

## **PERSONAL SAFETY AT WORK POLICY AND PROCEDURE**

**EXECUTIVE MEMBER:** Councillor Peter Kane  
**LEAD OFFICER:** Julie Betteridge, Head of Customer and Community Services  
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### **WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS?**

The Council has a duty to ensure the personal safety of its staff and members whilst on Council business. This in turn assists staff to be best able to undertake their role and responsibilities in delivering services to residents safely.

### **WHY HAS THIS REPORT COME TO THE EXECUTIVE?**

The Executive is being asked to agree a policy and procedure on personal safety at work for both staff and members as part of the Council's health and safety programme.

### **RECOMMENDATION:**

**That Executive**

- a) adopt the personal safety policy and procedure set out at Appendix A in readiness for implementation in March 2015;**
- b) agree the revised cautionary register arrangements for implementation by April 2015;**
- c) note the commitment to a cyclical training for staff and members on personal safety and cautionary register requirements as part of the corporate health and safety training programme; and**
- d) note the linked social media guidance and code of conduct for i) staff and ii) members will be brought to Executive separately.**

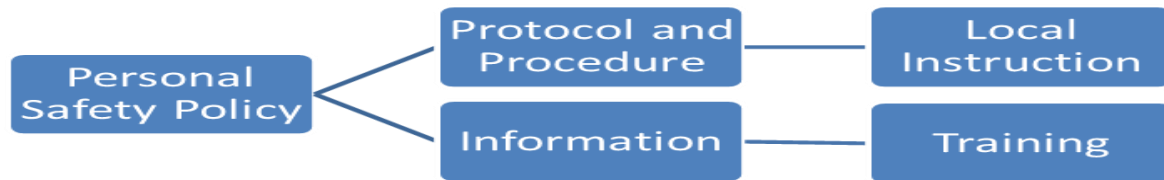
## **1. INTRODUCTION**

- 1.1 The Health and Safety at Work etc Act 1974 (HASAWA) is the primary legislation covering occupational health and safety in Great Britain. The act enables implementation of subsidiary legislation e.g. The Management of Health and Safety at Work Regulations, which provide guidance on how to implement the requirements of HASAWA. The Health and Safety Executive, with local authorities (and other enforcing authorities) is responsible for enforcing the Act and a number of other Acts and Statutory Instruments relevant to the working environment.

- 1.2 As an employer, Copeland Borough Council aims to continually improve health and safety performance by developing systems to promote healthy working and to minimise where practicable the risk to people's health and wellbeing which may be affected by the activities of the Council. Council H& S framework
- 1.3 There has been an increase in the number of incidences impacting on the personal safety of the Council's staff whilst working on Council business. The development of a specific policy and procedure setting out the Council Policy and corporate and consistent procedures on personal safety for both staff and members is a direct response to this.
- 1.4 The Personal Safety Policy and Procedures set out in this report have been developed with involvement of Council Services and the Police as a key partner.
- 1.5 The legislation places a duty on employers to ensure as far as is reasonably practicable, the health, safety and welfare of employees and employers must appoint someone competent to help meet health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to manage health and safety. The Council employs a Corporate Health and Safety Advisor whose responsibility is to provide managers with appropriate advice on current health and safety legislation and on how to implement measures which will ensure, so far as is reasonably practicable, the safety of employees and elected members whilst at work. This officer also has a responsibility to bring to the attention of the Council any matters or concerns that may result in injury, harm or a breach of legislation.
- 1.6 The Council has had a Cautionary Register for a number of years. We have taken the opportunity to review the benefit of the register and update the procedures as part of the personal safety at work policy development.

## **2. PROPOSALS**

- 2.1 The policy addresses all of the core issues around personal safety at work and addresses issues faced by all staff in all work circumstances and environments including whilst at work and outside of work where the issues are work related. The policy will enable procedures, protocols, instructions and training to be implemented which are necessary to prevent and reduce the risks of abuse and violence to staff whilst carrying out work on behalf of Copeland Borough Council. The Policy demonstrates compliance with The Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. To simplify;



2.2 Personal Safety issues apply to everyone who is required to carry out tasks on behalf of Copeland Borough Council and to incidents which occur during and outside of working hours where the cause is directly linked to the job /role of the employee or elected member. Violence and aggression at work can be more than just physical assault; it also includes verbal aggression, bullying, abuse, threats, intimidation and harassment. The abuse may be verbal written, person to person, or via publication on social media sites. The effect of abuse, threats and violence at work can be stress, depression as well as physical injury and inevitably results in a cost to the company. The cost may be manifest in time away from work or litigation i.e. compensation claims.

