

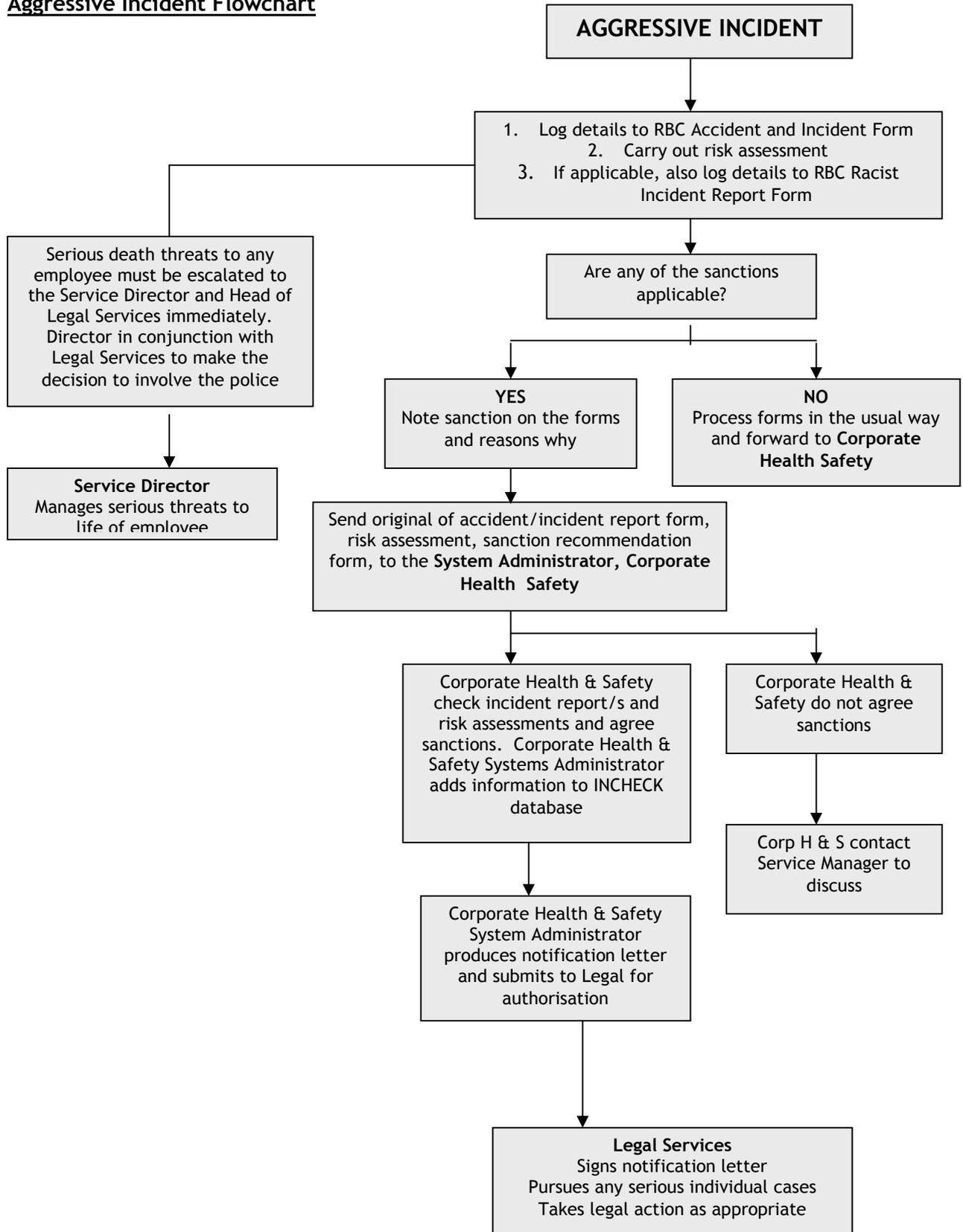
EXCLUSION AND INCHECK DATABASE PROCEDURE

PROCEDURE FOR DEALING WITH AND REPORTING AGGRESSIVE INCIDENTS

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Aggressive Incident Flowchart



STEP BY STEP GUIDE FOR REPORTING AN AGGRESSIVE INCIDENT

Link to online Accident/Incident reporting:

<http://inside.reading.gov.uk/areas/corporateresources/healthandsafety/reportanaccident/article.asp?id=SX9452-A77F99B5>

1. Escalate serious incidents immediately to your Head of Service or Director. Inform the Corporate Health and Safety Manager by telephone or email.
2. If a serious incident occurs report the incident immediately and carry out a mental risk assessment. Ask yourself the following questions - "What are the consequences of not reporting this incident? Will I be putting others at risk? Is this individual a threat to others? If so, advise the Corporate Health and Safety Manager immediately, who in turn will advise the relevant service managers.
3. All serious incidents will be managed and administered by the Director, Legal Services and the Corporate Health and Safety Manager.
4. If applicable, log details on an RBC racist incident initial report form. Form can be located at: <http://inside.reading.gov.uk/areas/corporateresources/healthandsafety/>
5. Risk Assessment - Managers/Supervisors carry out a risk assessment. (See Appendices 1-4 and 9) and at: <http://inside.reading.gov.uk/areas/corporateresources/healthandsafety/>.
6. If appropriate, witness statements must be taken at this time.
7. On completion of the risk assessment decide if any sanctions are applicable.
8. If yes - Complete sanction form (Appendix 6) giving reasons why. Submit copies of the sanction form, incident report and risk assessment to the Corporate Health and Safety Manager/team.
9. If no - Process the form in the usual way by sending a copy of the accident and incident form and risk assessment to the Corporate Health and Safety team.
10. The Corporate Health and Safety Manager will review the forms, risk assessments and evidence. A decision will then be made as to whether a sanction will be applied. If yes - a notification letter will be sent out with copies to the Service Manager and the InCheck Database will be updated. If no - the reasons for this will be sent to the service manager.
11. It is very important that after any incident a debrief session must take place and include the officer involved in the incident. Support and good after care must be offered as appropriate.

NOTE: In special circumstances a customer can be added to the InCheck Database without being notified, e.g. fear of repercussions. A note with valid reasons for doing this must be provided for the record. This decision to be taken by the Service Manager and Legal.

