



**Health and Safety Guidance
Unacceptable Behaviour from Members of the Public**

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1. Introduction

- 1.1. The Commission for Victims and Survivors (the Commission) recognises the potential for verbal abuse, threatening behaviour or physical assault from members of the public and the detrimental effect this can have on staff. Commission staff should be able to conduct their business in a safe and non-threatening environment. Unacceptable behaviour from members of the public will not be tolerated and the Commission will take the strongest appropriate action against those in breach of the policy, including legal action where appropriate. The personal safety of staff is paramount and staff are therefore instructed not to accept or tolerate any violent, threatening or abusive behaviour directed towards them. The Commission also recognises its responsibilities and aims to promote an understanding of the reasons for the range of challenging behaviours which may be experienced by staff.
- 1.2. Staff must receive clear instructions and guidance on controls available to reduce the risk of unacceptable behaviour occurring and details of the correct procedures to follow if an incident does occur. This guidance:
 - a) Highlights communication standards;
 - b) Outlines controls to be introduced for dealing with members of the public if unacceptable behaviour may be expected;
 - c) Lays down procedures for reporting incidents of verbal abuse, threatening behaviour or physical assault.
- 1.3. This guidance deals with external behaviour from members of the public - non-employee behaviour directed at:
 - A Commission employee;
 - A member of the public while they are in a Commission office or attending a Commission event.

2. Definitions

- 2.1. This guidance refers to:

Any member of the public with whom Commission staff communicate, or come into contact with, in order to carry out their work activities.

- 2.2. The Commission understands that individuals may act out of character in times of difficulty or distress. The Commission does not therefore view actions or behaviour as unacceptable simply because a complainant is assertive or determined. However, the actions or behaviour of complainants who are angry, demanding or persistent may result in unreasonable demands on the Commission or unacceptable behaviour towards Commission staff.

- 2.3. What is deemed to be unacceptable behaviour will often differ depending upon the individual(s) involved and their particular circumstances. Unacceptable customer behaviour may include, but is not limited to:
- Any act of written or verbal abuse, including those of a discriminatory nature;
 - Threatening behaviour;
 - Intimidation;
 - Serious or persistent harassment;
 - Swearing or the use of foul language;
 - Rudeness including derogatory remarks;
 - Inappropriate cultural, racial or religious references;
 - The possession or display of items that may be perceived as threatening, or have potential to cause physical harm or cause psychological distress;
 - Deliberate damage to property;
 - Behaviour that causes staff to feel upset, threatened, frightened, or physically at risk;
 - An actual or attempted physical assault; or
 - Engaging the media to record interactions with Commission staff without prior agreement.
- 2.4. The Commission recognises that some complainants will not or cannot accept that the Commission is unable to assist them further or provide a level of service other than that already provided. Such complainants may persist in disagreeing with the action or decision taken in relation to their complaint, or contact the Commission persistently about the same issue.
- 2.5. If a customer demonstrates behaviour that is unreasonably persistent, the Commission may decide to restrict the customer's access, in line with the restrictions outlined in Section 9 below.
- 2.6. This guidance also applies to incidents that take place outside the workplace, including during non-working hours, in an individual or group setting, providing the incidents are directly connected to the work of the member of staff.

3. Legal Requirements

- 3.1. Under the Health and Safety at Work (Northern Ireland) Order 1978 the Commission is required to ensure so far as is reasonably practicable, the health, safety and welfare of its staff.
- 3.2. The Management of Health and Safety Regulations (2000) impose a duty on the Commission to assess all the risks to staff including those associated with unacceptable customer behaviour and take steps to avoid or control the risks where necessary.
- 3.3. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1997 (RIDDOR) require that the HSENI is informed of any accident at work resulting in death, a major injury or incapacity for normal work for more than three days. This includes any act of non-consensual physical violence against a person at work.

- 3.4. Safety Representatives and Safety Committees Regulations and The Health and Safety (Consultation with Employees) Regulations require employers to inform and consult with employees in good time on matters relating to their health and safety. Employee representatives, appointed by recognised trade unions, may make representations to their employer on matters affecting the health and safety of those they represent.
- 3.5. When staff working in a public office are threatened face to face by a member of the public or an unacceptable customer (UC) (see paragraph 8.2 for a definition of an UC) visits an office when as a control measure they have been excluded they should be asked to leave by that member of staff and line management should be informed immediately. If they do not leave a member of the Senior Management Team should request the person(s) involved to leave the premises. If the customer refuses to leave the premises the PSNI should be asked to provide assistance. The PSNI have, under Article 18(1)(a) of the Public Order (NI) Order 1987 the authority to bring a charge of disorderly behaviour in a public place against the person(s) concerned.

4. Guiding Principles

- 4.1. Victims and survivors are entitled and encouraged to access the help and support of the Commission.
- 4.2. The Commission's work is underpinned by a number of core values. These are used in our day-to-day work and this policy has been designed with these in mind:
 - **Victim centred** - Victims and survivors are at the centre of all we do and we will encourage and value their participation;
 - **Open and transparent** - We are open, honest, accountable and responsive in all our work;
 - **Equality and diversity** - We will treat everyone equally and challenge inequality with impartiality, independence and integrity;
 - **Respect** - We will be courteous and professional in our approach to everyone who contacts us;
 - **Impartiality** - We will uphold our independence and maintain a critical distance to challenge Government and relevant authorities;
 - **Delivering quality** - We will strive to deliver all of our programmes to a high standard.
- 4.3. This policy will be applied in the minority of situations, when all other avenues have been exhausted, and most members of the public will receive our full support.
- 4.4. The Commission works hard to provide all members of the public with an excellent service and endeavors to treat everyone with respect and courtesy.
- 4.5. Guidance on how Commission staff should deal with members of the public is included in Appendix A.

