

## Violence in the Workplace: Management Briefing

The Health and Safety Executive's definition of work-related violence is:

'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'

The key risk factors causing violence are:

- drink, drugs or inherent aggression/mental instability
- resentment (having no right to appeal decisions)
- impatience
- frustration (due to lack of information or boredom)
- anxiety (lack of choice, lack of space).

### Recommendations for employers

- assess the risks to workers (including the risk of foreseeable violence), decide how significant these risks are, prevent or control the risks, and develop a clear management plan
- consult with the workforce and their representatives about risk assessments and actions
- ensure that everyone is aware of the violence prevention policy and their responsibilities
- establish clear grievance and disciplinary procedures.

### Case Law

Cases of workplace violence can produce substantial awards for damages. Employers can be sued for negligence. A security guard who was severely traumatised in an assault received £180,000 in compensation.

Had the Council carried out a thorough risk assessment of staff security before the assault the assailant would not have been able to gain access to the premises. Employers must do all they can to provide their staff with a safe working environment.

### Legal duties

Whilst there is no specific legislation covering violence at work, the following legal requirements are applicable:

- the Health and Safety at Work etc Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Safety Representative and Safety Committees Regulations 1977
- Health and Safety (Consultation with Employees) Regulations 1996.

## Control methods or risk reduction techniques must:

- provide a clear statement to staff and service users that violence will not be tolerated and will be treated as a disciplinary offence (up to and including dismissal or, if appropriate, criminal action); together with information on how to report harassment and violence
- be clear what constitutes unacceptable behaviour on the part of managers/other workers as well as service users or members of the public
- monitor violent and abusive incidents to determine trends and actions that can be taken to mitigate them
- provide a statement of the overall approach to preventing and dealing with the risks of harassment and violence, including training
- provide advice to workers on relevant legislation applicable to them/their responsibilities within the workplace
- advise that the victim keep a diary of all incidents (and possible witnesses) and copies of anything that is relevant
- provide support to the victim
- include information as to how the policy is to be implemented, reviewed and monitored
- make clear that false (i.e. malicious) accusations will not be tolerated and may result in disciplinary action.

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