12. If you are unclear on any part of the process please contact the Corporate Health and Safety Team for advice.

Aggressive Behaviour and/or Verbal Abuse/ Assault

Where an individual is threatening an employee, whether face to face or on the telephone, it is acceptable to terminate the interview or put the phone down after giving due warning of your intentions. This includes verbal abuse of an employee on the grounds of their race, gender, sexuality or disability. These incidents must be reported immediately to the manager and the employee who has been assaulted must:

- Be relieved of their duties - in order to recover from the experience where the nature of the assault or effect on the individual requires it and for an appropriate period of time given the specific situation have access to first aid where necessary. If appropriate be referred to hospital. Where he/she suffers shock or injury, the employee must, in any event, consult a doctor as soon as practicable and obtain a written medical statement concerning the injuries.
- Prepare a written statement as soon as possible. Factual written statements must be obtained as soon as possible from any witnesses. All statements must include as much information as practicable about the incident and the background to it.
- If an implement or weapon is used in an attack, this must be retained where possible, providing this can be done without difficulty or risk. Colleagues need to call for assistance immediately if they see an attack taking place.
- Be encouraged to contact his/her trade union for support.

In the event of a deliberate physical assault on an employee, the Service Unit Head, in consultation with the Corporate Health and Safety Manager and Head of Legal Services, must normally consider the access to the service that will be permitted to the individual in the future. The Police must also be called.

1. Purpose Of The Procedure

Council employees have to interface with the public in many areas in order to undertake their work. The Council provides a comprehensive service for its customers. Occasionally, if a customer perceives that this service falls short of what they consider is reasonable, they can become annoyed. The vast majority of customers behave reasonably but occasionally annoyance can lead to abuse, threats and violence.

The Procedure does not attempt to address general measures that must be taken to reduce the risk of violence or intimidation at work, or the issue of risk assessments. Health and Safety Codes of Practice such as Lone Worker and Personal Safety will apply.

This Procedure has been developed to manage contact with customers in public accessible buildings e.g. Civic Offices, Libraries, Leisure Centres, Schools, Community Centres, Residential Units, and where service provision is made to the customer in their own home and is intended to encourage safer working practices for all Reading Borough Council staff, contractors and public callers. It has been developed for the purpose of creating a database of customers who have demonstrated a propensity for violent and/or abusive and/or threatening behaviour. This procedure allows the exclusion of customers from Reading Borough Council buildings or from receiving home service delivery. The names of persons and/or buildings excluded will appear on a single database (InCheck), which makes it clear whether they are in one or both categories. The InCheck Database will enable employees to consider appropriate precautions, whether meeting customers on Council premises, at other locations, or in their homes.

The measures that management must consider to reduce the risk from violence, threats and abuse at work are set out in the Council's Corporate Code of Practice on Personal Safety and Lone Worker. This procedure enhances those Codes in that it allows all Directorates of the Council to share information about customers with a propensity for violent, abusive or threatening behaviour. It also sets out a procedure for excluding customers from Council premises where there is evidence that this is necessary to preserve the health and safety of employees.

The Procedure is designed to protect staff as far as possible by sharing information about individuals who may give cause for concern but not to examine the cause of any individual's behaviour.

The purpose of the recording is to seek to avoid further incidents through the controlled sharing of information that will be used to undertake a better-informed risk assessment of proposed visits by employees.

It is designed to manage the effects of behaviour, with the specific aim of reducing risk. It is therefore important that no information, which is not necessary for the protection of staff, is disclosed. Appendix 10 provides more information on Violent Warning Markers for records.

In the event of a deliberate physical assault on an employee, the Service Unit Head, in consultation with the Corporate Health and Safety Manager and Head of Legal Services, must normally consider the access to the service that will be permitted to the individual in the future.

All Directorates are responsible for putting a process in place to conform to this Procedure.

2. Adding People to the InCheck Database

In order for the Exclusions and InCheck Database Procedure to operate effectively, the following procedure must be followed:

- i) If a member of staff is subjected to violence, threats, intimidation, abuse or any behaviour, which raises serious concerns for any other reason, they must complete a Health and Safety Accident and Incident Report Form giving full details of the incident in line with Corporate Code of Practice, Accident Reporting. If the incident is perceived to be racist, it must also be reported on a 'Racist Incident Initial Report Form' as well as running parallel with this procedure. Alternatively, if relevant information is received about a person via another means e.g. from the Police or another public body, sufficient evidence must be provided to justify inclusion on the InCheck Database.
- ii) If an application is made via an Accident and Incident Report Form, the Service Manager must sign the form; carry out a risk assessment and detail any follow up action in the normal way. If the Service Manager considers the incident sufficiently serious to warrant a sanction being imposed (see Paragraph 3 - Sanctions) he/she must clearly state the sanction they recommend and why on the form. Service Managers must then complete a sanction form. Similarly if an application for sanction is made because of relevant information received from another public body, this information together with any supporting evidence must also be submitted to the Corporate Health and Safety Manager, for the imposition of the appropriate sanction. Only the Corporate Health and Safety Manager, or nominated delegate can authorise the sanctions. The decision whether to exclude or to not exclude an individual or indeed add an individual to the InCheck Database rests solely with the Corporate Health and Safety Manager.
- iii) If the Corporate Health and Safety Manager confirms the action suggested by Service Managers, then an evidence collecting process begins. This includes the drafting of Witness Statements documenting details of relevant incident/s. Where individuals are to be included on the InCheck Database the Head of Legal Services in conjunction with Service Managers will sign off notification letter to the individual concerned. A copy of any correspondence will be stored on the InCheck database.

3. Sanctions

Under this Procedure, those who display unacceptable types of behaviour may face one of the following sanctions (which will result in inclusion on the InCheck Database with an appropriate flag code):

- i) A verbal warning, or a letter warning that their behaviour is unacceptable and inclusion on a database of potentially threatening, violent and abusive customers but no exclusion.
- ii) Exclusion from certain or all Reading Borough Council building or buildings and/or withdrawal of services supplied to the customer/s in their own home. Where it is not possible to withdraw services altogether, services may be restricted to being supplied only by appointment or in the presence of police officer/s and case worker/s.
- iii) Prosecution for any offences that may be committed, e.g. assault
- iv) Anti-social behaviour orders
- v) Injunctions to protect people and property
- vi) See Appendix 5 for further information.