5. Line Manager Responsibilities

- 5.1. Line Managers must ensure that all staff who come into contact with the public have been made aware of the standard of conduct required (see Appendix A).
- 5.2. Line managers must ensure that adequate and appropriate risk assessments for all tasks involving contact with members of the public and management of lone working have been carried out and should consider if there is a significant risk of unacceptable behaviour associated with their area of work. If a significant risk is identified the risk assessment should include appropriate control measures (examples of controls are highlighted in Appendix B).
- 5.3. If a member of the public has already displayed unacceptable behaviour a specific risk assessment should be carried out to ensure appropriate control measures to deal with the UC are put in place. These control measures may include sanctions imposed on the UC such as the only contact with the Commission must be in writing or two members of staff must conduct visits.
- 5.4. These controls should be fully implemented, discussed with those staff who may be affected, monitored and reviewed as required.
- 5.5. Line managers should ensure that their staff are given adequate information, instruction and training in dealing with risks associated with unacceptable behaviour.
- 5.6. Line Managers should ensure that if a member of staff is subjected to unacceptable behaviour they are offered any support required and that the incident is reported in line with this guidance.
- 5.7. Line Managers should ensure that an incident is immediately escalated to the Senior Management Team for a decision on whether it warrants unacceptable customer recording within the Commission and if required, can provide further guidance on personal security or contacting the Police Service of Northern Ireland (PSNI).
- 5.8. Line Managers should keep the member(s) of staff involved informed of any action being taken. In cases where prosecution follows, the member(s) of staff should be kept notified of events including the issue of a summons and the outcome of the court case. This should be done on the day of issue or at the time of the hearing so that staff are aware of the conviction in case of any repercussions.

6. Senior Management Team

- 6.1. The Senior Management Team should classify and manage UC markings in accordance with Section 9 when details of an incident are notified to them.
- 6.2. The Senior Management Team should promote the view that it is the challenging behaviour which is unacceptable, not the client, and should promote an understanding of the reasons for the range of challenging behaviours which currently exist.

7. Staff Responsibilities

All staff who are required to deal with members of the public must ensure that:

- 7.1. They behave in an appropriate manner as outlined in Appendix A and in the Commission's Code of Conduct and maintain a professional approach;
- 7.2. That they have had appropriate training (induction training and refresher training) as required for the job nature and activity;
- 7.3. They comply with control measures put in place by management to safeguard their health and safety in the event of unacceptable customer behaviour including checking the UC register prior to visiting members of the public, inspecting premises or carrying out fieldwork;
- 7.4. If they are dealing with an UC complete a report following every visit, discussion etc;
- 7.5. They report to their line manager any dangers they identify or any concerns they may have about unacceptable customer behaviour against themselves or another person;
- 7.6. They notify their line manager immediately or as soon as possible if they are subjected to customer behaviour which they consider to be unacceptable as detailed in Section 7.

8. Reporting Incidents

- 8.1. If an incident of verbal abuse, threatening behaviour or physical assault does occur it must be reported immediately or as soon as possible to the line manager who should immediately alert the Senior Management Team to the incident. All staff involved or who have witnessed the incident must complete follow up detailed reports recording as far as possible the actual words or actions used (see the reporting template at Appendix C). These reports should, if possible, be passed to Line Management within one working day and the Line Manager should note the content and immediately pass to the Senior Management Team for whatever action is deemed necessary.
- 8.2. Incidents should also be reported as follows:
 - Actual or threatened physical violence and verbal threats of violence should always be reported by the individual to the PSNI for appropriate action;
 - These reports should be made to the local PSNI call management centre for the area in which the incident occurred;
 - In the case of verbal threats of violence, PSNI will take the decision on whether an investigation is appropriate;
 - The report to the PSNI will generate an incident number – this number should be recorded by the member of staff.

9. Identification & Restrictions

- 9.1. The classification of an individual as an UC is a serious and important protective and preventative measure designed to safeguard all Commission staff by making them aware of the potential risks involved in dealing with that person.
- 9.2. The purpose of classifying an individual as an UC is to make clear both to the individual and to Commission staff what restrictions are being placed on the delivery of services to that customer, and why those restrictions have been imposed.
- 9.3. It is important that any restrictions put in place as a result of challenging or unacceptable customer behaviour are proportionate to the behaviour or incident in question.
- 9.4. For the purposes of this guidance, Table 1 below outlines the circumstances in which an individual may be classified as a UC and the proportionate restrictions which may be brought to bear on their engagement with the Commission.

Table 1: Examples of Unacceptable Behaviour and Proportionate Restrictions

Ref	Example of Unacceptable Behaviour / Incident	Restrictions that may apply
1	Foul language	<p>Give the client 2 verbal warnings. If the behaviour persists, terminate the call/contact with the client.</p> <p>A one-off incident should be reported to the line manager and recorded on the Challenging Behaviour Register.</p> <p>In the event of recurring incidents, the client should then be listed on the UC Register, and restrictions from Level 2 onwards should be considered.</p>
2	Verbal abuse	<p>Give the client 2 verbal warnings. If the behaviour persists, terminate the call/contact with the client.</p> <p>Thereafter: arrange for a single, named member of staff to deal with all future calls or correspondence from the client.</p> <p>If the behaviour persists, consider further restrictions such as limiting future contact to a particular form and/or frequency (e.g. in writing only).</p>

Ref	Example of Unacceptable Behaviour / Incident	Restrictions that may apply
3	<p>Unreasonably persistent or vexatious complaining that disregards the Commission's complaints process and/or advice provided to the individual as part of the complaints procedure</p>	<p>Advise the client in writing that such behaviour is unacceptable.</p> <p>Arrange for a single, named member of staff to deal with all future calls or correspondence from the client.</p> <p>If the behaviour persists, require the complainant to make an appointment to see a named member of staff before visiting the Commission.</p> <p>If the behaviour still persists, restrict future contact to a particular form and/or frequency (e.g. in writing only).</p>
4	<p>Threatening, aggressive, or intimidating behaviour</p>	<p>Advise the client in writing that such behaviour is unacceptable.</p> <p>Report the incident to the PSNI. Cooperate with any subsequent investigation.</p> <p>Arrange for a single, named member of staff to deal with all future calls or correspondence from the customer.</p> <p>If the behaviour persists, restrict future contact to a particular form and/or frequency (e.g. in writing only).</p> <p>If the client disregards these restrictions, limit future contact to via solicitor only.</p>
5	<p>Deliberate damage of property belonging to the Commission or a Commission official</p>	<p>Report the incident to the PSNI. Cooperate with any subsequent investigation.</p> <p>Advise the client in writing that such behaviour is unacceptable.</p> <p>Arrange for a single, named member of staff to deal with all future calls or correspondence from the customer.</p> <p>If the behaviour persists, restrict future contact to a particular form and/or frequency (e.g. in writing only).</p>

