

| Health and Safety Executive Board Paper | | HSE/06/108 | |
|---|-----------------|-------------------|------------|
| Meeting Date: | 6 December 2006 | Open Gov. Status: | Fully Open |
| Type of Paper: | Above the line | Paper File Ref: | |
| Exemptions: | None | | |

HEALTH AND SAFETY EXECUTIVE

The HSE Board

Health and Safety – significant health and safety risk areas – lone working

A Paper by Tim Beaumont

Advisor(s): Operations Group Health & Safety Committee, HR-Service Centre

Cleared by Justin McCracken on 28 November 2006

Issue

1. Report on risks from lone working in HSE.

Timing

2. For discussion at this meeting.

Recommendation

3. That the Board:
 - Notes the main issues associated with lone working and the impact on HSE as an organisation.
 - Supports the proposed response to this report set out in Paragraph 17.

Background

4. This report is the fourth of the series that the Board requested focusing on different hazard areas in HSE. The aim is to try to look beneath the statistics to ascertain what the root causes were in the main categories of incidents involving HSE staff, and to give Board members a better understanding of what causes ill health and harm in HSE so that they personally consider what they can do to address the issues.
5. Lone working has been identified as one of the key issues facing staff in HSE, particularly from operational divisions. It is described as being a low probability – high consequence risk. In other words although we are unlikely to see many incidents, the potential consequences are such that effort is required to address the risk. Lone working covers a wide range of circumstances and risks. There is one sub-category of risk – violence and aggression – that is particularly important.
6. A new policy on lone working was launched with Board approval in February 2006. A new policy dealing with elevated risks of violence and aggression has just been finalised after extensive trade union consultation. Both sets of guidance contain the same sort of preventative measures.
7. This paper will look at current incident trends and brief the Board on the new violence safety policy (attached as Annex 1). The aim is to help the board to contribute to the effective management of lone working risks in HSE.

Argument

Lone working risks – not related to violence & aggression

8. Almost all staff at some time or another will be a lone worker. For visiting staff this will usually be whilst out meeting duty holders. For some office staff it might be when they are the only person in the office. The main risks are sudden illness or accidents, e.g. car breakdown, occurring whilst the staff member is alone. HSE has introduced robust procedures to reduce the risks associated with lone working. These procedures were devised after extensive consultation with staff and with the full backing of the Board.
9. The procedures require staff to leave accurate emergency contact details at the office, take with them a fully charged mobile phone, and leave accurate details of their whereabouts on their electronic calendar. Staff visiting dutyholders should also check the files to see if there are any extra hazards about the visit that should be considered.
10. A recent discussion at OMT indicated that adherence to the procedure is not yet consistent across HSE. This is disappointing and OMT recognised that action was required. Members of the OMT have now reinforced the message down management lines and advised managers that spot checks that staff are filling in dairies should be considered. It is one area where support from Board members is necessary and appreciated.

Lone working risks – violence & aggression

11. HSE staff occasionally encounter situations where their presence and role elevates the risk of violence, e.g. following up an urgent complaint at a premises where the dutyholder has a record of aggression towards officials. HSE requires extra precautions for these circumstances.
12. Unfortunately in some cases staff have been subjected to violence, aggression and abuse. Table 1 below gives an overview of the types of reported incidents of violence and aggression against staff and some information about causation. The data is taken from the ACC1 records held in HRD going back to 2003.