2.3 The Personal Safety at Work Policy applies regardless of where abuse is generated; i.e. whether it is from an external source, (customers, members of the public) or from internal sources (colleagues, elected members or visitors to the council). The following documents support this policy;

- *Protocol on Member/Employee Relations;*
- *Code of Conduct for Members and Co-opted Members of the Authority*
- *Employees Code of Conduct*
- *Lone Working Procedure*

All of these HR related documents referenced are based on respect and the promotion of equality which is very much implied in health and safety legislation.

2.4 Roles and responsibilities have been clarified within the document from Corporate Leadership through all levels of management and employees. The document requires:

- Provision of resources and funding necessary to ensure safety;
- That we all act in a professional manner towards all of the people we interact with including; members of the public and each other;
- All levels of management support and implement the policy;
- Employees, management and H.R will record, report and investigate all incidents and complete any actions identified to prevent reoccurrence.

- 2.5 Successful implementation of this policy and associated documents will require a commitment from Corporate Management to support training for elected members and staff in Data Protection and other general training which will be department specific e.g. dealing with conflict, terminating abusive telephone calls. There is a commitment to training as part of the annual corporate training programme on health and safety matters. The training for members will be picked up through the Members Development Panel.
- 2.6 The policy allows scope for local arrangements. The policy highlights these should be as an outcome of risk assessment and are specific to a particular task or group of people. Local arrangements should be compiled by the people most involved in the task: operatives/officers, line managers and where appropriate the Council's Health and Safety Officer. Once the arrangement has been compiled and agreed then the documentation will be held and delivered within the Personal Safety at Work policy and procedures and monitored as part of this.
- 2.7 Reporting on personal safety at work incidents through this policy and procedure will use the templates and process set out in Appendix A. Managers and Heads of Service will be responsible for escalating reporting through the corporate system as necessary and in line with the policy. Corporate Leadership Team will receive monthly exception reporting as part of the health and safety reporting and the quarterly health and safety report to Executive will report on personal safety at work in line with the policy and procedure.
- 2.8 The policy has been developed with active Police involvement in the working group to ensure consistency in working with the Police on personal safety matters and incidents. The policy provides clarity on how and when to request police assistance; the discussions have provided an opportunity for a good working relationship with the police and the opportunity for local training and advice. The police have shared with us their "Online Code of Conduct" which provides an excellent basis for our approach to use of social media in relation to our work and personal safety.
- 2.9 The Cautionary Customer Register has been in existence within the council for some years. However the system has not been regularly reviewed or updated and was therefore not compliant with Data Protection legislation. The system has now been reviewed and the procedure for use has been updated to;
- Reduce the number of people who can access the information
  - Provide guidance on the extent of access e.g. administration or read only.
  - Include a requirement for all users to complete training in Data Protection as a condition of access.

- 2.10 Training for this policy implementation will be led by the Corporate H&S Advisor and will be part internal and part external delivery. Liaison with the Police and NHS, as well as research, has provided reliable local links for cost effective training in all areas related to the Policy and procedure. The Policy formal mandatory safety training and induction, both of these topics will be addressed as part of the implementation plan. An outcome of this policy implementation will be an improvement to the training needs analysis process and enable specific task related training health and safety requirements to be identified for specific departments within the council. We have already identified some local reliable and competent training organisations which are also cost effective and can deliver more general safety training.
- 2.11 The Customer Services Strategy is currently being reviewed and will be refreshed in the next six months. The implications of the personal safety at work for staff and members will be addressed more clearly through the revised customer services strategy particularly relating to behavior and respect expectations to and from customers and stakeholders of the Council.
- 2.12 An implementation and action plan has been included at Appendix C. This requires the necessary resource and funding is available to ensure that the policy and refreshed Cautionary Register are in use by April 2015. This is a working plan and more details training and briefing for relevant staff and members will be added over the next three months. We do need to begin the implementation process as soon as possible.

### **3. ALTERNATIVE OPTIONS TO BE CONSIDERED**

- 3.1 The alternative option is to do nothing. This is not considered a viable option at this stage as this will a) leave staff and members vulnerable with no clear and consistent approach from the Council on ensuring staff and members are able to seek assistance when their personal safety whilst on Council business is threatened or affected, and b) not support the Council in providing consistency in its co-ordination, records and work with key partners such as the Police on personal safety of its staff and members.

