



WORK RELATED VIOLENCE AND UNACCEPTABLE BEHAVIOUR POLICY

Policy agreed on: 24th Feb 2022 / Reviewed: November 2025

BACKGROUND

While ELCAP staff generally get on well with the families of the individuals we support, sometimes relationships can be challenging from the outset or turn sour. The reasons for relationship breakdowns are varied and include:

- A lack of rapport between a family member/s and or member/s of staff.
- Challenging life circumstances or health and wellbeing issues which impact on the attitudes and behaviours of a family member/s
- Difficulty coming to terms with the fact that a loved one requires care and support from a specialist provider.
- Preferences on the part of family members for a particular member/s of staff, over others

When relationships are difficult, our staff can be subjected to threats and unacceptable behaviour. While these situations are not common, they occur from time to time. As an employer, ELCAP has a general duty of care to protect staff from threats, unacceptable behaviour and work related violence.

This policy, which is new to ELCAP, sets out how our organisation will address the risk of work related violence and unacceptable behaviour within the areas of our control.

The Joint Consultative Committee (JCC) has agreed the policy, in line with our normal approach to consultation

The Executive Board agreed the policy on 24 February 2022.

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1. INTRODUCTION

This policy sets out how ELCAP will address the risk of work related violence and unacceptable behaviour within the areas of its control.

2. SCOPE OF POLICY

This policy applies to members of the public, including family members and friends of the individuals ELCAP supports.

It does not apply to the individuals ELCAP supports. While ELCAP acknowledges that the individuals we support may behave in ways which are unacceptable or violent, these behaviours are often related to their disability or health problem. We will use a range of approaches – including Positive Behaviour Support and Team Teach training – to improve and manage how the individuals we support relate to ELCAP staff and others.

Within these parameters, the policy will apply to all incidents involving work related violence and unacceptable behaviour directed towards an ELCAP employee

3. DEFINITIONS

Work related violence is defined by the Health and Safety Executive (HSE) as:

- “Any incident, in which an employee is abused, threatened or assaulted by a member of the public in circumstances arising out of course of his / her employment”.

Unacceptable behaviour can include one or more of the following:

- Threats
- Physical violence
- Personal verbal abuse
- Derogatory remarks and rudeness
- Inflammatory statements
- Racial or discriminatory remarks

- Unsubstantiated allegations
- Making unreasonable demands
- Unreasonable levels of contact – for example, repeated emails, telephone calls or texts from the same person over a short period of time
- Causing alarm, distress or fear in the mind of employee

4. OUR COMMITMENT

Our commitment is to ensure that information, preventative measures and support are available to employees of ELCAP in relation to incidents involving work related violence and unacceptable behaviour at work.

Where a risk is identified, ELCAP will take the following steps to ensure employees are safe at work:

- Carry out an assessment of the potential for work related violence and unacceptable behaviour in or around our service or workplace.
- Record, review and monitor work related violence and unacceptable behaviour risk assessments across ELCAP.
- Consult with trade unions on proposed actions relating to the prevention of work related violence and unacceptable behaviour.
- Provide employees with suitable information, instruction and training on hazards and control measures relating to work related violence and unacceptable behaviour. Records of information and training provided should be recorded in staff files.
- Treat seriously any reports of work related violence, unacceptable behaviour, threats or abuse towards employees and respond to them promptly.
- Provide awareness training for front-line staff and managers on work related violence and unacceptable behaviour.
- Ensure that suitable information on support arrangements following incidences of work related violence or unacceptable is provided to employees. Support arrangements include access to ELCAP's free and confidential counselling service and our occupational health service.
- Report promptly all work related violence or unacceptable behaviour incidents, in line with Health and Safety Executive (HSE) requirements.
- Monitor incidences of violence and threatening behaviour towards ELCAP employees.
- Assist enforcement agencies - for example, Police Scotland - with any investigations into work related violence and unacceptable behaviour.
- Review and revise these steps, as appropriate
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5. ORGANISATIONAL RESPONSIBILITIES

The management of work related violence and unacceptable behaviour in the workplace is an important factor in ensuring the health and safety of all ELCAP employees.

Organisational responsibilities for managing incidences of work related violence and unacceptable behaviour are set out below:

- **Chief Executive**

The Chief Executive will ensure adequate resources are allocated to manage incidences of work-related violence and unacceptable behaviour, in accordance with our organisational responsibilities.

The Chief Executive delegates responsibility for the management of work-related violence and unacceptable behaviour to the Registered Manager.

- **Registered Manager**

The Registered Manager will ensure, through our team of Operational Leads, that ELCAP's organisational responsibilities are met in our services and workplaces. S/he will report any incidences of violence and unacceptable behaviour to the Chief Executive.

- **Operational Leads**

Operational Leads will ensure that ELCAP's organisational responsibilities are met in the services they manage, including our breaks from care services. They will report any incidences of violence and unacceptable behaviour to the Registered Manager and:

- Ensure, where required, that work related violence and unacceptable behaviour risk assessments are carried out, recorded, monitored and reviewed regularly.
- Ensure that preventative measures are in place to reduce the risk of harm to employees.
- Ensure employees identified as being at risk are suitably trained in dealing with violent or unacceptable behaviour at work and in keeping safe.
- Ensure that suitable information on support arrangements following incidences of violent or threatening behaviour at work is provided to employees. Support arrangements include access to ELCAP's free and confidential counselling service and our Occupational Health Service.

