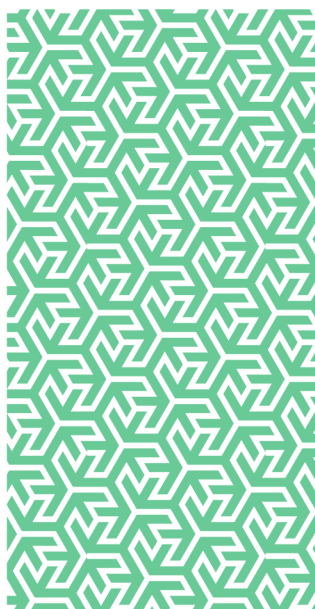




Risk control

Violence and Aggression - Managing the Risk



In partnership with



Violence and Aggression - Managing the Risk

Introduction

Each day, organisations across the country face health and safety challenges when managing the risk from violence and aggression. Violence and aggression can present real health and safety issues that organisations must take seriously and manage effectively.

Due to the nature of the risks associated with violence and aggression, it can sometimes seem like a complex issue to manage. However, by taking a sensible and proportionate approach, organisations can ensure the health and safety of their employees who are at risk of being exposed to violence and aggression while undertaking their jobs.

Type of Risks

The Health and Safety Executive (HSE) define work-related violence as “*any incident in which a person is abused, threatened or assaulted in circumstances relating to their work*”¹. The risks are wide ranging, and include verbal abuse or threats, including face to face, online and via telephone¹. The risk also includes physical attack, where employees are physically assaulted while conducting their work. This could include violence from members of the public, colleagues, or others, towards a person at work.

The harm caused by incidents where employees are exposed to work related violence and aggression can be significant. As well as injury, disability, or death from physical attacks, employees can also suffer psychologically. Mental health conditions such as Post Traumatic Stress Disorder, Anxiety and Depression are all foreseeable outcomes of work-related violence and aggression related incidents. The injuries sustained in these incidents made up 9% of all work-related non-fatal injuries reported by organisations in 2023 / 24². These risks must therefore be effectively managed.

The Law

Health and Safety at Work etc. Act 1974: Organisations have a legal duty to ensure the health, safety and welfare of their employees so far as is reasonably practicable under Section 2 of the Health and Safety at Work etc. Act 1974³.

The Management of Health and Safety at Work Regulations 1999: These regulations place more specific health and safety management requirements on organisations⁴. These requirements include the need for:

- Risk assessment
- Applying the Principles of Prevention
- Appropriate health and safety arrangements
- Health and safety assistance (competent person)

- Provision of information, instruction, and training
- Assessing the exposure to violence and aggression of those individuals at particular risk, such as new and expectant mothers and young persons

The Workplace (Health, Safety and Welfare) Regulations 1992:

These regulations lay down the health and safety requirements for workplaces and include workplace layout requirements, doors and gates (access and egress) and providing suitable and sufficient lighting⁵. These factors can have an impact on personal safety in the workplace.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013:

Failure to adequately manage violence and aggression at work could lead to people being physically harmed. This may result in a non-fatal (specified injury) or fatal injury, or an injury which causes the injured person to be incapacitated for routine work for more than seven consecutive days being sustained. In such cases, the employer must report the injury or fatality to the relevant enforcing authority in an approved manner⁶.

Common Law Duty: Organisations have a duty to exercise reasonable care to their employees, which is often referred to as the Common Law Duty. This duty was identified in general terms in case law such as *Wilsons and Clyde Coal Co. Ltd v English (1938)*⁷.

Managing the Risks

It is important that organisations adequately manage the risk of violence and aggression. The Management of Health and Safety at Work Regulations 1999 set out a framework of requirements that, if implemented, will ensure organisations are taking steps to manage the risks.

Risk Assessment: Organisations must make a suitable and sufficient assessment of violence and aggression related risks which employees are exposed whilst they are at work. When making an assessment, it is important to accurately identify the hazards involved with the work being conducted. Consideration should be given to the following:

- What work activity is the employee engaged in that could make them particularly susceptible to violence and aggression? For example, are they handling valuable items or cash? Are they involved with work that could incite an aggressive response?
- Factors such as lone working must also be considered as the employee will not have any direct supervision and will maintain a reduced ability to summon help which can place them at increased risk⁸

- It is important to not treat violence and aggression risks generically. Risk factors will often be task or activity specific, and so employees conducting different tasks or activities will be at risk for different reasons. As a result, the control measures will also be different.

- **Risk Treatment:** Adequately assessing the risks will enable enhanced understanding of how to manage them most appropriately. Ideally, the risks are avoided or removed, however, this is not always going to be reasonably practicable. When considering risk treatment, it is important that the Principles of Prevention (hierarchy of control effectiveness) are applied⁴.

When seeking to avoid the risk, consider if the task or activity needs to be done at all. If it does, consider alternative safer methods so far as is reasonably practicable.

Health and Safety Arrangements: Organisations must make arrangements for the effective planning, organisation, control, monitoring, and review of the preventive and protective measures⁴. This is to ensure that those measures organisations have chosen to implement continue to remain effective and have the desired effect. Organisations may be familiar with the Plan, Do, Check, Act approach in the HSE publication HSG65 Managing for health and safety⁹, which sets out a framework to assist organisations with meeting this duty. Having in place an organisational policy for violence and aggression will help the organisation set out their intentions on how they are going to manage the risks with aims and objectives, what the arrangements are to achieve these and who in the organisation have specific responsibility for health and safety¹⁰.

Health and Safety Assistance: Organisations must appoint one or more competent persons to assist them in undertaking the measures needed to take to comply with the requirements under the relevant statutory provisions⁴. This may be a competent person employed by the organisation, such as a Health and Safety Advisor, or it may be external personnel. It is important to consult these professionals as they will be able to provide advice, guidance, and support in managing the risks of violence and aggression.

Information, Instruction and Training: Organisations must provide employees with comprehensible and relevant information on the risks to their health and safety from violence and aggression as identified by the risk assessment. This must include information on the preventive and protective measures. Such as:

- Rules on lone working in specific circumstances
- Information on how to discreetly carry or transport goods, for example, laptops

- Training on recognising warning signs, such as body language and de-escalation techniques
- Training on emergency procedures
- Information on reporting incidents

The Benefits

There are significant benefits to both organisations and employees for getting it right when it comes to managing the risk of violence and aggression at work:

- **Moral:** An organisation doing the right thing morally by taking care of employees will gain a better reputation for corporate responsibility among internal and external stakeholders¹¹. This will lead to increased productivity, because employees who are looked after are healthier, happier, and better motivated. This will likely have a positive effect on employee turnover rates.
- **Legal:** Failing to comply with statutory provisions can lead to accidents. These may be investigated by the enforcing authority for health and safety for that activity such as the HSE. If the HSE find material breaches, they may serve notices and charge a fee for intervention. For more serious breaches, they may also prosecute the organisation. Those involved in violence and aggression related incidents may pursue civil action against their employer for failing to exercise reasonable care.
- **Financial:** Adequately managing the risk of violence and aggression may result in reduced: employee sickness absences and associated costs; temporary staffing; and costs associated with litigation. Demonstrating good risk management practices may also reduce insurance costs.

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Further information

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