### **4. CONCLUSION**

- 4.1 The Council has a commitment to look after the safety and welfare of its staff whilst on Council business. The Personal Safety at Work Policy and Procedure at Appendix A provides an important addition to the Council's current package of health and safety at work policies and procedures. The Executive is requested to adopt the policy and procedure as set out in readiness for implementation in

March 2015. The Policy requires the full cooperation of all involved and this will be obtained through the implementation plan attached at Appendix C.

- 4.2 The Council has been operating a Cautionary Register which has recently been reviewed with the amended arrangements now being brought to the Executive for agreement. These are attached at Appendix B and will update current arrangements and ensure the Council has an updated tool to ensure staff and members can be informed effectively to enable effective risk management arrangements whilst dealing with customers on this register. This updated arrangement is planned for implementation by April 2015.
- 4.3 Personal Safety at Work will be formally added to the cyclical training for staff and members and Executive are requested to note this corporate commitment to training as part of the health and safety training programme co-ordinated by the Council's Health and Safety Officer for staff and the Member Development Panel for Members.
- 4.4 Staff and members have also been subjected to social media activity which is the subject of a new linked social media guidance and code of conduct for staff and members separately currently being drafted. Executive are asked to note this activity and the plan to bring this guidance and code of conduct to a future Executive meeting.

## **5. STATUTORY OFFICER COMMENTS**

- 5.1 The Monitoring Officer's comments are: No Comment
- 5.2 The Section 151 Officer's comments are: No Comment
- 5.3 EIA Comments: The Council has commitments to the safety and welfare of its staff. Personal safety for individuals, teams and particular work activity is supported by risk assessments which pick up specific equality issues as needed and required.
- 5.4 Policy Framework: All staff and members are engaged in delivering the Council Corporate Plan priorities to customers and working with a range of stakeholders to this end. This is supported by a corporate commitment to ensure personal safety is a priority for staff and members whilst on Copeland Borough Council business.
- 5.5 Other consultee comments, if any: Council services and the local Police were active in the development of the Policy and Procedures set out in this report.

**6. HOW WILL THE PROPOSAL BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?**

6.1 The implementation plan will be project managed by the Council's Health and Safety Officer. The working group will continue to meet during the implementation phase with a senior officer, the Head of Customer and Community Services, chairing the group and link with services to put in place local arrangements as needed.

6.2 The Council will continue to use HR systems and performance management systems in delivering and managing incidents. The use of risk assessments for individuals, team, work areas and strategically is well embedded in the Council with regard to health, safety and welfare of staff.

**7. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?**

7.1 This policy and procedure will ensure a consistent and co-ordinated approach to personal safety of staff and members whilst working on Copeland Council business. It will support staff in their registering of incidents and concerns relating to their personal safety whilst at work.

**List of Appendices**

Appendix A: Personal Safety at Work Policy and Procedure

Appendix B: Cautionary Customer Registration Procedure

Appendix C: Implementation Plan

**List of Background Documents:**

Health and Safety Legislation and Working Group papers.

Appendix A

**Extract from Agreement:**



10        **Reserved Matters**

10.1      The following Reserved Matters shall (without limitation) require the unanimous written agreement or consent of the Parties (at their absolute discretion):

- a        any variation of this Agreement;
- b        any material variation of the Directions or rules of procedure of the Project Board;
- c        any Directions to the Project Board;
- d        the type of activities to be carried on as part of the objective of the Community Fund under clause 3(b) of this Agreement;
- e        any proposal for the transfer of any of the assets of the Community Fund save by way of grant, loan or payment as a distribution pursuant to clause 5.3;
- f        any decision to invest more than 10% of the funds of the Community Fund in a single investment category;
- g        any decision to permit a Party or a Project Board Member to keep a material benefit;
- h        any decision as to the transfer of the balance of the Community Fund or its investments on the termination of this Agreement or the winding up of the Community Fund;
- i        any decision to transfer any of the assets in which the Community Fund is invested other than in accordance with clause 6;
- j        any power to permit the Project Board to further delegate its functions;
- k        any appointment or removal of an Independent Project Board Member;
- l        any other matter which any Party acting reasonably and in the spirit of cooperation enshrined in this Agreement certifies in writing to be of fundamental importance to it in relation to the operation of the Community Fund. If any other Party objects to such a certification, the matter shall be resolved in accordance with clause 16.