Tables: Analysis of reported verbal abuse and violence – April 2003 to present

a) Total number of incidents and split between abuse & violence

| Types | Number of incidents |
|---|---------------------|
| Verbal abuse/threats | 71 |
| Physical violence occurred | 7 |
| Total number of reported incidents | 78 |

b) Location of the abuse/violence

| Location of abuse/threat | Number of incidents |
|--|---------------------|
| During site visit | 43 ^a |
| Over the telephone (office) | 24 |
| Travelling on HSE business (crime related) | 11 |

c) Some causal factors leading to abuse/violence

| Causal factor | Number of incidents ^b |
|-------------------------------|----------------------------------|
| Abused by complainant | 12 |
| Related to enforcement action | 9 |

^a In 8 instances two inspectors were verbally abused during the visit

^b Numbers do not total 78. Some incidents fall into more than one category & cause unclear in others

| | |
|---------------------------------------|---|
| Arising from 'stop & look' inspection | 7 |
| Dogs involved | 2 |
| Racist in nature | 1 |

13. The following points can be made from the data in the table

- a. 78 incidents since 2003 equates to a rate of approximately 1 in every 10,000 regulatory contacts resulting in reported verbal abuse or aggression^c.
- b. Although most incidents of aggression occur during visits, in a significant number of cases (30%) admin staff in the office were the recipients of abuse. FOD now provide staff with training in dealing with abusive phone calls.
- c. Actual violence occurred in around 10% of reported cases. This violence included a push to the shoulder, dog bites and in the worst case an assault. Reported verbal abuse tends to be of the more extreme variety including threats and personal insults.
- d. It's hard to identify the main triggers for abuse. In some cases it's clearly linked to enforcement or unplanned inspection. In others it seems to have no real trigger.
- e. Around 15% of cases involved some sort of criminal activity by a member of the general public unrelated to the affected person's role for HSE. These were reported usually because they took place near an HSE office or whilst the staff member was travelling on HSE business.
- f. It is note-worthy that there is a complete absence of any reports about aggression between HSE staff. Staff survey figures indicate that unacceptable behaviour is more likely between staff members than from members of the public. However not one incident of verbal abuse/aggression between staff members was reported, although in theory the same reporting mechanism could be used for both.

14. It's hard to estimate the level of underreporting with regards to aggression and violence. The best comparators are the staff survey's questions on unacceptable behaviour. When the results from the 2005 survey are examined it's possible to estimate that in the 12 months leading up to the survey date there were between 65 and 70 instances of a staff member being subjected to unacceptable behaviour from someone outside of HSE^d. If this rate was matched over the 3½ years covered by table 1 then an estimated 225 to 245 staff members were subjected to unacceptable behaviour from someone outside of HSE over that time period. Whilst this is not a precise comparator it does indicate that there may be a significant level of under-reporting.

15. The new policy on addressing the risk of violence and aggression is attached at [Annex 1](#). The policy was developed jointly with trade unions after a risk assessment. It has the approval of the Operations Group Health & Safety Committee. Following discussion at the Corporate Health & Safety Committee it has been adopted. It will be reviewed in mid 2007, and in the meantime two areas agreed as needing further work – training and recording of information about premises where there is a known risk of violence – will be developed. The Board is asked to endorse this policy. It incorporates

^c This assumes an approximate average annual number of 200,000 HSE regulatory contacts based on data produced by a recent FOI request – see <http://www.hse.gov.uk/foi/releases/hse.htm> for more information.

^d See http://intranet/humanresource/survey/05/Survey_2005.pdf for details. The estimation in this paper assumes that rates of unacceptable behaviour in survey responders is matched in non-responders

the basic principles of the existing lone working policy and gives guidance on extra actions to take if there the risk of violence is assessed to be elevated.

16. During policy development, the current training provision in this area was examined. All visiting staff who have joined since the early 1990s have received training in effective communications. This course gives staff the ability to spot early warning signs that someone may be becoming angry and possibly abusive and to alter their behaviour accordingly. The subject is also covered in tutorials delivered by ODMs. Admin staff can also attend courses on dealing with telephone abuse. The training provision is good but needs to be refined so that it forms a cohesive suite of courses. Staff need to be clear that the training they are receiving is the main preventative measure against violence. This work has been given to the health and safety advisor to complete in liaison with HR Learning & Development.