4. The InCheck Database

The InCheck Database will give the names and addresses of individuals, the type of sanction taken against them and when the decision will be reviewed.

The Corporate Health and Safety Team will review the InCheck Database on a monthly basis.

No unofficial lists or databases are to be kept by Directorates.

5. Maintenance of the InCheck Database

The InCheck Database will give the details of the risk assessment: names and addresses of individuals; the warning flag type; the type of sanction taken against them; when the decision will be reviewed.

No unofficial lists or databases are to be kept by Directorates.

All those who appear on the InCheck Database will be informed by letter. In special circumstances a customer can be added to the InCheck Database without being notified; e.g. fear of repercussions. A risk assessment with valid reasons for doing this must be provided for the record. They will also be given the opportunity to discuss the action with an Officer from the Legal Department and can appeal if they are not satisfied.

The entry on the InCheck Database will be reviewed every six months by the Systems Administrator and when the relevant period has elapsed, the Corporate Health and Safety Manager/Team and the Service Area Manager who initiated the action, will liaise to consider if the sanction can be lifted or whether it needs to be extended. Once the decision has been made, the Head of Legal Services will write to the individual informing him/her of this and its implications. The InCheck System Administrator will update the InCheck Database accordingly.

All Directorates are responsible for putting a process in place to conform to this Procedure.

6. The Role of RBC, Managers and Staff

It is the responsibility of all RBC Managers and staff to follow the process for reporting incidents in order that information relating to clients/significant others can be shared with other departments that may be handling the same individual. This is particularly important when:

- New members of staff are involved;
- New clients receive services;
- There has been a change in the clients medical/physical condition, medication, behaviour, mood etc;
- Known violent clients are being transferred from one department to another;
- Domiciliary visits are being made to clients with a known or suspected history of violence;
- Following an episode of violence or aggression.

Managers must meet regularly with staff to share information. The risk assessment must be reviewed and updated regularly.

The Authority's Responsibilities

As far as is reasonably practical, Reading Borough Council will:-

- Provide guidelines for all employees, and training where appropriate;
- Monitor the incidence of violent behaviour and respond accordingly;
- Provide support to help employees deal with the effects of violence to which they have been subjected in the course of their employment (e.g. Employee Assistance Programme).
- Provide managers with the appropriate training to deal with the issue of violence particularly support for the victim.

The Role Of Supervisors/Team Leaders

- i) Ensure that Accident and Incident Report Forms are completed for all aggressive incidents.
- ii) Ensure that racist incident reports are completed and submitted, if applicable.
- iii) **Ensure that in the case of a serious threat to an employee's life, risk assessments are escalated immediately to the Service Director, Head of Legal Services and the Corporate Health and Safety Manager.**
- iv) Investigate incidents, take witness statements and collect evidence and coordinate with Legal Services in the case of legal proceedings e.g. an injunction.
- v) Ensure that risk assessments are carried out and recommend a sanction if the incident is considered to be serious.
- vi) Submit risk assessments and sanction request to the Corporate Health and Safety Manager/Team.
- vii) Submit Accident and Incident Report Forms to Corporate Health and Safety Team.
- viii) Attend debriefing meetings.
- ix) Advise Service Manager of incidents and actions being taken.

Ensure that where relevant staff members involved in any incident are given feedback on the outcome of any investigation

The Role Of Service Managers

- i) Receive, approve and return letters to Systems Administrator.
- ii) Involve staff in drawing up local policies and procedures particularly first level reporting procedures and ensure that they fully adhere to the policy in place.
- iii) Assess the risks of violent and threatening behaviour towards staff, including those who work in the community, in small teams and lone workers and anyone else who might be affected by such behaviour.
- iv) Devise and implement relevant control measures in order to avoid or reduce these risks.
- v) Regularly review risk assessments to ensure that the assessment remains valid.
- vi) Ensure that staff receive appropriate training and regular updates.
- vii) Consider the communications needs of staff and the measures that can be taken to minimise any risk to their safety e.g. panic buttons, mobile phones, and callback protocols, sharing of information with relevant personnel.
- viii) Establish procedures for dealing with violent situations that give staff confidence in how to cope effectively including arrangements for seeking assistance.
- ix) Ensure that all staff know how to report a violent incident including critical incident review and near misses.
- x) Provide post-incident support, e.g. medical attention, counselling.
- xi) Investigate violent incidents to assess how current procedures might be improved.

- xii) Ensure that staff receive the necessary support when an incident is reported to the Police and, in the event of a serious assault, when pursuing prosecutions against perpetrators.
- xiii) Ensure that staff are aware of EAP support.
- xiv) Make application to the Corporate Health and Safety Manager for individuals to be included on the InCheck Database. Individuals placed on the InCheck Database will be informed of this in writing. **Letters to individuals informing them of such action must only be sent by the Corporate Health and Safety Manager or nominated delegate**

The Role Of the Corporate System Administrator

- i) Maintain the InCheck Database;
- ii) Agree sanctions and add new entries;
- iii) Ensure that when a letter to the individual concerned is sent notifying him/her of the inclusion on the InCheck Database, the Service Area Manager who reported the incident is immediately informed of this decision.
- iv) Act as a point of contact offering advice and information on the operation of this Procedure;

The Role Of the Local Data Administrator

- i) View, edit, amend entries on the InCheck Database;
- ii) Act as a point of contact offering advice and information on the operation of this Procedure.

The Role of Employees

- i) Co-operate with RBC and Department Policy and Procedures.
- ii) Attend appropriate training as required.
- iii) **Report all incidents of violence including verbal, physical and threatening behaviour, at the time they occur or as soon as possible thereafter.**

The Role Of Corporate Health & Safety Manager/Team

- i) Receive risk assessments including evidence from Services requesting sanctions;
- ii) Authorise the appropriate sanctions;
- iii) Initiate a notification letter to the individuals concerned liaising with the Legal Department who will sign and send out the letter;
- iv) **In the case of a serious threat to an employee's life decide with the Service Director and the Head of Legal Services when it is appropriate to involve the Police.**

The Role of the Head of Service

- i) Receive and review any appeals made under this procedure at Stage 1.
- ii) Receive notification from the Corporate Health and Safety Manager and the Head of Legal Services in emergency situations.

