

Ware Town Council
Abuse Behaviour Policy at WTC

Policy Summary

Ware Town Council employees, contractors and office holders (“staff”) are in contact with the public and perform public duties. They are potentially at risk of abuse at work therefore this policy applies to all staff working on Ware Town Council premises, performing duties as a representative of Ware Town Council, or at Ware Town Council hosted or sponsored events.

Working with and around the public may result in situations which are potentially threatening and can lead to harm. Abuse can result in mental and/or physical injury or trauma and distress.

The Council is committed to promoting an organisational culture and environment where abuse in any form is recognised as unacceptable behaviour. Staff should always be treated courteously, with consideration, dignity, and respect for the work they are doing. They should be safe at work and should not be exposed to undue or unreasonable risk of abuse.

Verbal abuse and threats are the most common types of incidents. However, as communication technology develops, the potential for abuse is increasing all the time. In the UK physical attacks are comparatively rare, but they do happen. Online attacks are ever more frequent.

The Council will not tolerate any instances of abuse.

1. Policy Statement

1.1 This Policy applies to all incidents of work-related abuse, aggression, intimidation, and violence.

Forms of abuse can include:

- Rude, disrespectful and offensive behaviour that has the effect of making the target feel threatened or intimidated, including derogatory remarks and disruptive acts amounting to verbal and emotional abuse. This also includes cyber aggression through texts, email messages, or social networking sites.
- Sexually inappropriate comments and behaviour.
- Racist and discriminatory abuse.
- Threats of physical violence.
- Vexatious complaints.
- Aggressive, intimidating, and violent behaviour.
- Physical attack, whether visible injury occurs or not.
- Attack or damage to property or belongings of staff or Ware Town Council.
- Any work-related incident involving staff which happens away from the workplace.

1.5. In accessing services or events and using buildings and facilities owned or managed by the Council, the public agree not to engage in any form of abuse to staff.

1.6. The Council affirms that staff have the right:

- Not to take unnecessary risks on behalf of the Council.
- To report incidents to the Police themselves.
- To expect the support from Ware Town Council in instances where they feel they have been subjected to abuse.

- 1.7. There are separate policies and procedures for addressing abuse to and from employed staff in the workplace, which is usually treated as misconduct and addressed through Ware Town Council's disciplinary procedures, and the grievance procedure may also be invoked by employed staff.

2. **Employees' Responsibilities**

- 2.1. Staff will be aware of this Policy and comply with it. They will recognise the potential for work-related abuse and take action to resolve it early on. Staff should take positive action and, for example, contact a manager if they think a customer or member of the public might cause problems.
- 2.2. Staff have a responsibility to act in a way that does not incite or increase the likelihood of violence. Any staff member found to be encouraging or inciting violence may be subject to disciplinary action.
- 2.3. Staff are expected to adopt the Council's Zero Tolerance approach to instances of work-related abuse directed towards them or others. Staff should report any instances in line with the procedure laid out in Appendix A.

3. **The Council's Responsibilities**

- 3.1. The Council seeks to minimise the risk of such incidents occurring by:
 - Identifying situations and environments where staff are 'at risk' of abuse and carry out risk assessments of 'at risk' areas of work.
 - Providing training and information to staff at risk.
 - Changing the work environment or working practices where necessary.
 - Operating a system for recording all incidents of abuse at work.
 - Providing training for staff in reporting abuse.
 - Providing support and advice to staff involved in incidents of abuse at work.
 - Taking steps to prevent reoccurrence of abuse by members of the public.
 - Promoting a zero-tolerance culture towards abuse against staff.
 - Setting a positive example by not tolerating abusive behaviour and responding to reports of incidents of abuse.
 - Take legal or other appropriate action or inform the Police wherever appropriate.
- 3.2. Further to this, Ware Town Council will:
 - Ensure this policy is fit for purpose and reviewed annually
 - Implement this policy and ensure staff are aware of this policy and any other related health and safety policies.