Ref	Example of Unacceptable Behaviour / Incident	Restrictions that may apply
		If the client disregards these restrictions, limit future contact to via solicitor only.
6	Threat of violence, whether face to face, on the telephone, or in writing	Report the incident to the PSNI. Cooperate with any subsequent investigation. Advise the client in writing that such behaviour is unacceptable.
7	Physical assault on a member of staff's family	Arrange for a single, named member of staff to deal with all future calls or correspondence from the customer.
8	Physical assault on staff, a Commission contractor, or other member of the public in a Commission office	If the behaviour persists, restrict future contact to a particular form and/or frequency (e.g. in writing only).
9	Stalking a member of staff (defined as ' <i>the wilful, malicious and repeated following and harassing of another person</i> ').	If these restrictions are disregarded, consider legal action, such as applying for an injunction or court order to prohibit contact/unacceptable behaviour.

- 9.5. The scenarios outlined in Table 1 are not exhaustive but should serve as a guide to the Senior Management Team when making decisions on the imposition of proportionate restrictions in circumstances as they arise, whether in relation to isolated incidents or an accumulation of challenging behaviour over time.
- 9.6. The decision to list an individual on the UC register is not a decision that will be taken lightly. Wherever possible, the Commission will give the customer the opportunity to modify their behaviour or actions before a decision is taken.
- 9.7. The Senior Management Team must make a decision to recommend to the Board that a person should be classified as an UC within 48 hours of being made aware of an incident. Following agreement from the Board to classify the individual as an UC, the Senior Management Team must:
- Issue a letter by registered post (template available at Appendix D) to the individual to advise them of the Commission's decision, and of the relevant restrictions that will apply (there are exceptions in certain cases – see 'disclosure of UC markings' below). The details of data protection legal requirements for this action, consequence of the marking, recording of the marking, notifying other organisations, recording their future behaviour and review periods are included in the letter;
 - It is acknowledged that the above action could lead to further behaviour that would put staff at risk. If this is considered to be the case it is permissible to withhold this

information from the customer. Each case must be judged on its own merits and the reasons for the supporting decision fully documented.

- 9.8. Once a customer has been classified as UC a report on their behaviour should be made on each and every occasion they engage with the Commission. This includes face to face, telephone and written contacts. (The proforma for this is at Appendix E). All completed reports should be passed to a Senior Management Team member who is responsible for the UC classification for use in the review process.

10. UC Register

- 10.1. The Commission will maintain details in the form of a register of persons classified as UC. The register is a protective and preventative measure to ensure the safety of staff and should be made available to all staff who have contact with the members of the public or their representatives. It must be kept up to date with access restricted to those staff who deal with members of the public.
- 10.2. A register of current UCs, will be maintained and held securely. It will be the responsibility of the Senior Management Team to classify an UC and pass on the relevant details to others.
- 10.3. The register should contain the name and address of any customer, or member of the customer's household classified as UC. Information on the reason behind the UC marking will be held separately, in a locked container only accessible to the Senior Management Team and will only be released to staff dealing with the customer following an email request from the member of staff.
- 10.4. The Senior Management Team must ensure all relevant records are updated to show the marking and that relevant information included in the UC register (see flowchart at Appendix F and Unacceptable Customer Register at Appendix G).
- 10.5. A person's placement on the UC register will likely amount to sensitive personal data within the meaning of section 1 of the Data Protection Act 1998. It is necessary to ensure that such data is stored in accordance with the data protection principles. These require data to be:
- Processed fairly and lawfully and only if one of a limited number of conditions is met;
 - Obtained for specific purposes and not processed incompatibly with those purposes;
 - Adequate, relevant and not excessive;
 - Accurate and as up to date as necessary;
 - Processed in accordance with the rights of data subjects under the Data Protection Act;
 - Kept secure and not transferred to non-EEA countries which do not ensure adequate protection.
- 10.6. Data security measures must be put in place to ensure that the UC records cannot be accessed by any unauthorised persons. Information Asset registers should be updated accordingly.

11. Review of Unacceptable Customer Markings

- 11.1. Once an individual has been placed on the Commission's UC Register, their case must be reviewed on a monthly basis by the Board. The Senior Management Team is responsible for providing updates in relation to the individual case. To be effective the UC marking should not be maintained indefinitely – it must be justified at the monthly review.
 - The review process should consider:
 - The nature of the original incident;
 - Type of incident which led to the original decision;
 - Number and type of contacts since the original incidents;
 - Customer behaviour since the original incident;
 - Any other relevant information.
- 11.2. If a decision is taken to remove the UC marking the Senior Management Team should inform the customer in writing immediately unless it has been agreed that this would aggravate the situation (paragraph 8.3) (Appendix D). All customer records and the UC register (Appendix G) should be amended accordingly and relevant persons informed.
- 11.3. The flow chart at Appendix F covers this aspect and includes relevant contact details.

12. Liaison with the Victims and Survivors Service and Office of First Minister and Deputy First Minister

- 12.1. In line with the Memorandum of Understanding that has been established between the Commission and the Victims and Survivors Service (VSS), these two organisations will liaise in the best interests of individual victims and survivors. This principle applies to the implementation of this policy.
- 12.2. When an individual's name is listed on the Commission's UC Register, the Commission will advise the VSS of this. The Office of First Minister and deputy First Minister (OFMDFM) will also be informed. The Commission will inform OFMDFM and the VSS in writing (Appendix H).
- 12.3. If an individual is placed on the Commission's UC Register, the Office of First and deputy First Minister (OFMDFM) may act as a conduit for communication between the individual and the Commission.
- 12.4. The Commission undertakes to advise the VSS and OFMDFM of any amendments made to this policy, and to keep both up to date in relation to its implementation.

