

AGENDA

Meeting: Staffing Policy Committee

Place: Kennet Room, County Hall, Trowbridge BA14 8JN

Date: Wednesday 12 July 2023

Time: 2.00 pm

Please direct any enquiries on this Agenda to Ellen Ghey - Democratic Services Officer of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718259 or email ellen.ghey@wiltshire.gov.uk

Press enquiries to Communications on direct lines 01225 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Stuart Wheeler (Chairman)
Cllr Helen Belcher OBE
Cllr Allison Bucknell
Cllr Richard Clewer
Cllr Carole King

Cllr Jacqui Lay
Cllr Ashley O'Neill
Cllr Tamara Reay
Cllr Ricky Rogers

Substitutes:

Cllr Liz Alstrom
Cllr Caroline Corbin
Cllr Mel Jacob
Cllr Simon Jacobs

Cllr Bob Jones MBE
Cllr Kathryn Macdermid
Cllr Nabil Najjar
Cllr Tom Rounds

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

Our privacy policy is found [here](#).

For assistance on these and other matters please contact the officer named above for details.

AGENDA

PART I

Items to be considered while the meeting is open to the public

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of Previous Meeting** (*Pages 5 - 10*)

To approve and sign as a true and correct record the minutes of the previous meeting held on 9 May 2023.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 5 July 2023** in order to be guaranteed of a written response. In order to receive a verbal response, questions must be submitted no later than 5pm on **Friday 7 July 2023**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Unwanted Behaviour Policy** (*Pages 11 - 26*)

To consider a report on the Unwanted Behaviours from Members of the Public Policy.

7 **Changes to the Pay Policy Statement**

To receive a verbal update on minor changes to the Pay Policy Statement following statutory guidance on severance payments, which includes the use of settlement agreements.

8 **Update on Tusker**

To receive a verbal update on the progression and implementation of the Tusker green car salary sacrifice scheme.

9 **Update on Provision of Workforce Analytics**

To receive a verbal update regarding the provision of workforce analytics.

10 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency.

Urgent items of a confidential nature may be considered under Part II of this agenda.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

None

Staffing Policy Committee

MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 9 MAY 2023 AT KENNET ROOM, COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr Helen Belcher OBE, Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Carole King, Cllr Jacqui Lay, Cllr Ashley O'Neill, Cllr Tamara Reay and Cllr Ricky Rogers

22 **Apologies for Absence**

There were no apologies for absence received from any Members of the Committee, however apologies from Jo Madeley, Head of Legal Services, and Tamsin Kielb, Director of HR & OD, were noted.

23 **Minutes of Previous Meeting**

The minutes of the previous meeting held on 1 March 2023 were considered.

The Chairman raised Minute 14 and asked Gemma Morrison, HR & OD Strategic Delivery Manager, for an update on the response that was due to be circulated regarding the possibility of elected Members utilising salary sacrifice schemes in general, with reference to the Tusker electric or hybrid vehicle proposal reported at the meeting held on 5 January 2023.

In response, Members were informed that the scheme, and therefore the Tusker implementation, was still under review and as such, an update could not be provided at that time. However, Members were reassured that they would be notified as soon as there was an update to present.

In addition, Councillor Jacqui Lay stated that her apologies had not been noted for the previous meeting, and it was therefore confirmed that this would be rectified.

After which, it was:

Resolved:

The Committee approved and signed the minutes of the previous meeting held on 1 March 2023 as a true and correct record.

24 **Declarations of Interest**

There were no declarations of interest.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Public Participation**

There were no questions or statements submitted.

27 **Grow Your Own Social Workers Policy**

Gemma Morrison, HR & OD Strategic Delivery Manager, introduced the report which outlined the draft policy for the 'Grow Our Own Social Workers' scheme which aimed to provide an opportunity for employees to undertake a professional qualification in Social Work with a view that if staff commenced the Assessed and Supported Year in Employment (ASYE) within 3 months of successful qualification, then their previous service would be taken into account for contractual benefits. Furthermore, it was noted that the Career Break policy had also been amended to reflect the introduction of the new 'Grow Our Own' policy.

The Committee discussed the report and queried whether the policy could be broadened to include other staff and agencies with ties to Wiltshire Council in similar fields, and to offer them with the same opportunities. It was confirmed that officers would discuss the proposal with principal social workers within the department and provide an answer for Members outside of the meeting.