# Personal Safety at Work Policy

August 2014  
Version 2  
S Graham

**Policy Aim:**

The Policy demonstrates compliance with The Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. The legislation places a duty on employers to; ensure as far as is reasonably practicable, the health, safety and welfare of employees.

The policy and associated procedures and protocols will provide information necessary to prevent and reduce the Personal Safety risks to staff whilst carrying out work on behalf of Copeland Borough Council.

Definition of work related abuse;

- a) "Any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work". (H.S.E.).
- b) Deliberate damage to property and or equipment belonging to Copeland Borough Council or their employees.

Violence and aggression at work can be more than just physical assault; it also includes verbal aggression or abuse, threats, intimidation and harassment. The abuse may be verbal written, person to person, or via publication on social media sites.

**Introduction;**

The Council is committed to the belief that every employee has the right to work without fear of violence, threat, harassment or verbal abuse. Our aim is to prevent, where possible, violence and aggression occurring in the work environment and to take action to deal with any incidents should they arise, by supporting employees and dealing firmly with the perpetrator.

Aggression and violence against employees will not be tolerated and all reports of abuse will be investigated and the appropriate action taken to prevent re-occurrence. Copeland Borough Council has several options available to deal with such incidents including instigation of prosecution of those persons responsible.

**Scope of policy;**

This policy applies to all people required to carry out tasks on behalf of Copeland Borough Council including; direct employees, agency staff, contract workers, elected members and volunteers. The Policy will apply when staff travels as part of their role for meetings, training or to implement duties on behalf of the council.

The policy applies; to incidents which occur during and outside of working hours where the cause is directly linked to the job /role of the employee for example; an Enforcement or Planning Officer who lives in the area they cover for work may be targeted when off duty by a member of the public who has disagreed with their decisions. If the reason they have been subjected to violence, aggression, abuse or threats is due to their work then this is within the scope of this policy.

The policy will apply when Social Media sites are used to publish abusive, aggressive or threatening comments targeting Copeland Borough Council employees or Elected Members and the reason they have been targeted is due to their work.

This policy also applies regardless of where abuse is generated; i.e. whether it is from an external source, (customers, members of the public) or from internal sources (colleagues, elected members or visitors to the council).

### **Exemptions;**

The policy does not apply to incidents of a domestic nature i.e. where two workers have a dispute over something not connected with work which results in conflict at work. Matters of a domestic nature must be dealt with outside of the work place; otherwise managers should treat these incidents as separate issues which may involve the Human Resources department.

### **Lone Working;**

Where staff may be required to work without close or direct supervision; in remote locations, unaccompanied, travel alone or to visit clients in their homes, Managers and Supervisors must carry out a risk assessment and ensure that controls are in place to reduce the risks to lone workers. Employees have a responsibility for their own safety and must understand and follow the outcomes from risk assessment; they must also assess each situation dynamically i.e. look for changes and revise their situation accordingly. For more details see; "Lone Working Procedure" (Health and Safety documents Intranet). .

### **Responsibilities;**

#### The Corporate Leadership Team;

As employers under section 2 of the Health and Safety at Work Act 1974; the Corporate Leadership Team has overall responsibility for the safety and safe working conditions of employees (direct and indirect) and others who may be affected by the work undertaken by Copeland Borough Council. Awareness of personal safety incidents, scale and impact will be monitored monthly and quarterly within the health and safety reporting framework.

To that end adequate resources and funding must be provided for instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees".

#### Managers and Supervisors must;

- Support and enforce the use of Health and Safety Policies and Procedures
- Carry out risk assessment at a local level and record any significant findings
- Put in place any controls necessary to ensure personal safety of employees.
- Put in place a protocol for dealing with threats to personal safety of staff. (see appendix 2)

Managers should inform H.R. immediately of;

- Serious incidents which may result in time away from work for employees.
- If relatives need to be informed that employee has been injured and may require assistance at home.
- If employees are to be admitted to hospital.
- If threat to personal safety of employee is from an internal source e.g. a colleague
- If disciplinary action is to be taken in relation to the incident

The “Risk Assessment Procedure”, published on Copeland Council Intranet should be followed and where risks are identified the assessment must be recorded, reviewed and updated appropriately.

Practical help, advice and training can be provided by the Corporate Health and Safety Advisor.

