



Handling Unacceptable Behaviour from Members of the Public

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You may also be interested in the following policies:

- Safeguarding Young People, Children and Adults at Risk;
- Code of Conduct;
- Complaints Procedure.

1. Introduction

- 1.1. The Commission for Victims and Survivors Northern Ireland (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 and the Commissioner 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:
 - Highlights communication standards;
 - Outlines controls to be introduced for dealing with members of the public if unacceptable behaviour may be expected;
 - 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 directed at:
 - A Commission employee;
 - The Commissioner;
 - 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 and the Commissioner communicates, or comes 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 an individual is assertive or determined. However, the actions or behaviour of individuals who are angry, demanding or persistent may result in unreasonable demands on the Commission or unacceptable behaviour towards Commission staff and the Commissioner.

What is deemed to be unacceptable behaviour will often differ depending upon the individual(s) involved and their particular circumstances. Unacceptable 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 reasonably causes staff to feel upset, threatened, frightened, or physically at risk;
- An actual or attempted physical assault;
- Directing dissatisfaction with the organisation at an individual employee;
- Engaging the media to record interactions with Commission staff and the Commissioner without prior agreement.

2.3. The Commission recognises that some individuals 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 individuals may persist in disagreeing with the action or decision taken in relation to their issue, or contact the Commission persistently about the same issue.

2.4. 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 Commission.

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 individual 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 individual noted for Unacceptable Behaviour (UB) 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 individual refuses to leave the premises the Police Service of Northern Ireland (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.
- 3.6. An individual's placement on the Unacceptable Behaviour Register may amount to sensitive personal data as defined by 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.
- 3.7. Data security measures must be put in place to ensure that the records cannot be accessed by any unauthorised persons.
- 3.8. Note, that data protection guidelines and requirements will change with the introduction of new frameworks contained under General Data Protection Regulations in May 2018.

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 values. These are used in our day-to-day work and this policy has been designed with these in mind:
- **TRUST** - Working confidentially, impartially and respectfully with victims and survivors and others to develop and sustain an open and honest relationship;
 - **UNDERSTANDING** - Listening to and learning from victims and survivors and others;
 - **RESPONSIVE** - Continually developing our people and raising service standards through growth and innovation;
 - **ACCOUNTABLE** –Applying the highest level of corporate governance and professional standards to all that we do; and
 - **INDEPENDENCE** - Upholding our statutory duties and maintaining a critical distance to challenge government and relevant authorities on behalf of victims and survivors.
- 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 excellent service and endeavors to treat everyone with respect and courtesy.
- 4.5. Guidance on how Commission staff and the Commissioner 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 Unacceptable Behaviour are put in place. These control measures may include sanctions imposed on the individual 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 behavior recording within the Commission and if required, can provide further guidance on personal security or contacting the PSNI.

- 5.8. Line managers should keep the member(s) of staff 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 Unacceptable Behaviour markings in accordance with Section 8 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 individual, and should promote an understanding of the reasons for the range of challenging behaviours which currently exist.
- 6.3. Details will be included on the Individual Contact Database and information communicated to staff in line with existing processes.
- 6.4. The Senior Management Team will provide a report to the Board on the Unacceptable Behaviour Register when applicable.

7. Staff Responsibilities

- 7.1. All staff who are required to deal with members of the public must ensure that:
- They behave in an appropriate manner as outlined in Appendix A and in the Commission's Code of Conduct and maintain a professional approach;
 - That they have had appropriate training (induction training and refresher training) as required for the job nature and activity;
 - They comply with control measures put in place by management to safeguard their health and safety in the event of unacceptable behaviour including checking the Unacceptable Behaviour Register prior to visiting members of the public, inspecting premises or carrying out fieldwork;
 - If they are dealing with Unacceptable Behaviour complete a report following every contact;

- They report to their line manager any dangers they identify or any concerns they may have about unacceptable individual behaviour against themselves or another person;
- They notify their line manager immediately or as soon as possible if they are subjected to behaviour which they consider to be unacceptable as detailed in Appendix C.

