by consultation.*
- 2.4 *Managers must also ensure that they consult with other organisations (e.g. CRCs) when undertaking such risk assessment in premises operated on a shared basis.*
- 2.5 *The assessments must evaluate the adequacy of measures to reduce the risk of violence and where additional control measures are identified as necessary they must be implemented in a timely manner relevant to the risk.*
- 2.6 Control measures will include those relating to:-
- the environment;
 - physical security precautions e.g. access controls, CCTV;
 - means of raising an alarm;
 - emergency response procedures;
 - safe systems of work;
 - information, instruction and training;
 - displaying suitable “anti violence signs” in public areas;
 - work and service delivery planning;
 - home visit pre assessment and safe systems of work;
 - protecting staff home address, phone number and personal details;
 - individual measures identified in specific risk assessments such as new and expectant mothers, stress etc.

Personal assistance alarms

- 2.7 *Managers must ensure that where personal assistance alarms (fixed or portable) are installed or provided as part of the control measures to minimise the risks of violence:-*
- *A specific local emergency response procedure is written for the office/team;*
 - *All staff are aware of the local emergency response procedure and understand their role in the event of an activation;*
 - *All personal assistance alarms are tested weekly and appropriate records kept;*
 - *A planned local emergency response procedure test drill is undertaken at least annually to test the local emergency response procedure and appropriate records kept;*
 - *Where weakness or deficiencies in the emergency response procedure are identified following an incident or a planned drill, changes are made and a drill undertaken as soon as possible to confirm improvement.*

- 2.8 *In premises operated on a shared basis with other organisations (e.g. CRCs), Managers must ensure that the specific local emergency response procedure is written in consultation with the other organisation and brought to the attention of their staff.*

Role of MoJ Estates

- 2.9 Because a HMPPS instruction cannot bind another department, MoJ's role is described, as opposed to mandated below:-
- MoJ Estates will review requests submitted via the Notice of Maintenance or Change Requirement form (NMCR1) for new or upgrades to physical security measures on a risk basis and where approved will ensure they are appropriately prioritised, resourced and competently installed.
 - MoJ Estates will ensure that existing physical security measures are appropriately inspected, service and maintained and suitable records maintained.

Procedures

- 2.10 *Where determined as necessary by risk assessment, managers must develop local procedures to minimise the risks of violence. Specifically local procedures will be expected for the following issues:-*
- *responding to personal assistance alarms (as 2.7 above);*
 - *lone/out of hours working;*
 - *visits in the home and community.*

Training

- 2.11 *Managers must ensure that all staff who are likely to have contact with offenders receive relevant information, instruction or training in handling violence and aggression and the local procedures.*
- 2.12 *Staff must attend training courses identified as necessary for their health, safety and welfare at work.*
- 2.13 The type and nature of the information, instruction and training provided should be tailored to the needs of staff, based on the nature of their contact with offenders and the risks determined by risk assessment.
- 2.14 The emphasis of all information, instruction and training will be on prevention and defusion/de-escalation.
- 2.15 All training should be regularly reviewed to ensure it is achieving its objectives and meeting the operational needs of staff.

Imminent threats to personal safety

- 2.16 *Staff must not take unnecessary risks with regard to their personal safety.*
- 2.17 *In the event of an imminent threat (actual or perceived) to their personal safety, staff must leave the area of the threat and seek safe refuge. This applies equally to visits in the home and community where staff must terminate the interview and leave.*
- 2.18 All staff have a legal right to leave their place of work if they reasonably believe that otherwise they may be in serious and imminent danger. In such circumstances they will not be subject to any detriment.
- 2.19 *Staff must **not** physically intervene in disputes/fights between offenders. Staff primary*

action is protecting the safety of themselves, colleagues and others in the vicinity by clearing others from the immediate area, seeking a safe refuge for themselves and others and calling for Police assistance.