13. Post-incident Support and Assistance

- 13.1 Staff must be given every support by management following an incident. Line Managers should
 - Appreciate the feelings of those most affected by showing empathy;

- Facilitate the sharing of ideas and observations (with individuals or teams) about incidents and discuss any action that could either prevent a recurrence or help staff to deal more effectively with a similar situation next time; and identify whether those affected by the incident (as a group or individuals) would benefit from the support provided by Carecall - telephone freephone 0800 3895362. Carecall is a (24 hours per day, 7 days a week) confidential telephone counselling service with professional counsellors offering help with a wide range of personal and work related problems.

14. Conclusion

- 14.1 This guidance covers the requirements for dealing with unacceptable behaviour from members of the public.
- 14.2 Any enquiries about this circular should be made to a member of the Senior Management Team.

15. Policy Review

- 15.1 This policy will be reviewed in 3 years' time, or sooner, if required.

Appendix A

Dealing with Members of the Public

The following points should be noted by staff when dealing with the members of the public:

Do

- Treat all members of the public courteously and impartially, in a professional and polite manner.
- Be sensitive to the members of the public' needs and concerns.
- Recognise that some members of the public have physical, mental or personal problems which may influence their behaviour and that this should be taken into account in your dealings with them.
- Be patient, listen carefully to what members of the public say and make allowances for any literacy, language barrier or numeracy problems.
- Explain things clearly and simply, do not use abbreviation or jargon, to avoid misunderstanding.
- Prepare properly for engagement with members of the public.
- Be honest and frank – if you are not sure the information you are giving is accurate, check and inform the member of the public you are doing so.
- Refer to a line manager if your explanation is rejected.
- Always keep calm, do not allow yourself to be provoked.
- Present oneself in an impartial manner e.g. dress code, display of symbols or emblems, use of language, that could be interpreted as offensive
- Call for assistance immediately if a member of the public becomes aggressive and make sure you can get away quickly if necessary.
- Tell your line manager if a member of the public exhibited unacceptable behaviour or you have reason to believe they are potentially violent.

Don't

- Leave loose objects which could be used as a missile or weapon around.
- Engage with a member of the public who appears to be under the influence of drugs/alcohol.
- Keep a person waiting longer than necessary.
- Provoke a member of the public through words or actions.
- Retaliate through words or actions.
- Try to arrest or detain an assailant.

The Commission understands that individuals may act out of character in times of difficulty or distress. The Commission does not therefore view actions or behaviour as unacceptable simply because a complainant is assertive or determined. However, the actions or behaviour of complainants who are angry, demanding or persistent may result in unreasonable demands on the Commission or unacceptable behaviour towards Commission staff.

Persistent customer behaviour

The Commission recognises that some complainants will not or cannot accept that the Commission is unable to assist them further or provide a level of service other than that already provided. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the Commission persistently about the same issue.

If a customer demonstrates behaviour that you consider is unreasonably persistent, consult your line manager. The line manager may then decide to restrict the customers' access.

Unacceptable customer behaviour

Offensive or insulting customer behaviour, for example where a customer is rude or unpleasant or repeatedly uses inappropriate language, is unacceptable. Abusive or threatening customer behaviour, where a customer is threatening or intimidating to a particular member of staff or towards the Commission, is also unacceptable.

When dealing with these customers you should always remain calm and polite. Make the customer aware that their behaviour is unacceptable and you will have to end contact if they continue. If their behaviour continues inform them once again that contact will be ended and inform them how to make a formal complaint if they wish. Give the customer one last chance to change their behaviour/attitude before ending the contact, whether it is ending the phone call or asking them to leave the premises.

Appendix B

Unacceptable Customer – Controls

When deciding on suitable safety control measures for the risk of violence the hierarchy of Risk Control should be followed. The emphasis must be firmly on preventative measures and these will take five main forms:

- Job Design
- Procedures
- Equipment
- The Workplace Environment
- Information and Training

It is possible, if not probable, that a combination of control measures will be required to protect staff from work related violence.

Job design

Whilst operational needs and constraints will have a significant impact on job design, consideration should be given to whether there are procedural changes that can be introduced that would reduce the risk of work related violence. Examples include:

- Eliminating lone working and increasing staff levels at high-risk times. It should however be noted that increasing staff levels will not necessarily mean the risk will be lower.
- Eliminating or minimising the handling of cash, or other “attractive” items.
- Allocating known difficult members of the public to more experienced staff.
- Changing the way information is sought from, or provided to, members of the public.
- Arranging meetings at the Commission office, or other “neutral” locations when possible.
- Introducing systems for monitoring/communicating with personnel when away from the workplace see the NICS Lone Working Guidance.

Procedures

It is important that a Safe System of Work is developed to ensure that staff act in a professional and safe manner, and are clear as to what action is required in different circumstances.

If members of the public attempt to intimidate staff within the Commission accommodation by using the media Commission staff should approach the camera operator or journalist and ask them to stop the recording as they have not been invited onto Commission property. The members of the public should be told that the issue will be dealt with on a one-to-one basis when the media have left. If the media are used on non-Commission premises Commission staff should consider withdrawing if the camera operator or journalist do not agree to stop the recording.

In the case of field visits it is important that a dynamic risk assessment is also carried out to take account of changing situations and ensure suitable controls are adopted.

Equipment

The provision of suitable equipment should be considered as a control measure.

Where equipment is provided care must be taken to ensure that it is (and remains) suitable, in good working order and that users are appropriately trained and informed about use.