The Role of the Service Director

- i) In the case of a serious threat to an employee's life decide with the Head of Legal Services and the Corporate Health and Safety Manager when it is appropriate to involve the Police.
- ii) Ensure the service carries out a risk assessment.
- iii) Chair any meetings in relation to the threat.
- iv) Ensure the employee involved is supported fully throughout the process.
- v) Receive and review any appeals from other services under this procedure at Stage 2.

The Role Of Legal Services

- i) Sign the Sanction Letter
- ii) Provide support and advice on any possible legal action
- iii) Take legal action when appropriate

7. Links To Other Policies/Procedures

Accident Incident Procedure

All accidents, incidents and near misses are required to be reported in accordance with Reading Borough Council's Corporate Code of Practice CoP 001 Accident Reporting.

You can report an incident via the Accident incident Book or on line at:

<http://inside.reading.gov.uk/reportaccident.asp>

Certain work-related injuries, (including non-consensual physical violence to staff), diseases and dangerous occurrences arising out of or in connection with work are reportable to Health and Safety Executive as well as Corporate Health and Safety under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. (RIDDOR)

The Racist Incident Reporting Procedure

The council has a statutory responsibility to report and record all racist incidents. If a member of staff has reason to complete a Health and Safety Accident and Incident Report Form and the incident is perceived to be racist, it must also be reported on a 'Racist Incident Initial Report Form'.

Ref: Racist Incident Reporting procedure available from all reception areas

Corporate Codes of Practice - 015 Personal Safety and Lone Working

Copies of the above Code of Practice can be found on Iris at:

<http://inside.reading.gov.uk/areas/corporateresources/healthandsafety/>

8. Appeals

Appeals from Customers

Customers have a right of appeal and in the first instance this will be reviewed by the Head of Service concerned and will constitute Stage 1. If the customer is still not satisfied with the explanation from the Head of Service they can request a review by a Director from another service and will constitute Stage 2.

Appeals from Officers

From time to time an officer may disagree with a decision made by the Corporate Health and Safety Manager. This could be either a sanction imposed or refused. Any appeals will be reviewed by the Head of Service concerned and take the form of a discussion with all parties concerned.

9. Emergency Circumstances

The use of common sense is the key to this process. Obviously if a serious incident occurs or Officers find themselves in possession of relevant serious information that is likely to have implications for other employees, then they must follow a *clear emergency procedure for high level e.g. a real threat of violence -to include obtaining interim, ex parte injunctions i.e. at short notice without the subject being present at court or being notified of the hearing.* The Corporate Health and Safety Manager must be kept informed at all times and will in turn notify the Head of Legal Services and the Head of Service.

10. More Information

- Anti-social behaviour orders
- ABCs acceptable behaviour contracts - an 'informal' alternative to ASBOs often (but not exclusively) used to control the behaviour of children entered into voluntarily under aegis of Safer Communities team. Appropriate where behaviour toward staff/Council premises is linked to wider ASB.
- Injunctions to protect people and property
- Undertakings - enter into an Undertaking not to act in a certain way, often an acceptable alternative to an injunction, entered into voluntarily without the need for full court process. Sanction for breach would be to apply for an injunction, but leading with the powerful evidence of breach of undertaking.

Injunctions

This is a civil law remedy, which is sometimes available to a local authority. It is appropriate where persistent nuisance or serious threats or worse. The principle is that an Injunction will be available where it can be inferred (either from the defendant's previous conduct or from other relevant circumstances) that the defendant's unlawful actions will continue unless and until effectively restrained by law and that nothing short of an Injunction will be effective to restrain them. If the requirements of this general principle are satisfied, whether or not an Injunction must be granted is to be determined by the court in accordance with the usual principles.

Anti-social behaviour orders ('ASBOs')

The Crime and Disorder Act 1998 introduced the power to make ASBOs against individuals whose behaviour causes or is likely to cause harassment, alarm or distress to persons not of

the same household. They can be used to prohibit or restrict any conduct of an individual that comes within these broad criteria where it is necessary to protect persons from further acts. ASBOs must last for a minimum of 2 years and although they are civil orders, a subject who breaches their terms will commit a criminal offence punishable by a fine and/or imprisonment of up to 5 years. They can apply to anyone aged over 10 years and are enforceable against under 18s with the applicable penalties (**See Injunctions above**). Prosecution is usually undertaken by the Crown Prosecution Service but the Council can also prosecute its own ASBOs.

Stand-alone applications require statutory consultation with the Police, which would be undertaken by Safer and Stronger Communities as the lead service. Before this there would need to be prior consideration and approval of the multi-agency partnership body, including the Police and other relevant services and external bodies. Legal Services would undertake the proceedings to trial in (invariably) the Magistrates' Court.

The great advantage of ASBOs is that their terms can be tailored to combat the particular anti-social conduct and can include exclusions from specified areas and prohibitions from being abusive to officers visiting their home. The main drawback is the lengthy preparation required and in fact the Council has obtained no more than a handful of ASBOs in stand-alone applications. Most ASBOs in Reading are secured by the Police in the streamlined, 'on-conviction' procedure. As the name suggests, where someone who has already been convicted for a criminal offence and is being sentenced, an application for an ASBO can be made and will be considered by the court on the basis of the evidence already presented. So, if the individual has an ongoing history of ASB and/or criminal activity known to the Police and Safer Communities, then there may be an opportunity to deal with the harassing conduct towards Council staff in the terms of an ASBO in conjunction with the action against the wider anti-social activities.

LEGISLATION

Exercise of Statutory Rights

Legislation often gives people rights, which they cannot exercise without attending Council buildings (e.g. to inspect the register of electors or the land charges register).