8. Process for Reporting Incidents

Phase 1: Initial Intervention

- 8.1. Commission staff and the Commissioner will be familiar with this policy. Line managers should ensure that their team members are given ongoing adequate information, instruction, and training to identify and deal with risks associated with unacceptable behaviour, in line with this guidance and with all other relevant Commission policies. Initial intervention measures that the Commission will take in relation to managing unacceptable behaviour are as follows:
- 8.2. **Step 1: Identify the unacceptable behaviour:** Examples of unacceptable behaviour are included at **Appendix C**. Staff members will discuss any concerns that they may have in relation to the behaviour they have experienced and, with their line manager identify if the behaviour is classified as unacceptable as per **Appendix C**. Line managers should ensure that if a member of staff is subjected to unacceptable behaviour they are offered support and that the incident is reported as per below.
- 8.3. **Step 2: Report the unacceptable behaviour:** If it is agreed that an incident or incidents of unacceptable behaviour have occurred, all staff involved or who have witnessed the incident must record as far as possible the actual words or actions used, using the template provided (see **Appendix D**).
- 8.4. This written information must be reported immediately or as soon as possible to the line manager, who should immediately alert the Senior Management Team to the incident(s).
- 8.5. **Step 3: Initial Intervention: i.e. warn the individual, offer support and opportunity to amend their behaviour:** The Senior Management Team will review the information as per **Step 2**. Based on the written report and any other relevant information available, they will make a decision on whether it is appropriate to warn the individual that their behaviour has been unacceptable, and offer support and opportunity to amend this behaviour. This may include

offering the individual the opportunity to meet with a member of the Senior Management Team face to face.

- 8.6. If it is agreed that it is appropriate to offer the individual initial intervention support as per **Step 3**, the Senior Management Team should communicate this directly to the individual without undue delay. This may be done in writing, over the telephone, or face to face, based on the discretion of the Senior Management Team, however in the latter cases any communication will always be followed up in writing. The purpose of this communication will be to provide the following advice to the individual:
- **Explanation** – Explain to the individual the specific behaviour that was unacceptable.
 - **Warning** – Provide the individual with a warning that the Commission cannot tolerate such unacceptable behaviour.
 - **Plan** – Explain to the individual how the Commission proposes to support him/her to amend this behaviour. This may include the imposition of proportionate restrictions, as outlined above, and **Appendix C**.
- 8.7. In some circumstances, it may be appropriate for the Senior Management Team to conduct an internal review about a reported incident(s), and in order to manage/ mitigate identified and/or known risks, they may decide to document a rationale and develop an internal management plan to support staff to engage with the individual. This will be monitored re: it's effectiveness in reducing the unacceptable behaviour. This management plan will be recorded as a file note on the individual's record. This approach will be applied on the basis of a thorough consideration of the individual's circumstances and the possible/probable causes of their unacceptable behaviour.
- 8.8. In all cases outlined above, the relevant information should be recorded on the Individual Contact Database and information communicated to Commission staff in line with existing processes.
- 8.9. Line managers should keep the member(s) of staff involved informed of any action being taken. This should be clearly documented.
- 8.10. **Step 4: Review:** Having applied the above steps to manage the unacceptable behaviour, staff in liaison with line managers and the Senior Management Team will keep the case under monthly review, recording any relevant updates on the Individual Contact Database. Any individual engaged in **Phase 1** will have their case re-assessed by the Senior Management Team every 6 months. The outcome will be documented and communicated as per **Step 3**.

- 8.11. In the case where the unacceptable behaviour is such that risk is identified the PSNI will be alerted immediately post-incident(s). In such cases the Senior Management Team will bypass **Phase 1 – Steps 3 and 4**, and initiate **Phase 2** of the policy with immediate effect.

Phase 2: The Unacceptable Behaviour Register

- 8.12. **Step 5: Listing an Individual on the Unacceptable Behaviour Register:** If the initial intervention measures outlined above are unsuccessful in managing the unacceptable behaviour, or in exceptional cases of extreme unacceptable behaviour, the Senior Management Team should provide the Accounting Officer with information recorded at Step 2, Step 3, and Step 4 above as appropriate, with a recommendation that the individual should be listed on the Unacceptable Behaviour Register.
- 8.13. If the Accounting Officer decides, based on the information, to list the individual on the Unacceptable Behaviour Register, the Senior Management Team should inform them by a method that is best suited to the individual in question, and follow up by issuing a letter by registered post (see example wording at **Appendix E**) to the individual. This will advise them of the Commission's decision, and of the relevant restrictions that will apply. This will be reported to the Board. The relevant information will be recorded on the Individual Contact Database and information communicated to Commission staff in line with existing processes.
- 8.14. **Step 6: Ongoing Review:** Once an individual has been listed on the Unacceptable Behaviour Register, a report on their behaviour should be made on each occasion they engage with the Commission. This includes face to face, telephone and written contact (an example for this is at **Appendix F**).
- 8.15. The case should be reviewed on a monthly basis by the Accounting Officer in conjunction with the Senior Management Team. To be effective the Unacceptable Behaviour listing should not be maintained indefinitely – it must be justified at each review and the decision documented. The Accounting Officer in conjunction with the Senior Management Team can either increase or decrease restrictions following review. In such circumstances the individual will be notified immediately in writing by the Senior Management Team.
- 8.16. If a decision is taken to remove the Unacceptable Behaviour listing the Senior Management Team should inform the individual in writing immediately (example wording in **Appendix E**). All individual records and the UB Register should be amended accordingly and all relevant persons informed. The flow chart in **Appendix I** covers this aspect and includes relevant contact details.