Action

17. This paper sets out the main issues relating to lone working for the benefit of the Board. From the argument there are a number of points where Board support would be welcomed. Board members are asked to:
- a. Encourage staff in their directorates/divisions to report all cases of unacceptable behaviour using the established reporting systems.
 - b. Ensure that staff in their directorates/divisions adhere to the established lone working policy. Locally organised compliance checks could be an effective way of doing this.
 - c. Ensure that the new policy on violence is adopted in their directorate/division. A good way start this process off would be to discuss the matter in the health and safety section of the next D/D management meeting and to keeping the lone working/violence topic under review.
 - d. Ensure that any staff in their directorate/divisions who have contact with duty-holders or members of the public have the appropriate effective communication skills for their role and, if necessary, arrange suitable training.
18. The established management chain needs to be used to publicise these messages. Activities such as spot checks can be used to check compliance.

Consultation

19. Trade union safety reps, HSL human factors, the OGHSC and CHSC have all been involved in the recent development of the lone working and violence safety policies.

Presentation

20. Internal communication mechanisms will be used to publicise the new violence policy and reinforce the message about lone working.

Costs and Benefits

21. Both lone working and violence are established parts of the Corporate plan for health and safety. Resources should already be available to assist in the rolling out of the policies. There is a possibility that extra training needs may be identified and these will need to be considered on a case-by-case basis in the light of current financial constraints.

22. These risks are serious. No one in HSE wants anyone to be assaulted and injured and we should take all reasonable steps to prevent such an occurrence. HSE could also suffer considerable financial and reputational damage if an incident were to occur.

24. Future papers February 2007 Report on risk factors – Work related road risk
Summary of actions arising from recent health
and safety reports
Presentation of Corporate Plan for 2007/08

I:\Strategy and Intelligence\Head SID\Board Meetings\2006\December\papers\HSE Board - Meeting - 2006 - December - 3 - Health and safety - significant health and safety risk areas - lone working.doc

Annex 1 – Violence safety supplement

Violence to staff

1. *This supplement applies to all staff and managers.*
2. *It addresses those situations where it is reasonable to anticipate an increased risk of violence or aggression towards staff, above the general 'background' level in our society. Other risks relating to lone working are addressed in the [Lone Working guidance on the intranet](#). It does not cover violence or abuse between staff members – this is a conduct and disciplinary matter.*
3. *This supplement has been developed jointly by HSE management and Trades Unions; both expect all staff and managers to comply with the requirements.*

Key points:

All staff:

- Although rare, all staff could be subject to violence or aggression from duty holders, witnesses or other members of the public at any time. Be prepared.
- Every situation is different. Be aware of the guidance in this supplement, assess the risks and take steps to manage the risks, both before and during the particular situation.
- Ensure that you have received the appropriate training in communication skills. New visiting staff should not carry out higher risk visits until they have attended the 'Effective Communications' course
- Only work away from your office or carry out visits if you have:
 - a fully charged mobile phone switched on;
 - entered onto your electronic calendar system full details of where you are intending to be throughout the day;
 - provided your office admin team with up-to-date emergency contact information and information about your vehicle; and
 - checked relevant site records.
 - Notify to the office any changes to visits or vehicle details on the day.
- Where you anticipate an elevated risk of violence or aggression establish a clear operational need for the visit as part of pre-visit assessment and take additional precautions, proportionate to the enhanced risk. E.g. take [Cybertrak phone](#); joint visit.
- Terminate the contact at the first sign of aggression.
- Record information on the COIN site record in the Site Restrictions field if colleagues who may follow you would benefit from being alerted to particular problems.
- Report any incidents that may have injured you or put you at risk or that have caused you significant distress.