- If personal alarms are being considered, it should be noted that assistance from the public cannot be guaranteed and should not be depended upon as a control measure. Personal alarms may serve a purpose of alerting work colleagues or disorientating an attacker.
- The majority of staff use their private motor vehicle while on official business. Where a significant risk of staff being traced from the registration plate of their private motor vehicle has been identified consideration should be given to the use of hire vehicles. Managers should consult with the Senior Management Team if they feel that there are exceptional or unusual circumstances in a particular case.
- When mobile phones are being used it is essential that they are fully charged, in good working order and that mobile phone coverage in the area being visited has been checked.

The workplace environment

This centres on the physical aspects of the workplace. Risk Assessors and managers should liaise with the Premises Officer when considering the practicalities of environmental controls.

Examples include:

- Controlled access (swipe card, combination locks etc).
- Removing/securing potential weapons in the workplace, including innocuous items such as furnishings, plant pots etc.
- Improving lighting in appropriate areas.
- Fitting protective screens (though these can also antagonise members of the public and should only be considered where the risk assessment justifies such).
- Making waiting areas amenable e.g. comfortable chairs, pastel colours, scenic pictures, magazines to read, etc.
- Providing panic buttons/alarms and have staff ready and trained to respond.
- Use of closed circuit television (CCTV). Premises Officers should be able to advise on the area covered by CCTV in their specific building. (*There are specific legal requirements governing the use of CCTV – managers intending to use such equipment should ensure that these requirements have been met*).
- Display of posters on walls in reception and meeting rooms informing clients of unacceptable behaviour.

Information

It is important that accurate information is available for staff on possible areas where work related violence is likely or has recently occurred.

A database, the **Commission UC Register**, identifying recent incidents of unacceptable customer behaviour and associated issues is available to view on request.

Managers should ensure that relevant information on incidents are forwarded, through Senior Management Team for inclusion on the register.

Staff should check the register regularly to ensure they are aware of current issues.

Risk Assessors and managers should consider the use of this database as part of their control strategy.

Training

Staff should be adequately trained to deal with foreseeable situations. The level of training will vary, depending on the nature of the activity and the level of risk.

Examples of Matters to be Considered under Generic Risk Assessments

Travelling

GENERAL:

Many Commission staff will be required to travel by public transport or walk to fulfil some of their work activities. The following procedure is good practice in any event but is a specific requirement when there is a risk of violence associated with their activities.

Aspect	Precautionary Measures
WALKING	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> • They remain aware of their surroundings. • Plan their route before hand and keep to the plan as far as is practical - avoid shortcuts in unfamiliar areas. • Keep to busy, well lit streets as far as practical - avoid alleys and subways. • Ensure fastenings on any bags or cases containing Commission documents or equipment are secure. <p>While travelling on duty staff must not wear personal stereos/ radios as they reduce awareness and are “attractive items” to opportunist thieves.</p> <p>Staff are advised to:</p> <ul style="list-style-type: none"> • Consider their clothing and footwear - do they make you stand out? Could you run easily in them if required? • Walk on the right hand footpath, facing oncoming traffic where practical and safe to do so - this will lessen the risk from vehicles approaching from behind. • Minimise the number of “attractive items” you carry, including money, jewellery etc. and keep such necessary items secured and out of sight. • Trust your instincts and avoid crowds or groups which may feel threatening.
PUBLIC TRANSPORT	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> • They have planned their journey and know the most appropriate stop to alight. <p>While travelling on duty staff must not wear personal stereos/radios as they reduce awareness and are “attractive items” to opportunist thieves.</p> <p>Staff are advised:</p> <ul style="list-style-type: none"> • To have the correct change for the fare ready - to avoid having to produce their wallet/purse, open bags or reveal the location of valuables; • That when travelling by bus, they sit near the driver if travelling alone;

	<ul style="list-style-type: none"> That when on a train, they avoid empty compartments, compartments with threatening groups of people and compartments with no access to corridors or other parts of the train. If staff feel threatened or uncomfortable with carriage occupants they should switch carriages as soon as is practical.
TAXIS	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> They use a reputable licensed taxi company. When practical book by phone and get the drivers name and vehicle details. They sit in the back of the taxi. <p>While travelling on duty staff must not:</p> <ul style="list-style-type: none"> Wear personal stereos/radios as they reduce awareness and are “attractive items” to opportunist thieves. <p>Staff are advised:</p> <ul style="list-style-type: none"> To have the correct change for the fare ready - to avoid having to produce their wallet/purse, open bags or reveal the location of valuables.

Vehicles – Cars/Vans

GENERAL: Many Commission staff regularly use vehicles to carrying out their duties. Staff have certain responsibilities in respect of the vehicles that are used for business purposes. These responsibilities are outlined below.	
Aspect	Precautionary Measures
RISK OF BEING TRACED	Where there is a significant risk of staff being traced by their vehicle registration, staff should consider (through line management) the use of hire vehicles
MAINTENANCE OF VEHICLE(S)	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> • Their vehicle is legally roadworthy at all times; • The vehicle is ready for the proposed journey - check tyres (inc. the spare), oil, water and ensure you have enough fuel; • Their vehicle is insured to cover business requirements;
SECURING OF VEHICLE(S)	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> • All doors are locked when travelling in a vehicle. • All doors are locked when a vehicle is parked, even if only for a short time (petrol station, opening gates etc). • Commission property is not visible in a vehicle at any time. • Commission property is not left in a vehicle overnight e.g. laptops. • Personal papers/documents are only carried in a vehicle when absolutely necessary. • If personal papers/documents are carried in a vehicle they must be held in the boot of the car. • Where Commission documents must be left in a vehicle they are locked in the boot of the car when the officer is not in the vehicle. <p>Staff are advised to:</p> <ul style="list-style-type: none"> • Leave no “attractive” personal items on display.
PARKING OF VEHICLES	<p>Staff should ensure that:</p> <ul style="list-style-type: none"> • Vehicles are locked and legally parked within reasonable walking distance of their destination but avoiding a cul-de-sac, dead end, an entry or an enclosed yard. • Vehicles are legally parked facing the direction you wish to leave and avoiding any obstructions that might restrict easy egress. • Where practical vehicles are parked in a busy, well lit area. If parking in day light consider what it will be like after dark;

	<ul style="list-style-type: none"> • A quick check of the inside of your vehicle is carried out before opening the door.
CONTACT WITH OTHERS	<p>Staff must not:</p> <ul style="list-style-type: none"> • Pick up hitchhikers or give lifts to unknown to the Commission ; • Accept lifts from members of the public <p>Staff are advised that:</p> <ul style="list-style-type: none"> • If they suspect they are being followed to remain in their vehicle and drive to the nearest built up area, then drive to the nearest PSNI station. • If they are approached when stopped in their vehicle, to stay in the vehicle, keep the doors locked, keep the engine running (if the engine is off - start it) and only open the window enough to talk through it.

