



# Zero Tolerance Policy

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Version 2

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## Executive Summary

In line with the Department of Health Circular HSS (Gen) (3) 2007 “Zero Tolerance on Abuse of Staff, Protecting Healthcare and Emergency Staff from Violence”, NIGALA is committed to the creation of a culture and environment where employees, Agency Workers and Self-Employed Guardians may undertake their duties without fear of abuse or violence.

The purpose of this policy is:

- To achieve a positive attitude and approach towards NIGALA staff and Self-Employed Guardians;
- To prevent incidents of abuse including aggression and violence;
- NIGALA will seek to ensure that staff receive appropriate support in recovering from the effects of an incident and in trying to prevent recurrence; and
- To ensure that NIGALA complies with its statutory responsibilities under the Health & Safety at Work (NI) Order 1978 and related legislation/guidance.

The policy outlines the definitions on Zero Tolerance which are set out in the Departmental Circular named above, including non-physical abuse, physical abuse and anti-social behaviour. The roles and responsibilities for Senior Managers, Line Managers and Employees are clearly set out in the policy. All staff employed within NIGALA will have full access to designated training including refresher training.

All incidents of abuse or violence to staff must be formally reported as per NIGALA’s Adverse Incident Policy. The incident should be reported as soon after the event as possible. A note of an incident involving a client must be recorded by the Guardian and the court informed at the earliest opportunity.

Where physical injury or threatening behavior has been suffered by an employee it is important the matter is referred to the PSNI for investigation. NIGALA will support the PSNI when undertaking a criminal investigation and it is vital staff cooperate in this process.

In the event of an employee becoming the victim of abuse or violence at work NIGALA will ensure that appropriate support is given. This may include support from Occupational Health and the Employee Assistance Programme as appropriate.

NIGALA has a Lone Working Policy which all staff should be familiar with and ensure they are complying with the guidance contained within.

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## **1. Introduction**

- 1.1 In line with the Department of Health Circular HSS (Gen) (3) 2007 – “Zero Tolerance on Abuse of Staff, Protecting Healthcare and Emergency Staff from Violence”, the Northern Ireland Guardian ad Litem Agency (hereafter NIGALA) is committed to the creation of a culture and environment where employees, Agency Workers and Self-Employed Guardians may undertake their duties without fear of abuse or violence.
- 1.2 We are committed to:
- Ownership and responsibility for staff safety;
  - Introducing preventative measures to minimise the risk to staff;
  - Ensuring that all staff are appropriately trained;
  - Reporting and monitoring all incidents;
  - Communicating to staff to ensure awareness of policy and procedures;
  - Staff support including appropriate support in taking action;
  - Public awareness of our Zero Policy Statement
  - Working with the relevant bodies, including the Police Service of Northern Ireland (PSNI); and
  - Influence how perpetrators should be dealt with.
- 1.3 All staff have a vital role to play in protecting themselves, including participation in appropriate training, reporting of incidents and taking appropriate action against perpetrators of abuse or violence. NIGALA has a responsibility to ensure that appropriate support is given to staff in such circumstances.

## **2. Purpose**

- 2.1 The purpose of this policy is:
- To achieve a positive attitude and approach towards NIGALA staff, Agency Workers and Self-Employed Guardians;
  - To prevent incidents of abuse including aggression and violence;
  - NIGALA will seek to ensure that staff receive appropriate support in recovering from the effects of an incident and in trying to prevent recurrence; and
  - To ensure that NIGALA complies with its statutory responsibilities under the Health & Safety at Work (NI) Order 1978 and related legislation/guidance.

### **3. Scope**

- 3.1 This policy will apply to all NIGALA employees as well as to employees of external contractors, including Recruitment Agency Workers and Self-Employed Guardians. The policy applies to situations arising during the course of professional duties or due to employment. It also applies to those undertaking work on behalf of NIGALA, whether from service users, other staff or members of the public.

### **4. Accountability**

- 4.1 The Head of Corporate Services will be accountable for the effective implementation and monitoring of this policy across NIGALA.
- 4.2 Responsibility for the day to day implementation will rest with the line management structure.