In these circumstances, whilst it may not be possible for the Council itself to prevent an individual exercising his/her right to attend Civic buildings to perform the above functions (although the court through an injunction could), it may be possible to insist that the individual attends Civic buildings for this purpose by appointment only and is accompanied during visits. This can be referred to in the exclusion/InCheck Database letter, but it must be noted, the individual concerned may challenge that this, and the restriction may subsequently need to be reconsidered. Nevertheless, nobody has the right to act in a violent, abusive or threatening way when exercising these rights.

At the full case conference consultative partners are called in as well. A form of action is decided upon. If it is decided to pursue an ASBO, the Head of Legal Services makes a complaint to the Magistrates Court and a hearing is granted. The matter then proceeds to trial and evidence is presented to the Magistrates who make a final decision as to the granting of the Order.

Human Rights Act 1998 implications

The Human Rights Act 1998 came into force in October 2000. It essentially incorporates the rights and freedoms set out in the European Convention on Human Rights into UK law. Of particular relevance to the actions of a local authority is the principle set out in section 6 of the Act, which says that it is unlawful for a public authority to act in a way, which is incompatible with convention rights. Examples of the rights protected under the Act include the right of liberty (article 5), the right to a fair trial (article 6), the right to respect for private and family life (article 8) and the right to freedom of expression (article 10). Anyone who claims that a public authority has acted (or proposes to act) in a way incompatible with convention rights can bring proceedings against a public authority and if successful can obtain a remedy that can include damages.

It might be argued that where the Council restricts a customer's access to Council premises or services one or more of the article rights are breached. Against this the Council will only be taking such action where the individual concerned was behaving in a harassing or anti-social manner and it must be remembered that no one has a 'right' to act in that way. The contrary is the case and any formal action, an injunction/undertaking/ABC or ASBO will only require a person to stop doing things that they must not have been doing anyway. Individual staff and contractors also have human rights and they are equally entitled not to have them infringed by customers behaving in an anti-social way. It is a matter of striking a balance and provided officers' follow this procedure and are able to show that their decisions were necessary and reasonable in the circumstances of any particular case, then the issue must not arise

Data Protection Implications

The Data Protection Act 1998 (DPA) contains eight "principles" which regulate the processing or use of personal information and gives members of the public a number of rights, which can be enforced ultimately through the office of the Information Commissioner. One of those rights entitles a person to know what information the Council holds about them and how it is used.

The second Data Protection Principle specifies that information can only be obtained for a lawful purpose (or purposes) and cannot be further processed (used) in a way incompatible

with the original purpose(s). Generally, if information is compiled for ensuring the safety of officers from one directorate, it is highly likely to be compatible to use it to ensure the safety of another directorate's officers or members of the public.

In general, information must not be passed to third parties unless the person concerned was informed that might happen. Individuals whose names and addresses appear on the Incident / Exclusions InCheck Database will be informed of this, told how long they will be on the InCheck Database and given the right of appeal.

The information held and the purposes for which it is used under this Procedure must be in accordance with the provisions of the Data Protection Act 1998. In the case of a serious incident involving actionable anti-social behaviour or criminal activity, information might be shared with any other agencies with legitimate reasons to share that information, such as the Police, Health Authority, partner organisations etc. Whilst Directorates and Departments work from their own specific Confidentiality Policies, there are circumstances where confidentiality can be breached.

Confidentiality and Potentially Violent or Abusive Service Users

Whilst Directorates and Departments work from their own specific Confidentiality Policies, there are circumstances where confidentiality can be breached.

Confidentiality can be breached:

- to protect children at risk of significant harm as defined by the Children Act 2004
- to protect the public from acts of terrorism as defined in the Prevention of Terrorism Act 2005
- as a duty to the Courts
- under the Drug Trafficking Offences Act 1994
- to prevent or detect a crime. Section 115 of the Crime and Disorder Act 1998 gives public bodies the power, but not a duty, to disclose information for the prevention or detection of crime
- to ensure the service provides a duty of care in a life-threatening situation (e.g. serious illness or injury, suicide and self-harming behaviour).
- to protect the service provider in a life-threatening situation (e.g. calls to police regarding a violent service user).

All decisions must be recorded in the service user's case notes.

Disclosures to the minimum necessary. Information must be shared on a need-to-know basis and Departments must be able to justify a decision to breach confidentiality.

With regard to potentially violent or abusive service users, there must be no ethical objection to recording factual information about the need for particular precautions in a service user's records, care plans and other information systems. It is essential that information be transmitted effectively between departments/organisations.

Exchanges of information in violent and abusive circumstances do not infringe the data protection legislation. Section 115 of the Crime and Disorder Act 1998 provides an explicit power, where none previously existed, for people to disclose information to a number of agencies if the disclosure is necessary or expedient for any of the purposes of the Act (Department of Health, 2001b).

Appendix 1 - *EXAMPLE ONLY*
CONFIDENTIAL WHEN COMPLETED

READING BOROUGH COUNCIL - ACCIDENT/INCIDENT INVESTIGATION REPORT

DIRECTORATE:

ESTABLISHMENT:.....

INJURED/AFFECTED PERSON

Surname Forenames Age Employee

Occupation Address

Name, address and occupation of person completing form, if different from the injured person

Article I. INCIDENT DETAILS

Date Time Where did incident happen

Cause of injury Nature of injury

RIDDOR reportable incident? **YES/NO/DON'T KNOW** RIDDOR form sent? **YES/NO** Incident Reference.....

ACCOUNT OF INCIDENT *

.....

Article II. INVESTIGATION - MANAGERS REPORT *

.....

SIGNATURE:

DATE:

ACTION PLAN		
Actions to be taken to prevent recurrence	When	Who

* Please continue on a separate sheet if necessary

Top copy - Health and Safety
 Yellow copy - Directorate Personnel
 Pink copy - Retain

Appendix 2

READING BOROUGH COUNCIL

RISK FACTOR CALCULATION SHEET

See Corp 027 for a full guide on carrying out a risk assessment.

Identify a HAZARD. Decide on the chance of it happening. Use scale below.