Communication Systems

GENERAL:

Communications systems in the Commission are designed to give staff immediate access to assistance if required. The measures outlined below will allow staff to make immediate contact with Management and/or the PSNI as required.

Aspect	Precautionary Measures
USE OF THE COMMISSION MOBILE TELEPHONES	<p>Staff must:</p> <ul style="list-style-type: none">• Familiarise themselves with mobile telephone operating instructions.• Contact their base office or the PSNI if they feel threatened, vulnerable or under duress.• Programme the base office telephone number into the mobile telephone directory and have a “speed dial” assigned. <p>Staff must not:</p> <ul style="list-style-type: none">• Use their mobile phones including hands free kits while driving (as per the Commission Mobile Phone Policy). Note: guidance identifies that: “There is an exemption for calls to 999 {or 112} in genuine emergencies where it is unsafe or impractical to stop.” <p>Staff are advised:</p> <ul style="list-style-type: none">• Not to record personal telephone numbers including their home number in the mobile telephone directory.

Conducting Meetings - General

GENERAL: Some Commission staff will be required to carry out meetings with members of the public. The following procedure should be adopted for all Commission meetings where violence is a possibility.	
Aspect	Precautionary Measures
PLANNING	<p>Staff must:</p> <ul style="list-style-type: none">• Check the Commission UC Register if details of individual(s) to be interviewed are known and advise colleagues/other member of staff if meeting an individual on the register.• Liaise with group/organisation, if applicable, to determine if advance of any risks or concerns to be noted.• Ensure that a Risk Assessment has been carried out which covers the specific type of meeting in the specific type of location, and comply with agreed control measures.
INTERVIEWS	<p>Staff must:</p> <ul style="list-style-type: none">• Always treat members of the public with respect.• Ensure they are in attendance for a pre-arranged meeting.• Notify the member of the public if they are delayed for any reason.• The member of the public must never be kept waiting for an appointment, however in exceptional circumstances apologise if delayed. Try to sit facing a person in a position that has easy access to a door. <p>Staff must not:</p> <ul style="list-style-type: none">• Conduct a meeting if met with aggression, or if the person appears to be under the influence of alcohol or drugs, unless the Risk Assessment has considered this eventuality.

Visits to another Employer's Premises

GENERAL:

Visits to another employer's premises are an essential part of Commission work. It is imperative that staff plan visits in advance and seek Line Manager approval as required. Staff should note that they are usually more vulnerable and exposed when outside the office environment.

Aspect	Precautionary Measures
PLANNING	<p>Staff must:</p> <ul style="list-style-type: none">• Check the sensitivity of the area from the UC Register and advise colleagues/other member of staff if meeting an individual on the register.• Produce a written risk assessment from your findings if applicable.• Seek Line Manager approval for any visits outside office hours.
VISIT	<p>Staff must:</p> <ul style="list-style-type: none">• Wear appropriate safety clothing as identified by the Risk Assessment, if required.• Carry necessary items only.• Liaise with group/organisation, if applicable, to determine if advance of any risks or concerns to be noted.• Comply with the requirements of procedure "Vehicles – cars/vans" - "PARKING OF VEHICLES".• Try to sit facing a person in a position that has easy access to a door.• Not have any Commission property visible in a vehicle.• Carry an adequately charged mobile telephone.• Do not enter if met with aggression, or if the person appears to be under the influence of alcohol or drugs

Visiting a Private Dwelling

GENERAL:

Visits to a private dwelling should only be conducted when it is impractical for a member of the public to attend the Commission office. It is imperative that staff plan home visits in advance and seek Line Manager approval as required. Personal security is dependent on the approach outlined below.

Aspect	Precautionary Measures
PLANNING	<p>Staff must:</p> <ul style="list-style-type: none">• Where practical, try to arrange for the meeting to be held at the Commission office• Check the sensitivity of the area from the UC Register and advise colleagues/other member of staff if meeting an individual on the register.• Comply with the requirements of the activity Risk Assessment.• Produce a written risk assessment specific to the site from your findings if applicable.• Ensure you are accompanied by another member of staff, or comply with the requirements of the Lone Working Guidance and ensure that “call-in” procedures are in place, particularly where home visits extend beyond 6.00pm.• Staff should consider risks associated when planning a visit to a person known personally to them, and if concerned discuss with line management.
VISIT	<p>Staff must:</p> <ul style="list-style-type: none">• Carry necessary items only.• Comply with the requirements of “Vehicles – cars/vans” - “PARKING OF VEHICLES” guidelines.• Not have any Commission property visible in a vehicle.• Carry an adequately charged mobile telephone or radio.• Wait to be invited into a home• Do not enter unless accompanied by a colleague (a male/female team may be preferable).• Do not enter if met with aggression, if the person appears to be under the influence (of alcohol or drugs) or if a group of people are present.• Try to sit facing a person in a position that has easy access to a door.