Employees have a responsibility;

- For themselves and others to follow procedures and instructions
- To co-operate with management to enable compliance with health and safety legislation.
- To report all incidents of abuse using the process set out in the incident report form.
- To inform managers or supervisors immediately of any work situation which might present a serious and imminent danger?
- To cooperate fully with management during investigation of incidents.
- To attend and actively take part in any training provided for safety
- Report any hazards or shortcomings in the health and safety arrangements, even when no immediate danger exists, so that remedial action can be taken if needed.

Failure to comply with arrangements for Health and Safety will be viewed very seriously and may result in disciplinary action.

The Corporate Health and Safety Advisor;

- Provide advice and assistance to staff to ensure that UK Legislation is upheld.
- Regularly update and monitor the Accident and Incident reporting database on Covalent.
- Ensure that the records on Covalent conform to current Data Protection Legislation
- Review all incident reports following the Managers initial investigation.
- Depending on severity and circumstances of the incident may initiate further investigation.

- Ensure that all significant incidents are reported in a timely manner to a Senior Management
- Where necessary the Safety Advisor in liaison with Senior Management will make any appropriate notification of incidents to the Health and Safety Executive or other appropriate legislator.
- Review and update the Cautionary Register to enable recording of appropriate information pertaining to people who are abusive or threatening to staff. The information will be used as part of a risk assessment to pre-warn staff who may be required to deal with those people at a future date.

#### Human Resources (H.R.):

H.R. will make provision for Personal Safety and Conflict training for all staff and specialised training for specific groups.

Appropriate, arrangements for specialist counselling for affected staff will be implemented via the Human Resources team.

- This policy should be included in all induction packs for new employee's#
- HR will be informed by line managers of any reported incidents (see manager's role)
- HR must inform the Corporate Safety Advisor of all incidents reported to them
- HR will report to CLT on regular basis re personal safety

#### **Reporting incidents;**

##### Employees must;

- Report all incidents, of abuse to their Manager or Supervisor as soon as is practicable following an incident.
- Where directed by managers record all incidents on the daily log sheet including date and time reported to manager (see appendix 4)
- Download and complete the incident report form available from the Intranet.
- Transfer the completed form to line manager before end of shift for investigation and signature.

#### **Categories of incidents;**

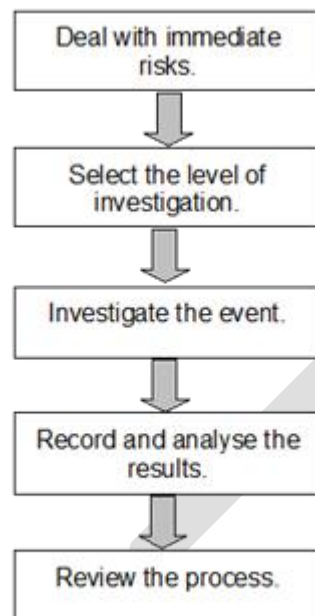
Minor e.g. brief verbal abuse, raised voice, leaving interview before conclusion.

Serious e.g. prolonged verbal abuse, threats to harm, emotional distress, refusal to leave premises.

Major e.g. physical attack to employees or others present, injury,

Fatal e.g. death

## Investigation of incidents;



### Minor incident;

Managers/Team Leaders must complete a minimal investigation of all incidents and record the findings on the Incident Report form.

An example of a minimal level investigation;

- The relevant supervisor will look into the circumstances of the event and try to learn any lessons which will prevent future occurrences
- The manager of the employee will check the report, add appropriate comments /information and sign and date the document.
- The completed form must then be forwarded to the Corporate Health and Safety Advisor within 24 hours.

### Serious incident;

The H&S Advisor and Senior Manager must be informed immediately, where appropriate the Corporate Health and Safety Advisor will;

- Undertake a comprehensive investigation in accordance with the severity of the incident
- Record the findings of the investigation on Covalent
- Analyse and trend incidents to provide quarterly report to management.
- Inform Senior Management of any potential consequences; e.g. reporting to HSE under The Reporting of Diseases and Dangerous Occurrences Regulations 2013.

Actions may include;

- Inclusion of abusive person details on cautionary register (see appendix 3)
- Informing the Police and potential prosecution
- Controlled access to Copeland Council premises
- Prohibit access to Copeland Borough Council buildings
- Review and potential withdrawal of support

Any action taken will be communicated to the perpetrator by the Copeland Borough Council legal department who will take account of relevant policies and strategies approved by the Corporate Leadership Team.

Employees who report abuse will be provided with feedback on the outcome of any investigations by their line manager.