Frequency		Risk band
1	A highly improbable occurrence (not known)	Low
2	A remotely possible (may have happened)	Low
3	An occasional occurrence (known)	Med
4	A frequent occurrence (happens)	Med
5	A frequent and regular occurrence	High
6	Almost a certainty (immediate ACTION to prevent a disaster)	High

Now decide how SEVERE the accident or illness could be. Use scale below.

Severity		Risk band
1	Negligible injuries/illness/damage	Low
2	Minor injury/illness/damage	Low
3	Major injury/illness/damage (RIDDOR?)	Med
4	Single fatality/serious illness/damage	Med
5	Multiple fatality/very serious illness	High
6	Multiple fatalities (including off site) Certain death from consequential illness	High

Frequency x Severity = Risk Rating

e.g. 3 (an occasional occurrence) x 2 (minor injury/illness/damage) = 6



RISK ASSESSMENT CALCULATION TABLE

	1	2	3	4	5	6
1	1	2	3	4	5	6
2	2	4	6	8	10	12
3	3	6	9	12	15	18
4	4	8	12	16	20	24
5	5	10	15	20	25	30
6	6	12	18	24	30	36

Article III. RISK RATING SCORE

1 - 6	LOW RISK	Keep assessment under review. Sanctions may include: Verbal Warning
8 - 12	MEDIUM RISK	Sanctions may include: A letter warning customers their behaviour is unacceptable and inclusion on a InCheck Database of potentially threatening, violent and abusive customers but no exclusion.
15 - 36	HIGH RISK	Sanctions may include: Exclusion from certain Reading Borough Council building or buildings. Exclusion from all Reading Borough Council Buildings Withdrawal of services supplied to customers in their own home.

Appendix 5
Guidance Notes for Sanctions following a Risk Assessment

Where a Serious Threat of Violence Has Been Made to Staff

- 1. Employee Data**
Give name, position and work base of employee to whom serious threat(s) has been made.
- 2. Client Data**
Give name and case file reference number of client who has made the serious threat. If the family of the client has made the threat it is the responsibility of the person completing the form to indicate this fact.
- 3. Address of Client**
Please enter the address of the client if this is known to enable Legal Services to send the required letter notifying the client that their name is on the database.
- 4 Nature of Threat**
Specify details of threat(s) made to staff member and/or family and, if known, how the threats will be carried out. Indicate if an incident report has been completed subsequent to threats being made.
- 5 Previous History of Violence to Staff**
Give chronicled history of any previous incidents of actual or threatened violence to staff, identifying nature of violence and if police were notified. Attach copies of Incident Form(s) or other incident reports or investigations.
- 6 Other Relevant Information**
Give details of relevant information that supports the threat made by the client, or is relevant to risk assessment.
- 7 Associated Staff**
Specify staff members who will have contact with the client (including groups of staff where applicable, e.g. Administration /Reception).
- 8 The person completing items 1-7 must sign and date the form.**
- 9-13 To be completed by the appropriate line manager.**
- 9 Activity Hazard**
Give details of situations where contact with the client will be made.
Give information of the nature of violence the client is likely to exhibit, e.g. verbal abuse, physical assault, property damage. If concern is about a member of the client's family, specify whom. If known, give details of identifiable circumstances or triggers that could result in the person becoming violent, e.g. refusal, family access arrangements.
- 10 Risks Identified**
Factors will depend upon the seriousness of a threat or actual violence exhibited or threatened.
- 11 Risk Rating**
Indicate whether the risk (likelihood of violence and the nature and severity of the violence) is high, medium or low using the Risk Factor Calculation Sheet below.
- 12 Recommendations/Follow-up**
Identify the measures to be taken to protect the staff member, their family and property, using InCheck Database at Appendix 10.

- 13 **The line manager completing 8 - 13 must sign and date the form.**
- 14 **Approval for the measures to be taken will be the responsibility of the Senior Manager appointed to monitor the safe management of the threat of violence and ensure implementation of the agreed recommendations and follow-up.**

Appendix 6
Sanction Form

Reading Borough Council

Sanction Risk Assessment following a Serious Threat of Violence to Staff

1. **Employee:** _____

Position: _____ **Team:** _____

2. **Client:** _____ **Accident/Incident No(s):** _____

3. **Client Address (if known)**

4. **Nature of Threat:** _____

5. **Previous history of violence to staff**

<u>Date</u>	<u>Nature of Violence to Staff</u>	<u>Police Inf.</u>	<u>Report Enc</u>
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6. **Other relevant information:**

7. **Associated Staff:**

8. **Prepared by:** _____ **Print Name:** _____ **Date:** _____

9. **Activity Hazard:**

10. **Risks Identified:**

Continued over/

11. Risk Rating: HIGH: _____ MEDIUM: _____ LOW: _____

12. Recommendations/Control Measures/Follow up:

13. Signed: _____ Print Name: _____

Position: _____ Date: _____

14. Approved by: _____ Print Name: _____ Date: _____

Circulation:

NOTE: PLEASE SEND THE ACCIDENT/INCIDENT FORM, RISK ASSESSMENT AND SANCTION FORM TO THE CORPORATE HEALTH AND SAFETY TEAM.

Appendix 7 Ten Point Check for Minimising Violent Incident Impact

Below is a ten-point checklist to assist managers in eliminating, controlling and minimising the impact of violence in the workplace.

1. Ensure that risk assessments covering violence to staff are undertaken.
2. Regularly review risk assessments, work practices and safe working procedures.
3. Provide employees (as part of induction and ongoing training) with information on the findings of risk assessments, safe working procedures, and instructions as well as training on dealing with violence and aggression.
4. Ensure you are familiar with Reading Borough Council's procedures for reporting violence to staff.
5. Ensure all employees are aware of the procedure for reporting violence to staff (include violence reporting procedures in induction training and display the poster guide, at the end of this document, in a prominent location).
6. Ensure **ALL** violent incidents are reported in line with the Reading Borough Council's Accident and Incident Report form. See CoP 001 - Accident Reporting.
7. Ensure that all physical assaults and the more serious threats are also reported to the Police.
8. Ensure that an employee who has experienced violence receives immediate and ongoing support with access to appropriate counselling where requested by the employee.
9. Ensure every incident is investigated and take appropriate action to minimise further risk e.g. review associated risk assessments.
10. Give support to the employee and provide reasonable assistance to them in any actions that they may wish to take.