Managers:

- Make sure that staff who report to you understand and comply fully with the requirements in this supplement. Take positive steps to check. Take prompt corrective action if not – the requirements are not optional.
- Report and investigate any incidents and ensure that staff who may have been affected by violence or aggression receive support.
- Support the criminal prosecution of perpetrators of criminal abuse

What you need to know and do:

- [Precautions for visiting staff](#)
 - [Training](#)
 - [Local intelligence](#)
 - [Pre-visit assessment](#)
 - [Specific visit related risks](#)
 - [Operational need](#)
 - [Assessment during the visit](#)
 - [Actions required after visits](#)
 - [New visiting staff](#)
- [Precautions for staff in the office](#)
 - [From visitors](#)
 - [Verbal abuse over the telephone](#)
- [Post incident](#)
 - [Action to take](#)
 - [Criminal legal action in cases of violence/abuse](#)
 - [Effect on sick leave](#)
 - [Harassment/violence & the civil legal process](#)
- [Further reading](#)

Precautions for visiting staff

The risks of violence or severe verbal abuse to HSE staff are low. Although rare, however, the potential consequences are high and precautions need to be taken to ensure that such risks are properly controlled.

Many of the precautions which keep the level of risk low are inherent in the normal way in which we conduct our business processes in HSE and in established training strategies. All visiting staff and others who may work on their own should already be following the basic precautions for lone working (see Lone Working guidance). For visiting staff, these are:

- 1. You have a charged mobile phone with you**
- 2. You have left up to date emergency contact details (including colour, make and registration number of your car) at the office with the specified Administrative team in your Division or office.**
- 3. You have entered sufficient details about where you plan to visit on the corporate calendar system, Lotus Notes or Microsoft calendar.**
- 4. You have notified any significant changes to your intended visits or vehicle details as soon as possible to the office on the day and have asked for your calendar to be updated.**
- 5. You have checked site/incumbent records before visiting a duty holder or site with which you are not already familiar or have arranged for someone else to do so.**

These five points are compulsory for all staff, and visits.

Other preventative measures that should be in place are:

Training

The early years training package for all visiting operational staff contains two relevant courses:

- Introduction to regulation. For more details see [\[here\]](#)
- Effective communications course.

These courses equip new visiting staff with basic skills at identifying risk factors and handling aggressive behaviour.

Long serving staff who have not previously received formal communications training should discuss training needs with their line manager. Staff can also attend refresher courses on communications, appropriate to their role and experience of the inspector, if this is identified and agreed with the line manager as a training need. Details of the courses can be found [\[here\]](#)

Courses in communications and telephone techniques are available for Administrative staff. More information can be found [\[here\]](#).

Local intelligence

Line managers should make sure that knowledge about specific areas that may pose a greater societal risk is shared with staff, especially those new to a particular geographical patch. This information can then form part of the pre-visit assessment (see below).

Pre-visit assessment

All visiting staff should, ahead of the visit, assess the risks that the visit generates. If you have concerns, write down the findings of your assessment using the form found [\[here\]](#) and share it with your line manager.

Consider:

- What do I know about the dutyholder from local intelligence including records of previous visits?
- What is the operational need for the visit? (see below)
- Is the purpose of the visit likely to be inflammatory (taking enforcement action etc)?
- Are there likely to be other people present who could pose a problem?
- Are there going to be other agencies present who could have an impact on the visit?

The findings of this assessment should help you decide what, if any, **further precautions** you should take. Information contained below under 'specific visit-related risks' should help you make that decision.

Where additional precautions are indicated, ensure that they are put in place before the visit and that your line manager is aware. Make sure that colleagues who have a part to play are clear about respective roles and responsibilities and the actions they should take.