4. **Incident Reporting and Investigations**

- 4.1. It is important that the staff feel supported and listened to, and that any action taken by the Council adheres to the responsibilities outlined in this policy. Following the reporting process outlined in Appendix A, the Council will determine appropriate and proportionate action in response to the incident of abuse.
- 4.2. Appropriate action to manage abusive members of the public may include:
 - Appointing a specific named member of staff to liaise with them.
 - Corresponding with them by letter/email only.

- Restricting their access to Ware Town Council hosted and sponsored events.
 - Restricting their access to Ware Town Council buildings and facilities.
 - Reporting them to relevant supervisory or regulatory bodies.
 - Reporting them to employers or relevant organisations which they represent.
 - Seeking legal advice with a view to arranging an injunction and/or other legal action. A prosecution or other appropriate civil proceeding may be taken against any person who enters Council property for unlawful purposes, or who is abusive to Council staff.
 - Contacting the police.
 - The following circumstances will inform the severity of the response by the Council:
 - If the perpetrator may have been acting in an official capacity or as representative of a third party at the time of the incident.
 - If the perpetrator is a repeat offender.
- 4.3. This list is not exhaustive, and the Council reserves the right to take any action it deems appropriate to protect its' staff and promote their safety and wellbeing.
- 4.4. If the victim is unhappy with the outcome, they may rely on their right to privately prosecute the perpetrator of abuse.
- 4.5. If the decision taken is to restrict access to Council services, events, buildings and facilities, the perpetrator will be given a right of appeal. They must provide written submissions detailing any mitigating factors and supporting evidence within two weeks of receipt of the outcome. Any appeal will be considered by Full Council.
- 4.6. Confidentiality will be maintained where possible, on a need to know basis, but there may be circumstances that require the Council to inform others or investigate and take action even where you don't wish that to happen, for example where there is a serious risk to the health and safety of others, safeguarding concerns, the allegation is so serious that it must be reported to the Police, or other legal duties must be complied with.
5. **Statement of Compliance**
- 5.1. Due regard will be given to the Council's duties to staff and service users under the Equality Act 2010 and the Human Rights Act 1998, and relevant employment legislation.
- 5.2. The Council will adhere to its' responsibilities under the Data Protection Act 1998 and will be compliant with GDPR regulations. All communications concerning a complaint are potentially subject to Data Subject Access Requests and this should be borne in mind.

Appendix A- Reporting Procedure

1. If you have been a victim of abuse, move away from the situation and call for assistance. Use the minimum force necessary to extricate yourself from the situation.
2. Report the incident to your line manager immediately. You may also wish to inform your Trade Union Representative. If you are not an employee of Ware Town Council, report the incident directly to the Town Clerk.
3. If injured or shocked, medical attention should be sought for you.
4. Management must make a decision to call the Police without delay. Account must be taken of your wishes and any Trade Union advice. You have the right in any event to contact the Police directly in any situation of this nature.
5. A written log of the incident should be completed by you with your manager. A log should be made even when you request no further action be taken. It is essential to collect information on the number and types of incidents to determine any possible risks in order to develop policies for reducing such risks.
6. Full notes and a factual written statement detailing the incident and the events preceding it should be made. Avoid opinions in this statement.
7. Witnesses should be identified and requested to make full notes and factual written statements.
8. Managers must inform the Town Clerk without delay of any incidents of this nature. It is advisable that the Complaints Officer is not involved in this process, in their capacity as Complaints Officer, because of the inherent conflict of interest if the perpetrator is a complainant or seeks to make a formal complaint.
9. The Town Clerk will refer the matter to the HR Committee. An Investigating officer will be appointed; this role may be deputised to a Councillor for a fixed term. The IO will write to the perpetrator and to you to keep all parties informed of the process. The perpetrator will be given information about the possible outcomes.
10. The IO will investigate, reviewing CCTV footage if applicable and collate the factual written statements from the victim (you) and witnesses. Findings to be presented to HR Committee.
11. HR committee will consider the findings and any additional information about the circumstances of the incident.
12. HR committee will determine appropriate and proportionate action in response to the incident of abuse.