Pooling of Information

You may have found out from others or you may already know that some of your customers, or their relatives, are potentially violent or have aggressive tendencies. For example, youth workers may know that a young person attending a youth centre is aggressive or comes from a family where there is a history of violence. There may be occasions when sharing such information could help to prevent violence. This is a sensitive area however; the question of confidentiality and the need to avoid 'labelling' must be carefully and fully discussed with the relevant professionals. Nevertheless, relevant factual information can and must be recorded and shared.

Schools need to observe restrictions on the disclosure of information on pupils, as set out in The Education (School Records) Regulations 1989.

Appendix 8
Serious Threat of Violence: Examples of Control Measures

Control strategies must be designed primarily to prevent violence from occurring. A combination of physical controls, safe systems of work and staff training are likely to be needed.

Physical Controls - *separate those at risk of physical violence from their potential assailants.*

- Safe work environment design.
- Secure workplace, limited access, well-lit etc.
- Increase security presence in Civic Centre/Fountain House
- Consideration to further environmental measures.

Procedures/Safe Systems of Work - *attempt to minimise the chance of a potentially violent situation arising and provide support systems **should** violence occur.*

- Where work practices are modified or new work practices or control measures are introduced, review your preventative measures to ensure that they are effective and safe and that they create no new hazards.
- Provide clients with information about rights and responsibilities including their responsibilities to behave in an appropriate manner.
- Communicate safety policies to clients, when indicated.
- Develop the "Risk Assessment" process and train all staff to use it.
- Lone Working Procedure in place.
- Buddy System introduced.
- Regular "location to base" checks for lone workers.
- Out-of-office reporting procedure.
- Telephone blocked on 1471.
- Develop a policy on home visits, which include:
 - Leaving itinerary with office staff so worker location is known at all times,
 - Phoning office frequently when in the field,
 - Providing portable phones and other safety equipment,
 - Providing options for escorts: staff or police,
 - Giving permission not to go when risk of violence is high.
- Mobile phone / personal alarm access.
- Office admin instruction procedures tightened.
- Risk assessment for case conferences, (e.g. where/when? etc).
- Clear procedures for management of harassment.
- Improve client assessment and sharing of information when appropriate.
- Client behaviour to be monitored, recorded and preventative action taken.
- Formulate a policy re: providing services to clients who carry or have guns and weapons.
- Formulate a policy re: providing services to clients who are under the influence of alcohol or drugs.
- Address any practices that unintentionally contribute to client violence.
- Two or more staff available for meetings/Interviews.
- Risk assessment findings: home visits terminated or with two members of staff.
- Clear procedures for management of aggression.

- Early referral of threats or verbal abuse to supervisor.
- Complaints to be in writing.
- Management review of complaints.
- Panic alarms and response procedure and practiced.
- Contact meetings to be held in Civic Office interview rooms only.
- Refer to CoP Personal Safety and Lone Working.
- Ensuring that staff can use the RBC Counseling Service.
- Regular 1:1 and Team meetings with discussion on threats and violence.
- Establish a format for taking a required history of violence as a part of regular referral procedure.
- Establish a format for communicating violent history to staff when current danger exists.
- Ensure adequate staffing at all times; no one must work in a building alone.
- Crisis Meeting to involve key staff/Heads of Service/Health and Safety/Legal Teams;
- Entry onto InCheck Database
- Sanctions against client - letter/warning/legal sanctions;
- Establish Clear reporting procedure to Inform Police;
- Establish relationships with security and police. Let them know what you do and what you need from them.
- Ensure managers and staff know the procedure for the aftermath of client violence. Address the physical and emotional needs, short and long term, of the assaulted worker, worker's family, co-workers and affected clients as well as a format for debriefing and communicating with all staff following an occurrence of violence.
- Log and report to staff all work-related occurrences of violence including threats using the RBC Accident/Incident Form.
- Re-evaluate policies, procedures and training needs following an occurrence of violence.

Training - ensures that those who might be exposed to violent situations are capable of reacting in ways that minimise the risks

- Ensure staff are trained in violence detection and management including complaint and grievance handling;
- All workers likely to be exposed to violence and aggression must be aware of and trained in (i.e.: practice) the violence prevention controls in place, and the types of situations that may happen in their workplace.

Corporate Training Courses include:

Telephone Aggression
 Managing Aggressive Behaviour
 Lone Worker Safety

Provide ongoing supervision, consultation and training in:

- Details of this procedure with regular updates;

- How to recognize signs of agitation;
 - What to do at first signs of agitation;
 - Assessment of client's potential to become violent;
 - Code words and phrases to signal for help without increasing the client's agitation;
 - Treatment and interventions with violent clients;
 - Format for intervention including:
 - When and how to attempt de-escalation;
 - When and how to use non-violent self-defence, physical evasion, force deflection and disengagement skills;
 - When and how to call others, security or police;
 - When and how to evacuate building.
- Training in agreed personal safety procedures and how to manage specific situations, which staff may face.

Some Strategies for Staff Who Have Had Serious Threats Made Against Them

- No direct dial-in office phone or all calls to be answered on answerphone;
 - Home telephone ex-directory;
 - Temporarily relocate place of work;
 - Transport to and from work changed, different start and finish times, different routes;
 - Use of hire/lease car: changed frequently;
 - Visual identity change (e.g. use of wig, plain lens spectacles);
 - Mobile phone to be carried;
 - Counselling offered to staff member/family.
- Home Security:
 - Secure window/door locks;
 - Security lights;
 - Fireproof letterbox;
 - Restricted side access to property;
 - Intruder alarm/security camera;
 - Safety of children - arrangements for school;
 - Availability of safe house.

Appendix 9
Guidelines For Managers When Investigating An Incident

Managers investigating an incident and completing an incident report form must state on the form what the desired sanction is, in accordance with this procedure. The following guidelines are to assist in deciding which sanction may be appropriate following an incident. If you need help please contact your directorate Data Administrator or Corporate Health and Safety Team.