- 8.17. **Exceptional Cases: Referral to the PSNI:** Actual or threatened physical violence and verbal threats of violence should always be reported by the Accounting Officer (or the Senior Management Team in circumstances when the Accounting Officer is not available) to the PSNI for appropriate action. Ordinarily 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, the 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 Commissioner for future reference.
- 8.18. If an individual's persistent or vexatious behaviour is consistently directed at an individual member of staff and they feel threatened as a result of this, the Senior Management Team may decide to have this concern noted by the PSNI.
- 8.19. The Accounting Officer reserves the right to report and take advice directly from the PSNI, and from the Commission's solicitor.
- 8.20. If the PSNI have been notified due to the level and extent of unacceptable behaviour, SMT will convene a meeting to agree a communication plan to all known service providers involved with the individual. This is in line with the practice guidance outlined in Promoting Quality Care (2010) <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/mhld-good-practice-guidance-2010.pdf> and will be in keeping with the Code of Practice on Protecting the Confidentiality of Service User Information. <http://www.dhsspsni.gov.uk/confidentiality-code-of-practice0109.pdf>.

9. The Appeals Process

- 9.1. Individuals have the right to appeal either the issue of a warning as per **Phase 1** or a decision to place them on the Commission's Unacceptable Behaviour Register as per **Phase 2**. Any appeal should be made in writing to the Audit and Risk Assurance Committee. Commission staff can facilitate individuals in preparing their written appeal if required.
- 9.2. The appeal should be made within ten working days of notification of the decision to list the individual on the Unacceptable Behaviour Register. Appeals should be addressed to the Chair of the Audit and Risk Assurance Committee. Within two weeks of receipt of the appeal, the Chair of the Audit and Risk Committee will consider the appeal.
- 9.3. On this basis, the Audit and Risk Assurance Committee will then advise the individual in writing of the decision as to whether they should be removed from the Unacceptable Behaviour register and whether the restrictions should

continue to apply or whether a different course of action has been agreed. The Audit and Risk Assurance Committee will reserve the right to decide and provide a rationale as to whether the appeal should or should not include a meeting with the individual.

- 9.4. Commission staff will ensure the written decision of the Audit and Risk Assurance Committee is communicated in a format suitable for the individual.

10. New Complaints from Individuals Listed on the Unacceptable Behaviour Register

- 10.1. New complaints or requests from individuals who have been listed on the UB Register and affected by restrictions under this policy will be treated on their merits. The manager of the relevant area will discuss the requests or complaints with the Senior Management Team, to decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. The Commission does not support a 'blanket policy' of ignoring genuine requests or complaints where they are founded.

11. Liaison with Partner Organisations

- 11.1. 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.
- 11.2. When an individual's name is listed on the Commission's Unacceptable Behaviour Register, the Commission will advise the VSS of this. The Executive Office (TEO) will also be informed.
- 11.3. In this context, the TEO may act as a conduit for communication between the individual and the Commission.
- 11.4. When the Commission has been notified of an individual being placed on the VSS register details will be noted on the Individual Contact Database and information communicated to staff in line with existing processes.
- 11.5. The Commission undertakes to advise the TEO and the VSS of any amendments made to this policy, and to keep both up to date in relation to its implementation.

12. Post-incident Support and Assistance

12.1. 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 pastoral support arrangements provided by the Commission.

13. Conclusion

13.1. This guidance covers the requirements for dealing with unacceptable behaviour from members of the public.

13.2. Any enquiries about this circular should be made to a member of the Senior Management Team.

14. Policy Review

14.1. This policy will be reviewed in 2 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 an individual is assertive or determined. However,

the actions or behaviour of individuals who are angry, demanding or persistent may result in unreasonable demands on the Commission or unacceptable behaviour towards Commission staff.

Persistent individual behaviour

The Commission recognises that some individuals 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. Individuals 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 an individual demonstrates behaviour that you consider is unreasonably persistent, consult your line manager. The line manager may then decide to restrict the individuals' access.

Unacceptable individual behaviour

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

When dealing with these individuals you should always remain calm and polite. Make the individual 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 individual 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 Behaviour– 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 individuals 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 Unacceptable Behaviour Register**, identifying recent incidents of unacceptable 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

<p>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.</p>	
Aspect	Precautionary Measures
<p>WALKING</p>	<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.
<p>PUBLIC TRANSPORT</p>	<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; • 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

<p>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.</p>	
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.