#### Major Incidents:

Definition of a major injury/ill health: includes fractures (other than fingers or toes), amputations, loss of sight, a burn or penetrating injury to the eye, any injury or acute illness resulting in unconsciousness, requiring resuscitation or requiring admittance to hospital for more than 24 hours.

This category of incident must be dealt with as follows;

- Make the situation safe and prevent further injury.
- Help, treat and if necessary rescue injured persons.
- Preserve the scene of the incident so far as is possible
- Reported immediately to Senior Management, who will be required to attend the scene and begin the investigation.
- Major incidents will be investigated by a team including Health and Safety Advisor, Executive Manager, an independent member.

#### Fatal Incidents:

All incidents involving a fatality must be reported immediately to;

- The police,
- Health and Safety Executive; (fatal and specified injuries only. Call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).
- The most senior Manager available
- Corporate Health and Safety Advisor

The scene of the incident must be preserved for police examination.



**Review;**

This is a working document and will be regularly reviewed, updated and changed if appropriate to ensure its effectiveness. A review will be carried out every two years, when there are changes to legislation or when there are significant changes to the way we work.

Links to Associate H.R. Documents;

[http://intranet.copeland.gov.uk/sites/default/files/attachments/disciplinary\\_policy\\_procedure.pdf](http://intranet.copeland.gov.uk/sites/default/files/attachments/disciplinary_policy_procedure.pdf)

[http://intranet.copeland.gov.uk/sites/default/files/attachments/riskassessment\\_pap\\_hsy\\_200913.pdf](http://intranet.copeland.gov.uk/sites/default/files/attachments/riskassessment_pap_hsy_200913.pdf)

Instruction for when to involve the Police

**Remember to prefix all outside lines with the number 9  
(i.e. for emergency services dial 9 999)**

**999** - You should use these numbers if:

- A crime is happening right now.
- Someone is in immediate danger, or there is a risk of serious damage to property.
- A suspect for a serious crime is nearby.
- There is a traffic collision involving injury or danger to other road users.
- Actual attack or harm
- Threatening behaviour
- Social Disorder

**101**- You should use these non-emergency numbers to:

- Report a crime **not** currently in progress - for example a stolen car, burglary, or damaged property.
- Report a minor traffic collision.
- Give information to the police about crime in your area.
- Speak to the police about a general enquiry.
- Contact a specific police officer or member of staff.

Hate crime is any crime that is targeted at a person or group of people because of prejudice or hostility about:

- Race - including culture, nationality and language
- Religion and belief
- Sexual orientation
- Transgender identity - including anyone who is transsexual, transgender, transvestite or who holds a Gender Recognition Certificate
- Disability - including physical or mental impairment, or learning disabilities

The police will treat hate crime as a priority. The courts can also impose a more severe sentence than for a similar crime with no hate motive. If you think you've been a victim of hate crime, you should report it to the police as soon as possible. Some police forces have dedicated officers to deal with particular types of hate crime

Local Arrangements to Implement Health and Safety Procedures

Policies and Procedures relative to the Health Safety and Welfare of Copeland Borough Council employees will be approved by senior management according to their priority.

Policy documents will be approved by the Corporate Leadership Team; Procedures to implement the policies will be endorsed by the Leadership and Management Group.

Local arrangements and instructions are generally an outcome of risk assessment and specific to a particular task or group of people, they should be compiled by the people most involved in the task i.e. Operatives/Officer, line managers and where appropriate the H&S Advisor. Once the arrangement has been compiled and agreed then the documents should be copied to H&S and CLT should be advised.

The appropriate users should be briefed and copies made available on the intranet with the associated Policy document. The controls implemented should be appropriate and proportionate to the circumstances and tasks being undertaken and approved by departmental managers in discussion with the H&S Advisor.

Authors of Local Arrangements /Instructions should ensure;

- Documents are written and approved by Managers with input from their team
- Include references to the appropriate procedure and/or policy document as well as the recorded risk assessment.
- The document are brief, concise and comprehensible
- Are made available via Intranet to all affected employees
- Documents are briefed to all affected employees and an opportunity provided to question and understand the content and how to follow the instructions
- Any arrangements for specific training are included
- Implementation and effectiveness of the instruction is monitored
- Documents are reviewed and updated appropriately.

There are several sources available for advice and information when identifying controls to reduce the level of risk relative to identifiable hazards including; Corporate H&S Advisor, Partnership groups e.g. LMAPS, Police and Shop-watch Radio response.