Specific visit related risks

There are some specific categories of risk of violence that may be encountered. Some of these have some specific preventive measures to be considered:

| Risk | Preventative measure |
|---|---|
| Street crime | <ul style="list-style-type: none">• Observe sensible security precautions:• Keep valuables out of site• Do not use laptop/mobile phones.• Park in well lit areas or secure parking if available (check ahead if possible)• Avoid areas prone to street crime at night• Keep car doors locked• Use the Cybertrak emergency phones• Consider joint visiting |
| Assault/verbal abuse by duty holder | <ul style="list-style-type: none">• Consider visiting by appointment• Joint visiting with an appropriate member of staff.• Use pool car or hire car if concerned about personal details being taken.• Joint visiting with Police (this can sometimes be inflammatory)• Use the Cybertrak emergency phones• Buddy call system (call the office/colleague before & after a visit with a clear understanding of what will happen if no 'after' call is answered). |
| Harassment after visit (e.g. visits to controversial animal housing establishments) | <ul style="list-style-type: none">• Avoid giving personal details during visit – restrict all contact details to office or works mobile phone.• Use pool/hire cars and return to the office after the visit |

| | |
|---|--|
| Assault by others on site (e.g. patients at secure units) | <ul style="list-style-type: none"> • If possible, discuss ahead of visit and complete a site specific pre-visit assessment (example: Annex 1 to this initial risk assessment) • Terminate the visit if you are unhappy with the level of safety afforded by the dutyholder. • Use principles described above for violence by dutyholder • See the relevant OC for more details |
| Work with police/UK Immigration Service or other government agencies where risk of violence increases | <ul style="list-style-type: none"> • Ensure that comprehensive risk assessment completed ahead of the visit justifying the need for the visit and specifying any further safety measures required as set out by the authority taking the lead on the visit – e.g. work with cocklers in Morecambe bay (see the relevant OC) |

Operational need

Visits where there is an identified elevated risk of violence should only take place if there is a clear operational need. Generally this means that there are significant health and safety issues affecting workers, members of the public or others. Examples include:

- illegal asbestos removal
- evidence gathering vital for the success of major incident or high profile investigations or prosecutions.

There is no clear operational need for the following examples:

- attending site to serve a summons
- attending a site to invite someone to a PACE interview

Both can be achieved through correspondence.

Assessment during the visit

Carry out dynamic risk assessment. There is some guidance on this topic [[here](#)]. This means keep your eyes and ears open. Be prepared to adapt to changing circumstances. Use your common sense. Remember:

If at any time you perceive threatening behaviour, withdraw immediately.

HSE will fully support you in taking this course of action if you feel your personal security was threatened.

Actions required after visits

If you have arranged to call in to a ‘buddy’ or to the office to reassure them that you have completed the visit or day’s visiting without incident, **make sure you do so.**

Record on the COIN site record in the Site Restrictions field any information that would make colleagues who may follow you aware of the situation. For guidance on doing this see [[here](#)]. Limit your comments to the purely factual, e.g. ‘large guard dog kept on site’ or ‘Dutyholder shouted, used abusive language and pushed inspector’ and your recommendations, e.g. ‘Visit jointly by appointment’. Don’t express opinions e.g. ‘Dutyholder is bad tempered and rude’.

New visiting staff

Often new visiting staff visit small firms where possible risks occur. As a consequence the following standards should be adhered to for all new visiting staff:

- All visits to new premises should take place after a basic contact process has obtained initial details so that staff are not walking into new premises with no information

- No speculative (stop and look) visits or out of hours visits until line manager assesses that the staff member is competent to do so
 - Consider visits by appointment
 - No solo visits before 'Introduction to regulation' tutorial
 - Effective Communications course should take place where possible within 6 months after recruitment
-

Precautions for staff in the office

From Visitors

The [Lone working policy](#) contains advice on the completion of an assessment of risks from visitors in offices. This assessment, completed for the local site health and safety committee, should identify what security measures are in place to reduce the risk of violence to staff from visitors to the office. More advice on visitors can be found [here](#).

Panic alarms should be provided in all PACE rooms. Colleagues should be able to hear and identify the alarms and understand what to do in response if they are activated.

Verbal abuse over the telephone

With new ways of working most HSE staff have contact with the public over the telephone and as result incidents of verbal abuse of staff over the phone have increased. Such abuse can be very distressing for the staff involved and will not be tolerated by HSE.