- **A verbal warning**
Applied usually at the time of incident by the manager or supervisor. A verbal warning may be appropriate where the customer's behaviour is preventing the officer from continuing an interview or discussion, where there has been verbal abuse and/or concern for staff safety.
- **A letter warning customers their behaviour is unacceptable and inclusion on a InCheck Database of potentially threatening, violent and abusive customers but no exclusion**
Applied usually after the incident and more formal than a verbal warning. A warning letter may be sent if there are repeated incidents where a verbal warning has been given and/or security called. If the customer is likely to return to the department in the near future and managers are concerned for staff safety a warning letter may be appropriate. Customers who have been issued with a written warning must be interviewed only in the secure room on the ground floor Customer Service Hub. Visits to the customers' homes may be constrained to no unaccompanied visits.
- **Exclusion from certain Reading Borough Council building or buildings and/or withdrawal of services supplied to customers in their own home**
Applied usually after the incident, and may be as a result of actual physical violence or physical injury to a staff member or another customer. Those excluded must be interviewed by appointment only and in a secure room on the ground floor Customer Service Hub. It is likely that incidents resulting in exclusion will have already involved the Police, who may be taking further action. This sanction would usually be used where a customer has displayed unacceptable behaviour in particular contacts with the Council and therefore concerns have been raised about the safety of a particular group or groups of staff. In the case of withdrawal of services supplied to customers in their own homes - where it is not possible to withdraw services altogether, services may be restricted to being supplied only in the presence of police officer/s and case worker/s.
- **Exclusion from all Reading Borough Council Buildings**
Applied usually after the incident, and may be as a result of actual physical violence or physical injury to a staff member or another customer. Those excluded must be interviewed by appointment only and in a secure room on the ground floor Customer service Hub. It is likely that incidents resulting in exclusion will have already involved the Police, who may be taking further action. This sanction would usually be used where the customer has displayed unacceptable behaviour randomly and there are concerns for staff safety across the organisation.

Appendix 10
Violent Warning Markers (or flags)

Certain service areas add a specific marker to the record of an individual who is considered to be potentially violent. This information, whether held as part of a computerised or manual file comes under the scope of the **Data Protection Act (DPA)**. Whether a marker is added to individuals' records or a violent warning marker system is set up to which individuals' details are added, the implications are the same.

Services databases must mirror the Incheck database. There must not be any violent markers on local records or databases unless they are also on the Incheck database

In all cases, if violent warning markers need to be used as a control measure then a risk assessment MUST be undertaken and the procedures in this guide MUST be followed.

Appendix 11
Coding and Hazard Level Structure

Subject Access Requests

Code	Description
Incident Update	Incident Update
VISIT	Pre-Visit Check
INTER	Pre-Interview Check
INSPECT	Pre-Inspection Check
SAA	System Administrator Audit

Employee Categories

Code	Description
FL	Front Line
TM	Team Manager
DA	Data Administrator (Directorate)
SA	Systems Administrator (Health and Safety)
SO	Search Only

Appearance Types

Code	Description
General Build	General Build
Hair Colour	Hair Colour
Height	Height
Gender	Gender
Distinguishing Features	Distinguishing Features

Hazard Levels - Person Priority

Code	Description
PPV	Physical Violence police required
VA	Verbal Abuse
TV	Threat of Violence visit in pairs
PWA	Written abuse (E.g. Letter/Email Text)
PATB	Abusive and Threatening Behaviour
PIB	Intimidating Behaviour
PWIT	Witness to an Incident - No threat

UI	Under Investigation (for when risk assessment is not complete?)
EX1	Excluded from all RBC Services
EX	Excluded from all RBC Buildings
ISLO	Interview at Secure location Only
VPO	Visit with Police Only
VIP	Visit in Pairs
DVO	Daylight Visits Only
DIA	Do not interview alone
RCS	Refer to Caseworker prior to visit
RDA	Refer to Data Administrator for Guidance

Address Priority

Code	Description
PV	Physical Violence - Police Required
TV	Threats of Violence - Visit in Pairs
PTO	Potential threat from Occupier - Visit in Pairs
POW	Possession of Offensive Weapon - Do not visit
PI	Police Investigation - Consult Caseworker first
HA	Hazardous Area - Take extra care
MD	Mild Danger - Extra Officer outside Property
NII	Not involved in incident - No risk
TPP	Threat of Property Damage

Address Category

Code	Description
Personal	Personal Address
Business	Business Address
Other	Other addresses known to be used

Risk Assessment Risk Rating Priority (See Risk Assessment)

Code	Description
P1	Priority 1 High Risk - Do not encounter in person. Do not Visit property. Seek advice from Data Administrator. Police presence required.
P2	Priority 2 Medium Risk - Only to be seen in secure Area.
P3	Priority 3 Low Risk - VIP or with case worker.

Incident Resolution

Code	Description
PROS	Prosecution
PR	Person added to register
NFA	No Further Action
IC	Incident Closed
AR	Address added to register

Hazard Levels - Animals

Code	Description
AKD	Animal known to be dangerous
APD	Animal - Treat as potentially dangerous
DOG	Dogs
SNAKE	Snakes
BIRD	Birds
OTHER	Others

Hazard Levels - Weapons

Code	Description
WKD	Weapon - Known danger
WPD	Weapon - Treat as potentially dangerous

Weapon Codes

Code	Description
GUN	Firearm
BLADE	Blades
BAT	Bat/Club
CHAIN	Chain
SPRAY	Sprays
OTHER	Other

Miscellaneous

Code	Description
OW	Obstructed Walkways
PL	Poor Lighting
UF	Uneven Floor
SS	Slippery Surface
ST	Stairs
SA	Substance Abuse
GA	Gangs
HY	Hygiene
HAZ	Hazardous Substances
SHARP	Sharps
OT	Other

Source of Information Codes

Code	Description
DECS	Children's Services
CEX	Chief Executive
CorpRes	Corporate Resources
SS	Social Services
Housing	Housing
ENCAS	Environmental Services
Sch	Schools/Nurseries
PC	Police/Court
OLA	Other Local Authority
DHSS	DHSS
MOP	Member of Public
Dr	Doctor or GP Surgery
PCT	Primary Care Trust
PRESS	Press
OT	Other