	<ul style="list-style-type: none"> • 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; • A quick check of the inside of your vehicle is carried out before opening the door.
<p>CONTACT WITH OTHERS</p>	<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: <p>“There is an exemption for calls to 999 {or 112} in genuine emergencies where it is unsafe or impractical to stop.”</p> <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 Unacceptable Behaviour 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

<p>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 move vulnerable and exposed when outside the office environment.</p>	
Aspect	Precautionary Measures
PLANNING	<p>Staff must:</p> <ul style="list-style-type: none"> • Check the sensitivity of the area from the Unacceptable Behaviour 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

<p>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.</p>	
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 Unacceptable Behaviour 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

Identification & Restrictions

The classification of Unacceptable Behaviour 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.

The purpose of classifying Unacceptable Behaviour is to make clear both to the individual and to Commission staff what restrictions are being placed on the delivery of services to that individual, and why those restrictions have been imposed.

It is important that any restrictions put in place as a result of challenging or unacceptable individual behaviour are proportionate to the behaviour or incident in question.

For the purposes of this guidance, Table 1 below outlines the circumstances in which an individual may be classified as displaying Unacceptable Behaviour 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 individual 2 verbal warnings. If the behaviour persists, terminate the call/contact with the individual.</p> <p>A one-off incident should be reported to the line manager and recorded on the Unacceptable Behaviour Register.</p> <p>In the event of recurring incidents, the individual should then be listed on the Unacceptable Behaviour Register, and restrictions from Level 2 onwards should be considered.</p>
2	Verbal abuse	<p>Give the individual 2 verbal warnings. If the behaviour persists, terminate the call/contact with the individual.</p> <p>Thereafter: arrange for a single, named member of staff to deal with all future calls or correspondence from the individual.</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>
3	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>Advise the individual 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 individual.</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	Threatening, aggressive, or intimidating behaviour	<p>Advise the individual 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 individual.</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 individual disregards these restrictions, limit future contact to via solicitor only.</p>

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

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.

Appendix D

Form for Reporting Unacceptable Behaviour

EMPLOYEE	
Name:	
Job Title:	Section:

Date of Incident	Day of week	Time
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Details of Person(s) Responsible for Incident
Name(s) (if known):
Address(es) (if known):
Estimated Age
Male/Female :
Any other observations to note regarding appearance or manner of individual:
)

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 staff member's local Personal File (if one held)

Original to be placed on staff member's Personal File

Appendix E

Classification as Unacceptable Behaviour Letter

[INSERT DATE]

Dear [insert name of individual]

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 TEO as a conduit for communication]**. You have now been classified as having displayed Unacceptable Behaviour and this information will be passed to our partner organisations, the Victims and Survivors Service and the The Executive Office.

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 INDIVIDUAL OF THE REMOVAL OF UNACCEPTABLE BEHAVIOUR 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 Behaviour Register.

As you know the Commission wrote to you on [date] informing you that you had been classified as having displayed Unacceptable Behaviour. 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 Behaviour 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 Executive Office 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 F

UNACCEPTABLE BEHAVIOUR REPORTS PROTECT PRIVATE *(when complete)*

Contact Record with Individual displaying Unacceptable Behaviour (UB)

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

Individual Name: _____

Individual Address: _____

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

Why was contact made?

Did the individual's behaviour give any indication that the Unacceptable B marking was appropriate?

Name: _____

Title: _____

Commission Location: _____

Phone: _____

Date: _____

Appendix G

Unacceptable Behaviour Register

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

Appendix H

Notification to The Executive Office 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 displaying Unacceptable Behaviour and has been notified that the Victims and Survivors Service and The Executive Office has been informed. **[Name of individual]** has been advised that The Executive Office may act as a conduit for communication between the individual and the Commission.

The situation will be reviewed on a monthly basis.

Yours sincerely

[Insert name]

Appendix I: Flowchart of Recording and Review Process

PRIOR TO CONTACT WITH INDIVIDUALS

Staff dealing with members of the public must be provided with this policy and others listed under paragraph 1.5 above.

Suitable risk assessments must be carried out on all tasks dealing with members of the public and controls communicated to staff.

Where necessary training should be provided to staff.



Staff should check Unacceptable Behaviour Register prior to arranging contact with the individual to ensure they are not listed.



If individual is not listed on the Register no further action is needed.



If the individual is listed on the Register contact Senior Management for further details of previous incidents and controls.



Any contact with an individual listed on the Unacceptable Behaviour Register should be recorded and forwarded to Senior Management in line with Annex 5.

USEFUL CONTACT DETAILS

PSNI Call Management Centre:

- Non-emergency calls and general enquiries: **0845 600 8000**
- 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 near or at the scene.
- Police headquarters: **028 9065 0222**