### **5. Definitions**

- 5.1 The following definitions have been set out in the Departmental Circular HSS (Gen) (3) 2007 on Zero Tolerance:
- Non Physical Abuse: The use of inappropriate words or behaviour causing distress and/or constituting harassment. This includes receipt of abusive telephone calls from any source.
  - Physical Abuse: The intentional application of force against the person of another without lawful justification resulting in physical injury or personal discomfort.
  - Anti-social Behaviour: The following are examples of anti-social behaviour that are not acceptable at or in connect with work:
    - Excessive noise, for example, loud or intrusive conversation, or shouting;
    - Threatening or abusive language including excess swearing or offensive remarks or gestures;
    - Derogatory racial, religious or sexual remarks or behaviour;
    - Malicious allegations relating to members of staff;
    - Inappropriate behaviour as a result of alcohol or misuse of illicit drugs, including non-prescribed medication or drugs;
    - Intimidation, threats or threatening behaviour (for example, 'I know where you live');

- Harassment or stalking;
- Violence, perceived acts of violence or threats of violence;
- Any explicit or implicit challenge to the safety, well-being or health of any member of staff;
- Brandishing weapons or objects which could be used as weapons.

## **6. Responsibilities**

### **Role of Senior Managers**

6.1 Senior managers must, in consultation with staff and their representatives, carry out an assessment of the risk of violence within their working environment and within the scope of their responsibilities. They have an ongoing duty:

- To establish a safe system of working conditions for their staff including, where necessary, an assessment of the compatibility of the employees circumstances/condition with the workplace;
- To ensure that a systematic assessment of training needs is carried out for staff within their area of responsibility;
- To ensure that appropriate training is provided to, and accessed by, all staff;
- To ensure that staff receive relevant and timely support including counselling following incidents of violence so they are enabled to evaluate and learn by experience.

### **Role of Line Managers**

6.2 Line Managers have a responsibility to:

- Ensure that staff, clients and the general public are aware of NIGALA's commitment to Zero Tolerance;
- Ensure training in appropriate techniques for dealing with incidents of violence, abuse and aggression;
- Ensure that where staff are placed in imminent danger immediate action is taken to minimise or remove the danger;
- Provide support to staff who experience abusive, violent or aggressive incidents;
- Ensure that staff understand the methods and timing of report of incidents;
- Conduct environmental risk assessments;
- Maintain records of risk assessments and training; and
- Provide feedback to affected staff on action taken by NIGALA.

## **Role of Employees**

6.3 All employees have a responsibility to:

- Accept responsibility for their own safety;
- Consider the safety of others who may be affected by their actions or omissions;
- Familiarise themselves with and follow this policy and bring to their manager's attention concerns relating to personal safety;
- Participate fully in any risk assessments or investigation of an incident;
- Participate in any training that is made available to them;
- Report all incidents of violence or threatened violence to their line manager;
- Record details of the incident appropriately; and
- Contribute towards reviews concerning any violent incidents in which he/ she has been involved.

## **7. Training**

7.1 All staff employed within NIGALA will have full access to designated training including refresher training. It will be the responsibility of the manager to arrange appropriate training and to ensure that all staff attend appropriate training, including refresher courses. A record of training attended will be maintained.

## **8. Reporting, Investigating and Monitoring**

8.1 All incidents of abuse or violence to staff must be formally reported as per NIGALA's Adverse Incident Policy. The incident should be reported as soon after the event as possible, in order to maximise accuracy. Staff should ensure all relevant information is recorded.

8.2 A note of an incident involving a client must be recorded by the Guardian and the court informed at the earliest opportunity.

8.3 A critical analysis and post-incident risk assessment must be completed following a serious incident. This will allow NIGALA to ensure that control measures are appropriate.

8.4 In the event of an employee becoming a victim of abuse or violence at work, NIGALA will ensure that appropriate support is given.

## **9. Liaison with the Police Service of Northern Ireland (PSNI)**

- 9.1 Where physical injury or threatening behaviour has been suffered by a member of staff it is important that the matter is referred to the PSNI for investigation.
- 9.2 NIGALA will support the PSNI when undertaking a criminal investigation with a view to prosecution. It is important that staff cooperate in this process.
- 9.3 In the event of a criminal prosecution as a result of violent or aggressive acts, staff will be guided and supported through the process.

## **10. Staff Support**

- 10.1 In the event of an employee becoming the victim of abuse or violence at work NIGALA will ensure that appropriate support is given. This may include support from Occupational Health and the Employee Assistance Programme as appropriate.

## **11. Lone Workers**

- 11.1 NIGALA has a Lone Working Policy which all staff should be familiar with and ensure they are complying with the guidance contained within.