

HUMAN RESOURCES & COUNCIL TAX COMMITTEE
12 October 2023

**JOINT REPORT OF THE ASSISTANT DIRECTOR OF PARTNERSHIPS AND ASSISTANT
DIRECTOR OF FINANCE AND IT**

A.3 - UPDATE TO THE THREATS AND VIOLENCE AT WORK POLICY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To update the Human Resources & Council Tax Committee on the review of the Council's Threats and Violence at Work Policy in line with identified best practice and updated legislation.

EXECUTIVE SUMMARY

The Council undertakes a number of statutory duties that bring employees into contact with members of the public. At times, employees are at risk of conflict with the public due to the nature of their responsibilities. The Council is committed to taking positive action to reduce the risk to its employees from acts of or potential violence and verbal abuse.

The Council has recently invested in updated Conflict Resolution Training for front-line staff, with the intention of giving staff the skills and knowledge to deal with conflict in the workplace in a more confident way.

Additional training is planned for later this year; however, the feedback received so far has been very constructive and staff have indicated that they feel more positive when dealing with these difficult situations, should they occur.

Furthermore, in response to feedback from the staff who have undertaken training and a working party of employee and union representatives, the policy has been updated.

The revised policy also incorporates the standards outlined in the newly developed '*Unison - Violence at Work Charter*', including reference to the following: -

- Staff are encouraged to report all violent incidents and they are told how to do this.
- Thorough risk assessments are conducted for staff placed in vulnerable situations.
- The employer has support pathways in place for staff who are victims of violence at work, so that they know where to turn for advice and support.
- Training is in place to ensure staff are aware of the appropriate way to deal with threatening situations.

This policy relates to the following: -

- Employees of Tendring District Council.
- Employees of contractors working for the Council, for example, agency staff.
- Voluntary workers working within the council.

This policy update is part of a suite of support available to frontline employees and will be subject to regular review in line with legislative changes and best practice.

RECOMMENDATION(S)

It is recommended that the Human Resources & Council Tax Committee:

- a) Approves and adopts the Council's updated Threats and Violence at Work Policy.
- b) Notes the delegation afforded to the Assistant Director of Partnerships to make any future minor amendments to this policy necessary as a result of legislation, national guidance or best practice.

REASON(S) FOR THE RECOMMENDATION(S)

The Threats and Violence at Work Policy is considered a key people policy for the authority; therefore, it is deemed appropriate that the Human Resources and CTAX Committee approve the updated policy and its adoption.

ALTERNATIVE OPTIONS CONSIDERED

There is no alternative option to consider than to adopt the updated policy. The updates incorporated within recognise identified best practice and the authority's statutory obligations in terms of the Health & Safety of its employees.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Positive people-related practices, including supporting employees with dealing with incidents of violence or threats at work, will ensure that high standards of conduct and commitment to service are observed by officers, thus contributing to the Corporate Plan 2020/24 priority requirements of '*strong finances and governance*' and '*delivering high quality services*'.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

This document supports the Council's Health and Safety requirements dictated under the Health and Safety at Work Act (HSAWA) 1974, which is to ensure staff are able to work in an environment where they feel safe and without the risk of threat or abuse.

This HSAWA also covers the Council's legal requirement to ensure all staff have the required training to enable them to carry out their role in an effective and competent manner. This act remains the foundation for protecting the wellbeing of people in the workplace.

As it is considered that the changes made to the Violence at Work Policy go beyond the delegated authority that the AD for Partnerships has to make minor amendments to Human Resources Policies and Procedures necessary as a result of legislation, national guidance, or best practice, it is considered appropriate that the Human Resources and CTAX Committee approve these changes and the adoption of the updated policy in line with Part 3 of the Council's Constitution.

FINANCE AND OTHER RESOURCE IMPLICATIONS

No specific risks have been identified. This is a policy review and update that is needed to ensure best practice and continued legal compliance.

The budget provision for officer training has been considered as part of the relevant decision-

making process for the procurement of this training.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Threat and Violence at Work Policy details the Council's responsibilities relating to its employees under the Health and Safety at Work Act 1974.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks.	The updated Threats and Violence at Work Policy supports the Council's requirements under the Health and Safety at Work Act 1974. There would be a risk to the Council if these requirements were not met. The Health and Safety Executive (HSE) could impose a fine if the Council is deemed not to be fulfilling its obligations in relation to this Act.
C) Improving economy, efficiency, and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	As a major employer in the district, the Council must ensure that it continues to contribute to building a more prosperous local community by modelling good employment practices.

MILESTONES AND DELIVERY

- a) Agreement by Management Team 26 September 2023
- b) Human Resources & Council Tax Committee 12 October 2023
- c) Officer Decision 16 October 2023
- d) Publication to TDC intranet 16 October 2023

ASSOCIATED RISKS AND MITIGATION

The updated Threats and Violence at Work Policy supports the Council's legal responsibilities as an employer in relation to the Health and Safety at Work Act 1974.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Full consultation has taken place with the local Unison Branch Executive, and they are fully supportive of the adoption of the updated Threats and Violence at Work Policy (*in line with best practice*).

Furthermore, an officer working party, which included representation from the Union, has contributed to the review of this policy.

EQUALITIES

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, and victimisation to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

The Council is committed to being an inclusive employer and a 'Disability Confident Leader', in all its People policies and practices.

Having undertaken an Equality Impact Assessment on the updated Threats and Violence at Work Policy, the conclusion is that the proposal does not impact the protected characteristics.

SOCIAL VALUE CONSIDERATIONS

The Council aims to lead by example as a major local employer. This includes following recognised best practice and ensuring full compliance with legislation.

Examples of this include being a Disability Confident Leader and an Employer Recognition Scheme Gold Award holder; both commit the authority to being an advocate in these areas.

The Council is also an Anchor organisation. Anchor organisations are usually large organisations that are local and have the leverage to maximise social value through their role as workplace developers, employers and procurers, their core business (*for example, health and education*), and the linkages they have to the place they operate.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

This report has no direct implication on the Council's aspiration to be net zero by 2030.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Not applicable
Health Inequalities	Not applicable
Area or Ward affected	Not applicable

ANY OTHER RELEVANT INFORMATION

None

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council's Violence at Work Policy has undergone a comprehensive review to recognise identified best practice, including the standards outlined in Unison's 'Violence at Work Charter'.

The updates include additional content relating to the use of lone worker devices, the principles outlined in the Council's Lone Working Policy, and the possible negative impact of social media in terms of threats to staff.

The title of the document now includes the word 'Threat' to make it clear to employees that they will be supported in all instances where it is perceived there has been an incident of violence or the possible threat of violence.

This document supports the Council's Health and Safety requirements dictated under the Health and Safety at Work Act (HSAWA) 1974, which is to ensure staff are able to work in an environment where they feel safe and without the risk of threat or abuse.

This HSAWA also covers the Council's legal requirement to ensure staff have the required training to enable them to carry out their role in an effective and competent manner. This act remains the foundation for protecting the wellbeing of people in the workplace. Employers have a responsibility to all staff, in any job role.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

The Violence at Work Policy was last formally adopted in August 2012.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

There are no background papers or published reference material associated with this report.

APPENDICES

Appendix A – Threats and Violence at Work Policy.

REPORT CONTACT OFFICER(S)

Name

Clare Lewis

Job Title

Formally the Assurance and Resilience Manager (*currently seconded to the Careline and Community Manager role*)

Email/Telephone

clewis@tendringdc.gov.uk