### Cautionary Customer Register

The Cautionary Customer Registration conforms to the Data Protection legislation and is designed to provide accurate information to departmental managers with regard to people who have previously or have the potential to put council employees at risk.

The information is confidential and should only be used in conjunction with a specific risk assessment to identify appropriate controls to minimise risk to staff when they are required to deal with potentially aggressive customers.

Access to the information must be authorised by the Senior Manager responsible for the system and will be restricted to Managers and Team Leaders who are trained and understand the Data Protection Legislation.

**The Cautionary Register will contain:**

- Customer details
- Any associated addresses
- Any associates in attendance with the customer
- Registration details (date, summary of risk)
- Recommended precautionary measures

Department Managers should check the Register on a daily basis to ascertain whether work planned for that day includes interface with any individuals named on the register. Information on any special precautions should then be provided to the appropriate member of staff for inclusion in their work plan

Please see “Cautionary Customer Registration Procedure” for more details.

## Appendix 4

### Daily log sheet

**To be completed as directed by line management**

Day	Date	Location	Team members	Team Leader/Manager

[illegible]

<b>Date/Time handover</b>		
<b>Location</b>		
<b>Employee</b>	Print name;	Sign;
<b>Manager</b>	Print name;	Sign;
<b>Comments</b>		

# Cautionary Customer Registration Procedure

DRAFT

Version 1  
April 2014  
S Graham

## **Introduction;**

Copeland Borough Council (CBC) has a general duty under the Health and Safety at Work etc. Act 1974 to ensure, so far as it is reasonably practicable, for the health, safety and welfare at work of their employees.

The Management of Health and Safety at Work Regulations 1999 (MHSAW) requires employers to consider the risks to employees (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this.

In compliance with the requirement for Risk; when staff carrying out their work experience abusive or threatening behaviour from customers or clients the incidents must be reported to Management and investigated.

The outcome of the investigation will determine whether information pertaining to the offenders will be recorded on the Cautionary Customer Register and the controls put in place to protect staff.

The register provides a formal process which in conjunction with risk assessment will:

- Enable the creation of the register which will contain details of people who are known to be aggressive, violent or unpredictable in their behaviour.
- Provide secure access to the information for authorised personnel
- Provide guidance on who should be excluded from Council premises because of their aggressive behaviour towards council employees.
- Provide appropriate guidance for employees who may be required to interview customers who have been identified as potentially violent or unpredictable.

This Cautionary Customer Registration facility is designed to provide accurate information to departmental managers with regard to people who have or have the potential to put council employees at risk.

The information is confidential and should only be used to enable appropriate risk assessment and identification of controls to minimise risk when staff are required to deal with potentially aggressive customers.

## **Roles and Responsibilities:**

### **Management of Register (Senior Manager);**

A Senior Manager should be appointed as the person responsible for the management and maintenance of the register and must regularly check that;

- The system conforms to the Data Protection legislation
- Access to the information is restricted to authorised people only
- Authorised users are trained and understand the Data Protection Legislation
- The information is regularly updated and where appropriate information no longer relevant is removed.

### **Managers/Supervisors;**

Managers are responsible for the safety of their teams and should ensure that risk assessment is in place for aspects of the work which could expose employees to risk of harm including dealing with aggressive customers.

Managers and Supervisors should be provided with access to the Cautionary Register which will enable them to input details of customers and clients who have;

- Demonstrated aggressive or violent behaviour towards council staff
- Demonstrated aggressive or violent behaviour towards employees of other recognised agencies
- Been identified to managers by other agencies of having violent or unpredictable behavioural tendencies

Managers must regularly update the information on the register to ensure that it is current and comprehensive.

### **Corporate Health and Safety Advisor;**

The Corporate Health and Safety Advisor will provide help and guidance on risk assessment and implementation of controls pertinent to the information available on the register.

Training in Personal Safety at Work will also be provided where requested and appropriate.

### **Monitoring and Review;**

The register must be regularly reviewed to ensure it contains accurate information and that the system is being accessed and used appropriately.



## **Procedure Summary**

Notices will be displayed at each Copeland Borough Council reception stating that abusive behaviour towards staff will not be tolerated.

People who display aggressive or violent behaviour or who appear to be under the influence of alcohol or drugs will not be provided with services. They will be asked to leave the premises and if necessary the police will be called to assist

Where employees are subjected to aggression, threats or abuse their details must be recorded on the Cautionary Register and subsequent actions may include;

- Letter to customer
- Special interview precautions
- Access to council premises prohibited
- Refusal of home visits by council staff
- Legal Action
- Police involvement
- Withdrawal of support
- Injunction.