Appendix C
Form for Reporting Unacceptable Customer Behaviour

EMPLOYEE

Name:

Job Title:

Section:

Date of Incident	Day of week	Time

Details of Person(s) Responsible for Incident

Name(s) (if known):

Address(es) (if known):

Estimated Age

Male/Female :

Description: (physical and manner eg *did the person appear to be under the influence of alcohol?*)

Where did the incident occur? (If necessary draw a sketch on a separate sheet of paper)

Describe the events leading up to and during the incident. (Attach a separate sheet if necessary)

Witness(es)

Name(s) :

Address(es):

This Section to be completed by Line Manager

Outcome of Incident

Effect on staff member (e.g. injury, time off work,):

Damage to personal property:

Damage to Commission property:

Details of follow- up action and aftercare

PSNI

Legal action

Hospital treatment

Counselling

Line manager

DHR

Safety Adviser

RESTRICTED STAFF

Copy to be held on officer's local Personal File (if one held)

Original to be placed on officer's Personal File

Appendix D

Classification as Unacceptable Customer Letter

[INSERT DATE]

Dear [insert name UC]

UNACCEPTABLE BEHAVIOUR TOWARDS COMMISSION STAFF

I am writing to you concerning an incident of unacceptable behaviour on [date] when I am advised that you [insert details].

I must advise you that the Commission takes a very serious view of the issue of unacceptable behaviour towards staff. On the basis of the information I have received about this incident, I must warn you that your treatment of Commission staff on [insert date] was totally unacceptable.

In the circumstances and in order to protect the health and safety of Commission staff, I now have no option but to modify the services that the Commission provides to you. I have now instructed all Commission staff that from today they are [insert details of sanctions agreed – inc. contact details for OFMDFM as a conduit for communication]. You have now been classified as an unacceptable customer and this information will be passed to our partner organisations, the Victims and Survivors Service and the Office of First Minister and deputy First Minister.

If you require information on any matter, then you should put your request in writing to the Commission at: [insert address].

The situation will be reviewed on a monthly basis.

Yours sincerely

[Insert name]

LETTER ADVISING CUSTOMER OF THE REMOVAL OF AN UNACCEPTABLE CUSTOMER MARKING

[INSERT DATE]

Dear [insert name harasser]

UNACCEPTABLE BEHAVIOUR TOWARDS COMMISSION STAFF

I am writing to advise you that your name has now been removed from the Commission's Unacceptable Customer Register.

As you know the Commission wrote to you on [date] informing you that you had been classified as an Unacceptable Customer. This was due to [describe incident in brief giving date].

I am now writing to inform you that this assessment has recently been reviewed and in view of the fact that no further incidents have been reported, your name has now been removed from the Commission's Unacceptable Customer Register. This means that the revised terms of engagement outlined in previous correspondence no longer apply.

I have advised Commission staff, the Victims and Survivors Service, and the Office of First Minister and deputy First Minister that we are writing this letter to you today.

We remain committed to treating you in a fair and a polite manner and therefore will continue to expect the same in return.

If you would like to speak to us about this letter please ring us on during office hours.

Yours sincerely

[Insert name]

APPENDIX E
UNACCEPTABLE CUSTOMER REPORTS
PROTECT PRIVATE (when complete)

Contact Record with Unacceptable Customer (UC)

All contact with a known UC must be recorded to assist with the annual review.

Customer Name: _____

Customer Address: _____

How was Contact made e.g. phone, site visit, in Commission premises etc:

Why was contact made?

Did the customer's behaviour give any indication that the UC marking was appropriate?