If someone starts to be aggressive or abusive on the phone and does not respond to requests to calm down, you should forewarn an intention to terminate the call. If the verbal abuse continues, hang up. If this happens then report it to your manager, as with any other example of verbal abuse.

Post incident

Action to take

All managers and colleagues should be ready to respond to calls from any visiting officer who has been the victim of violence, serious threats or abuse, with the provision of immediate support and assistance as well as notifying senior managers. Where appropriate a colleague should go out to the officer to help them and get them back to the office or home.

Report all incidents or near misses where violence, intimidation or threats were a factor, whether at a site visit or in the office, face to face or over the phone, using the guidance at the following [\[link\]](#).

A debriefing should take place after all incidents of verbal or physical abuse with a view to assessing the need for an investigation. Line management should undertake any investigation. The local Trade Union safety representative should be invited jointly to investigate. The Safety Representative has the right to decline or may investigate independently on behalf of the affected member of staff. The investigation should cover whether the appropriate preventive measures, including training, had been identified and

followed. These preventive measures may not stop all abuse but will often be sufficient to avoid escalation to the point where physical harm occurs.

Criminal legal action in cases of violence/abuse

A firm letter from a line manager may suffice in ensuring HSE is able to carry out its functions in future without further disruption. However in some circumstances HSE will need to take up matters with the police. Incidents involving actual physical damage to you or your property, and threatening behaviour involving a weapon must be reported to the police immediately. This is consistent with HSC's enforcement Policy Statement.

Incidents involving racial abuse must also be reported to the police straight away. Other examples of threatening behaviour and abuse should be reported to the police if you perceive there is a credible, continuing threat from the individual/s concerned.

Line managers should ensure that the Police understand the context of HSE's business. If necessary, line managers should seek to escalate discussion about such cases both within HSE and with the Police, to secure due consideration and appropriate action.

If an assault is reported to the police but no further action, such as prosecution, is proposed by the police, HR will discuss with the Legal Advisor's Office whether any further steps can be taken against your attacker. In Scotland the Procurator Fiscal carries out all prosecutions and private prosecutions rarely occur.

If you have been verbally or physically abused you may find it helpful to talk to somebody. This can be a colleague, line manager, safety representative or the in-house staff counselling service. More details about this can be found [\[here\]](#)

Effect on sick leave

If you are injured as a result of an assault on duty or if the assault itself has a clear connection with that duty:

- any sickness absence directly due to the injuries received will be treated differently from normal sick leave; and
- your absence will not reckon against your sickness record.

This is irrespective of your sick pay position under normal sick leave rules. See [\[here\]](#) for more guidance.

Harassment/violence and the civil legal process

In the event that, as a result of your official duties, you are subjected to repeated verbal threats, abuse or harassment, you should keep a detailed record of all such incidents and these should be reported to the Human Resources Service Centre, via your line manager. HSE may be able to give you legal assistance for you to apply to the appropriate court for an order to stop the threats or harassment.

Similarly, if you wish to start civil proceedings against a member of the public:

- for the recovery of damages for personal injuries resulting from an incident at work or in the course of your official duties; or
- for defamation where statements made were felt to be harmful to your character or reputation,

you should consult HR in the first instance, via your line manager. HSE will support you in any legal proceedings and financial assistance may be provided.

Further reading

[Joint TU/management assessment of risks associated with violence](#)

Lone working

[Driving - work related road risk -](#)

[General health and safety at site visits](#)

[OC 334/2: PRISON SERVICE ORGANISATION, MANAGEMENT AND INSPECTION](#)

[OC 205/1: ILLEGAL EMPLOYMENT - JOINT OPERATIONS WITH OTHER](#)

[ENFORCEMENT AGENCIES](#)

[COIN guidance on use of 'Notes' facility](#)

[HR guidance on assaults and threats against staff](#)

[Working alone in safety \(indg73\)](#)

[The Suzy Lamplugh Trust](#)

[Enforcement Policy Statement - HSC 15](#)