- **Support Practitioners**

Support Practitioners will co-operate with their Operational Lead to enable them to meet their health and safety responsibilities in relation to work related violence and unacceptable behaviour. In addition, Support Practitioners should:

- Be familiar with the content and purpose of our *Work related violence and unacceptable behaviour* policy.
- Follow guidelines and procedures put in place for their own safety, as directed by their Operational Lead.
- Inform their Operational Lead as soon as is practicable if they have experienced work related violence or unacceptable behaviour at work.
- Ensure incidences of work related violence or unacceptable behaviour – including near misses – are recorded on an incident form.
- Access appropriate support and assistance from ELCAP to help them manage the effects of work related violence or unacceptable behaviour at work.

6. PLANNING, IMPLEMENTATION AND CONTROL

Risk assessment

Where a risk of work related violence or unacceptable behaviour at work is identified, a risk assessment must be completed. The assessment must include the following information:

- The risk/s which have been identified and the level of the risk/s.
- The controls and measures required to prevent or reduce the risk of harm to employees.
- The training required to support employees to understand and manage risk.
- A review date to establish that the risk assessment remains fit for purpose.

Guidance to support employees where they feel threatened or subjected to unacceptable behaviour

The following practical steps are intended to support employees to manage in situations where they feel threatened or are subjected to unacceptable behaviour at work.

- Do not engage with, challenge or confront anyone under the obvious influence of alcohol, drugs or medication.
- If available, ask a colleague who is distant from the situation to become involved or take over to help reduce tensions.
- If a colleague is not available, advise the person displaying threatening or unacceptable behaviour that their approach is inappropriate and will not be tolerated. This may lead to the employee politely ending the conversation if the threatening or unacceptable behaviour persists.
- If it is possible to continue the conversation:
 - Remain calm, listening to what the person is saying and observing what they are doing.
 - Where possible, show empathy in relation to the situation, without appearing patronising.
 - Use de-escalation techniques in an effort to defuse difficult situations.
 - If it feels safe to do so, seek a resolution to the issue or problem at the heart of the situation.
- If the threatening or unacceptable behaviour persists and the situation feels unsafe:
 - Seek a safe space away from the person who is displaying threatening or unacceptable behaviour. This safe place may be outdoors, where there may be people who can assist.
 - Use a personal alarm or mobile phone to summon assistance, calling the police if there is a threat of physical attack or if the unacceptable behaviour is of a serious nature.

Guidance on inappropriate calls or correspondence

Where the content of correspondence – for example, an email, letter, or text message – is abusive, threatening or unacceptable, the sender should be advised that their communication is inappropriate. They should be invited to edit their correspondence and resend it without the inappropriate content.

Where the content of a telephone call is abusive, threatening or unacceptable, the caller should be advised that their communication is inappropriate. They should be invited to change the content and/or tone of their call. If the caller's behaviour does not change, they should be invited to call back later and the call should be ended.

ELCAP reserves the right not to respond to calls or correspondence which is abusive, threatening or unacceptable.

Where calls or correspondence contains serious threats, or where the unacceptable content is of a serious nature, the incident should be reported to Police Scotland.

Actions following an incidence of work related violence or unacceptable behaviour

Operational Leads will provide support to the employee and other employees – for example, witnesses - involved in an incidence of work related violence or unacceptable behaviour.

Support will include:

- Arranging an incident de-brief with the employee(s) involved in the incidence of violent or unacceptable behaviour. Employees may wish to talk through their experience as soon as possible.
- Arranging a referral, if required, to ELCAP's employee free and confidential counselling service.
- Arranging a referral, if required, to ELCAP's Occupational Health Service.
- Advising the employee to seek appropriate advice and medical assistance from their General Practitioner (GP), if required.
- Supporting the employee if they are off work due to physical the psychological impact of an incidence of work related violence or unacceptable behaviour. Individuals may need different times to recover.
- Reporting the incident and any actions which flow from it to the Registered Manager.

Assistance for the individuals ELCAP supports

If an individual/s ELCAP supports is a witness to work related violence or unacceptable behaviour, s/he should be provided with assistance which is similar to that provided for employees, taking account of their communication needs and preferences.

The incidence of work related violence or unacceptable behaviour should be reported to:

- The Care Inspectorate
- The person's family or welfare guardian
- Our partners at East Lothian Health and Social Care Partnership or Midlothian Council

Recording incidences of work related violence and unacceptable behaviour

All incidences of work related violence and unacceptable behaviour should be recorded on an ELCAP incident report form and reported to the Registered Manager as soon as possible. The content of the incident form should include an accurate and clear picture of events and include the name/s of any witnesses.

7. MONITORING PERFORMANCE

The implementation of this policy will be monitored by ELCAP's Chief Executive, Business Manager and the Registered Manager.

They will fulfil this role through:

- Monitoring progress towards having work related violence and unacceptable behaviour risk assessments in place in services or workplaces where they are required.
- Collecting data in relation to incidences of work related violence and unacceptable behaviour.
- Keeping minutes of meetings related to incidences of work related violence or unacceptable behaviour.
- Assessing the implementation and impact of measures to mitigate or prevent incidences of work related violence and unacceptable behaviour.
- Ensuring that ELCAP's policy and practice in relation to work related violence and unacceptable behaviour is reviewed regularly.
- Responding promptly to recommendations and requirements from audits, enforcement or improvement notices and routine inspections.

Reports on the implementation of this policy, and its effectiveness, will be provided to the Joint Consultative Committee (JCC) and the Executive Board on an annual basis.

8. REFERENCES AND OTHER SOURCES OF INFORMATION

- Health and Safety at work Act 1974
- Management of Health and Safety at Work Regulations 1999
- RIDDOR – Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013
- HSE Example Policy on Work Related Violence

Policy review date

Policy agreed by ELCAP Board	24 February 2022
Policy review date	No later than February 2025