

**TITLE OF REPORT:**           **Management of Violence and Aggression towards Employees Policy**

**REPORT OF:**               **Mike Barker, Strategic Director, Corporate Services & Governance**

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### **Purpose of the Report**

1. To request that Cabinet recommends to Council approval of the new Management of Violence and Aggression towards Employees Policy (LCS-HS-26) covering all Council employees and others affected by the Council's work activities.

### **Background**

2. Health and safety law applies to risk from violence, just as it does to other risks from work. Under the Health and Safety at Work etc Act 1974, employers have a legal duty to ensure, so far as it is reasonably practicable, the health, safety and welfare at work of their employees. This is reinforced through The Management of Health and Safety at Work Regulations 1999 where employers must 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.
3. The delivery of public services will always involve a degree of potential risk. It is important, however, that the Council, wherever possible, eliminates such risks, or minimises them by being proactive in the management of risk.
4. Having a policy that sets a clear direction for the organisation to follow is one of the key elements of health and safety management.
5. An effective health and safety management system will contribute towards:
  - Providing a safe and healthy working environment
  - Ensuring compliance with statutory requirements
  - Minimising financial losses which arise from unplanned events
  - Ensuring a systematic approach to the identification of risks and the allocation of resources to control them
6. The Cabinet must ensure that the Chief Executive has in place an effective health and safety management system and that, decision making systems allow for health and safety implications to be given appropriate and proper consideration.
7. The Chief Executive has overall responsibility for health and safety and must have an effective management structure and arrangements in place to deliver the policy.

8. Strategic and Service Directors will be responsible for providing leadership and implementing the policy within their service responsibilities.
9. Once the policy has been implemented, it will be important to measure, audit and review performance.

### **Proposal**

10. The Management of Violence and Aggression towards Employees Policy as proposed in Appendix 2 has been developed to demonstrate the Council's commitment to ensuring the health, safety and welfare of all its employees, and as an umbrella document to reinforce information given to employees in other guidance documents. It is proposed that the Council adopts the revised policy.

### **Recommendation**

11. It is recommended that the attached draft policy is agreed by Cabinet and referred to Council for approval.

For the following reason:

To comply with the legal requirements to manage the risks from violence and aggression in the workplace and have a corporate policy to demonstrate commitment.

### Policy Context

1. The adoption of the policy will directly contribute to the Corporate Risk Management Strategy and the Occupational Health and Safety Strategy. It will also allow the Council to support objectives within Vision 2030 and the Thrive agenda.

### Background

2. The Council recognises that good health and safety management supports the delivery of our services for the people of Gateshead. As part of the overall risk management process and culture, good health and safety management will help reduce injury and loss, help promote a healthy workplace and help protect all who are affected by the Council's activities.
3. By having an up to date effective policy, it sets a clear direction for the Council to follow and will contribute to aspects of business performance as part of a demonstrable commitment to continuous improvement.
4. The Council manages a wide portfolio of services for a Borough of 202,400 people. Some of these services may involve a potential significant risk of harm to our staff, our partners or the public. To prevent injury and ill health, the Council's objective is a positive health and safety culture and we are committed to the principles of sensible risk management and compliance with our legal obligations.
5. To achieve this, we have implemented a safety management system that involves all staff and considers our partners as well. We retain specialist advisors and train managers and staff to understand and control the risks that arise from our service to the community.

### Consultation

6. The Leader, recognised non-teaching trade unions and members of the Corporate Health and Safety Committee have been consulted regarding the revision of the policy.

### Alternative Options

7. There is a legal requirement under the Health and Safety at Work etc. Act 1974 to protect the health, safety and welfare of employees. The development of a specific policy covering the Management of Violence and Aggression towards Employees gives a strong message of the Council's commitment to employees. Therefore, no alternative options have been considered.

### Implications of Recommended Option

8. **Resources:**
  - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that implementing the Management of Violence and Aggression towards Employees Policy will be accommodated from within existing resources. Improvements in health and safety performance will reduce the

number of successful claims for compensation for injury/ ill health, contribute to a reduction in sickness absence, and reduce the risk of fines resulting from prosecution.

**b) Human Resources Implications** – The policy will help to ensure that the Council is a safe and healthy place to work.

**c) Property Implications** – There are no property implications arising from the recommendations within this report.

9. **Risk Management Implications** – There are no risk management implications arising from recommendations within this report.

10. **Equality and Diversity Implications** – There are no equality and diversity implications.

11. **Crime and Disorder Implications** – There are no crime and disorder implications.

12. **Health Implications** - The policy will help to minimise or address work related health issues.

13. **Sustainability Implications** - There are no sustainability implications.

14. **Human Rights Implications** – There are no direct implications, although the proposal will support employees' existing rights to a safe and healthy working environment.

15. **Area and Ward Implications** - There are no area or ward implications.

16. **Background Information**

Preventing Workplace Harassment and Violence – Joint guidance implementing a European social partner agreement – Health and Safety Executive resource.

UNISON's Violence at Work Charter 'End Violence at Work'