Name: _____

Title: _____

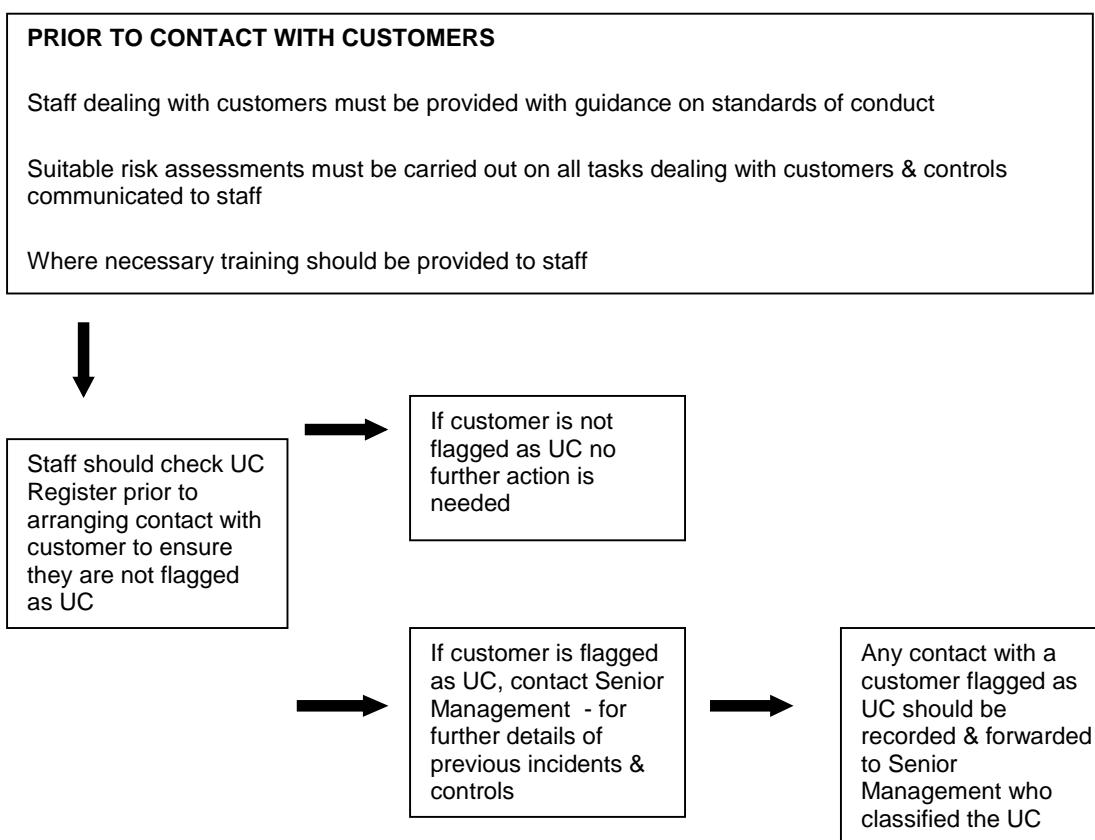
Commission Location: _____

Phone: _____

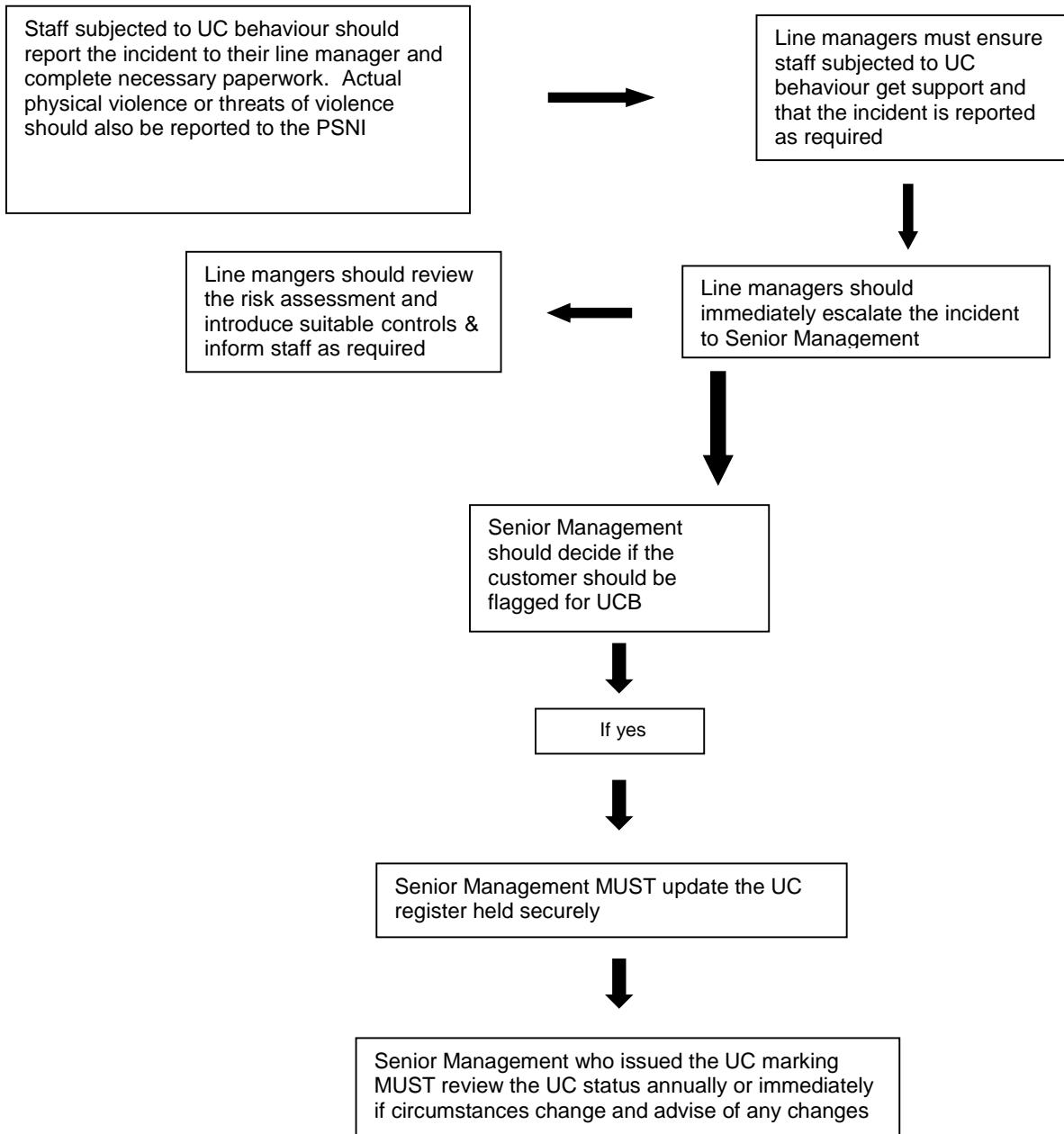
Date: _____

Appendix F

Flowchart of Recording and Review Process



IN THE EVENT OF AN INCIDENT OF UC BEHAVIOUR



HELPFUL CONTACT DETAILS

PSNI call management centre	Non-emergency calls & general enquiries - 101 Emergency calls - 999 Emergency text phone - 18000 An emergency is where serious injury has been caused or is threatened or a crime is in progress and the suspects are at or near the scene. Police Headquarters - 028 9065 0222
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Appendix G
Unacceptable Customer Register

Registration Process						Review Process		
Name	Address	Date of incident	Short description of incident	Name of SMT Member recording UC	Date Unacceptable Customer Marking Given (i.e. Date letter issued to customer/client)	Date Review Due	Review Completed	Date Next review due.

Appendix H

Notification to the Office of First and deputy First Minister and the Victims and Survivors Service

[INSERT DATE]

Dear [insert name of Head of Victims Unit/VSS CEO]

UNACCEPTABLE BEHAVIOUR TOWARDS COMMISSION STAFF

In line with our Unacceptable Behaviour from Members of the Public policy I am writing to you concerning an incident of unacceptable behaviour on [date] when [name of individual] breached the policy by [brief summary of incident].

In the circumstances and in order to protect the health and safety of Commission staff, we have had no option but to modify the services that the Commission provides to [name of individual]. I have now instructed all Commission staff that from today they are [insert details of sanctions agreed]. [Name of individual] has now been classified as an unacceptable customer and has been notified that the Victims and Survivors Service and the Office of First Minister and deputy First Minister has been informed. [Name of individual] has been advised that the Office of First Minister and deputy First Minister may act as a conduit for communication between individual and the Commission.

The situation will be reviewed on a monthly basis.

Yours sincerely

[Insert name]