- 2.20 NPS recognises that on the very rare occasions where a staff member is being physically attacked (or reasonably believe they are about to be attacked) or are being prevented from leaving an area (and reasonably believe their immediate personal safety is at risk), staff are entitled by law to use such force as is necessary to defend themselves or others and create a window of opportunity to escape.
- 2.21 *However the use of physical force **must** always be justified in its application (i.e. necessary, proportionate and reasonable in all circumstances as the member of staff saw them) and for self defence or the defence of others (never for retribution or retaliation). NPS will support any staff who act in an appropriate manner in accordance with this policy and their training but any unjustified use of force may result in internal disciplinary action and/or legal action being taken against them by the injured party.*

Post incident support

- 2.22 *Managers must ensure that staff affected by a violent or aggressive incident, receive immediate sympathetic support. This may include providing reassurance, de-briefing and/or allowing an immediate short period of time away from the workplace to recover.*
- 2.23 *In cases of actual physical assault, managers must ensure the following actions are taken:-*
- *appropriate treatment of injuries is given to the assaulted member of staff by a first aider or emergency services;*
 - *where the injuries suffered are serious enough (or where the assaulted staff member wishes to), the assaulted staff member is taken to Hospital as soon as possible;*
 - *an assaulted member of staff attending Hospital must be accompanied (by a member of staff if a relative or friend can not be arranged to accompany them);*
 - *the taking of photographs of injuries must be considered/offered as it may help with any police prosecutions etc in the future*
 - *the relevant Senior Manager is informed as soon as possible.*
- 2.24 *Senior Managers are expected to participate in the support of staff in more serious incidents. This may include more formal debriefing, arranging time off work (see below), or arranging access to formal counselling available via the Employee Assistance Provider.*
- 2.25 *Managers must ensure that where an affected member of staff is unable (or unwilling) to remain at work, they are able to get home safely, for example by arranging for them to be collected by a relative or friend or to be taken home by another member of staff or by taxi. Dependant on the severity of the incident and the individuals wishes, if they are returning to an empty house, another member of staff must remain with them for a period of time.*
- 2.26 *NPS will encourage prosecution in all cases of actual physical violence.*

Reporting incidents of violence and aggression

- 2.27 *All staff must report incidents of violence in accordance with PI 13/2015 Health and Safety Arrangement for the Management of Accident Reporting, Recording and Investigation.*
- 2.28 *Staff should report every incident where offenders or members of the public are abusive, aggressive, intimidating or threatening. However it is appreciated that some offenders routinely swear or appear aggressive without intending to insult, offend or threaten and that staff do not necessarily feel threatened or offended by such individuals. Notwithstanding*

that any aggression or swearing directed towards staff is unacceptable, NPS accepts that on such occasions staff are reluctant to report these as violent incidents and that the time demand would be disproportionate to any benefits reporting such incidents would provide to the safety management system.

- 2.29 *Staff may therefore use individual discretion to determine the nature of the incident and whether it requires reporting but must always report incidents:-*
- *that exceed their personal tolerance threshold;*
 - *where abuse or threats are personally directed at them or another employee;*
 - *the intention was to insult, offend or threaten the staff member and;*
 - *any occasion of physical assault (which includes low level physical contact during an aggressive outburst e.g. poking a finger in the chest, pushing etc.).*
- 2.30 *Managers must investigate all reported incidents of violence and as required implement any remedial additional control measures in accordance with PI 13/2015 Health and Safety Arrangement for the Management of Accident Reporting, Recording and Investigation.*
- 2.31 *Specifically managers must ensure that following incidents of offender(s) violent behaviour, the relevant offender risk management strategy is reviewed and revised as necessary, and the appropriate flags added to the relevant Delius and Oasys records where appropriate.*
- 2.32 *Managers must also ensure that in premises operated on a shared basis with other organisations (e.g. CRCs), information related to such incidents is shared with the other organisation where necessary to minimise risks.*

3. Policy and strategic context

- 3.1 This Instruction is one of a number of Probation Instructions (PIs) which forms part of NPS Health and Safety Management Arrangements as required by the Health and Safety at Work Act and subsidiary legislation.
- 3.2 Specifically, this PI aims to clarify roles and responsibilities for managers and staff in minimising the risks of violence and aggression, responding to incidents and managing post incident support.
- 3.3 It is a legal requirement for these arrangements to be brought to the attention of all NPS employees.