### **The Cautionary Register will contain:**

- Customer details
- Any associated addresses
- Any associates attending with the customer
- Registration details (date, summary of risk)
- Recommended precautionary measures

Department Managers should check the Register on a daily basis to check whether work planned that day includes interface with any individuals named on the register. Information on any special precautions should then be provided to the appropriate member of staff for inclusion with their work plan.

### **Daily;**

- Check the Cautionary List
- Provide advice on precautions required for meetings
- Do not meet the customer alone
- Do not meet in the customer's home
- Choose the interview room carefully
- Consider whether Police officer presence is necessary

If the provisions in the plan cannot be achieved, the meeting should not go ahead until suitable arrangements are in place and the customer thus informed.

**Cautionary Register Incident Report**

This information contained within this document is confidential and available to authorised people only. The information is subject to the Data Protection Freedom of Information Act.

Please provide the following information and if necessary sign and attach any extra sheets.

Date..... Time ..... Reported

By.....

Location

.....

Person/people involved

.....

.....

Member of staff

affected.....

Details of witnesses

.....

.....

.....

**Type of incident** (Please circle or highlight any relevant aspect(s))

Type of incident	No. people involved	Comments
Customer to customer		
Customer to staff		
Several customers'		
Property damage		
Racism		
Verbal threat		
Verbal abuse		
Physical threat		
Physical attack		
Physical damage		

Did you feel threatened or vulnerable because of the incident?

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**PRE-INCIDENT**

How did the incident begin?

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**THE INCIDENT**

What actually happened and who was involved?

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**POST - INCIDENT**

What happened afterwards?

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Is there anything you might recommend to help prevent a re-occurrence?

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**Immediate action by Line Manager**

a) In relation to the customer

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b) In discussion with relevant staff:

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c) Add details to Cautionary Register Yes / No

d) Signed (Manager): \_\_\_\_\_ Post: \_\_\_\_\_  
Head of Service: \_\_\_\_\_  
Date: \_\_\_\_\_

Action taken against perpetrator	Yes	No
Letter to customer		
Special interview precautions issued		
Access to Council offices prohibited		
Refusal of out of office service		
Legal action		
Police involvement		
Withdrawal of support		
Injunction		

Action taken in regard to employee	Yes	No
Staff counselling		
Leave of absence		
Further training		
Medical consultation		
Specialist advice		
Mentoring		
Facility improvements		

NB – This form must be retained securely for future use.

	<b>POLICY IMPLEMENTATION PLAN: PERSONAL SAFETY AT WORK</b>			
<b>Title</b>	<b>ACTION</b>	<b>BY WHO</b>	<b>Target Date</b>	<b>Date complete</b>
<b>CLT</b>	Present Personal Safety at Work Policy to CLT for approval	JB/SG	03/09/2014	03/09/2014
<b>LMG -</b>	Provide brief to LMG on purpose of document	JB/SG		05/11/2014
<b>H.R</b>	<ul style="list-style-type: none"> <li>Discuss improvement of communication between H.R. Corporate Safety and Line Management re incident reporting</li> <li>Discuss training implications for compliance with policy document + Data Protection</li> </ul>	JB/SG/ZP	30/09/2014	10/09/2014
<b>Democratic services</b>	<ul style="list-style-type: none"> <li>Discuss links to Members</li> <li>Identify any training necessary</li> </ul>	SG/LT	30/09/2014	04/09/2014
<b>Executive</b>	Present Policy and arrangements for implementation	JB/SG		21/10/2014
<b>Employees</b>	Publish policy and communicate to all departments	SG		30/10/2014
<b>Cautionary Register</b>	<ul style="list-style-type: none"> <li>Contact departmental managers with regard to access to register</li> <li>Complete Cautionary Register review</li> <li>Brief teams</li> </ul>	SG		<ul style="list-style-type: none"> <li>Complete</li> <li>Complete</li> <li>TBA</li> </ul>
<b>Training Plan</b>	<ul style="list-style-type: none"> <li>Agree a package of training with H.R</li> <li>Agree training with managers</li> <li>Implement training</li> </ul>	SG		On-going
<b>Briefing Teams</b>	Brief teams on the content and impact of the policy and record feedback	SG/Managers /Team Leaders		TBA