The Committee also asked questions relating to the amount of agency staff needed/working in the field, the number of posts officers were seeking to grow, if the scheme had been practiced in other Local Authorities, and if there was scope to expand the policy to allow more flexibility in other areas within the Council. In response, officers confirmed that they would explore the suggestions and questions raised and would again, provide answers for the Committee once the data and information had been reviewed.

The Committee also asked that the service monitor the progress in order for officers to bring back further performance reports back to the Committee.

At the conclusion of the discussion, it was:

Resolved:

The Committee moved to support and agree the new Grow Our Own policy, and the related amendments made to the Career Break Policy.

28 **Chief Officer Posts Guidance**

Paula Marsh, Senior Strategic Business Partner, introduced the item and provided a brief summary of the work undertaken to ensure alignment between the Council's constitution, Council policies, and role descriptions in relation to 'Chief Officer' posts.

It was noted that officers had undertaken this strategic policy drive to ensure that there was continuity across all policies, and a single source of reference for all officers when recruiting for those types of roles.

Cllr Ashley O'Neill highlighted that Paragraph 5 of the report stated that the changes would be confirmed at the next Full Council meeting and suggested that the recommendation be amended to reflect that the changes may not be approved as the meeting was scheduled for 16 May 2023, and therefore would be held after the Committee meeting.

Following which, it was:

Resolved:

The Committee noted the new guidance document and confirmed that policies should be updated to align and refer to this where appropriate, providing such changes are approved at the next Full Council meeting scheduled for 16 May 2023.

29 **Quarterly Workforce Report**

Michael Taylor, Workforce Insight Analyst, introduced the quarterly workforce report, with particular focus on sickness absence, employee turnover, and finance and salary costs.

It was highlighted that as mentioned in the previous report, Public Health experts had predicted a significant increase in flu and Covid variants over the winter months. Officers noted that Q3 and Q4 were considerably higher than expected for absences related to cold/flu and other seasonal influences, therefore supporting the Public Health experts' predictions. As such, officers could use these predictions in the future to develop contingency plans and more preventative measures such as ensuring that more customer facing roles be targeted for flu jabs. However, Members were reassured that these increases did not affect the entire sickness rate across the Council which remained in line with national averages.

Employee turnover was then raised, and it was noted that the current job market was more candidate-driven, thus resulting in a surplus of jobs, but a shortage of top-tier candidates. In response to a question, officers noted that Wiltshire Council had received 125 work experience submissions, 70 of which had been matched with appropriate placements. Furthermore, all Wiltshire schools had access to the recruitment team, and officers from which attended employment days and job fairs across the County to advertise working at the Council. It was highlighted that it was an area of focus, however officers acknowledged that there was always scope for improvements.

During the discussion, members asked what methods were in place to reduce elements of workplace stress and consequently, reducing the amount of time that staff were on sick leave for. Officers highlighted that within the Council

there were pockets of stress related absences, however it was emphasised that these specific stress areas were monitored and reviewed regularly with frequent staff engagement sessions to help support these members of staff. Furthermore, the annual Staff Survey data would be circulated to services shortly, which would again help to highlight any service areas that needed particular support. Following from this, Members suggested including a further breakdown of the data by department in the next workforce report to ensure the right areas were targeted for further support.

Members raised the drive to get staff back to working within the hubs and queried if this was conducive to inclusivity and if it was causing further stress and pressure to staff. In response, officers confirmed that the staff networks were seeking to re-establish the focus groups assigned to this topic, to review the current arrangement. At which point, any feedback gleaned would be reported back to the Committee.

Officers confirmed that all members of staff who have been signed off with stress or other related illnesses were immediately referred to Occupational Health. It was emphasised that staff could not be forced to engage with interventions such as counselling, however officers would liaise with the Occupational Health team to provide Members with further information such as the take-up rate for these opportunities.

Agency costs were then raised, and it was queried whether these would be reduced as a result of the new policy of deleting vacant posts. Officers explained that agency staff were only employed in certain areas of the Council. Furthermore, if the post was a temporary measure, then once the contract had reached its end, the relationship with the agency would cease and the post would be deleted. However, during the term of contract, the role would count as an established post. It was further explained that agency staff were predominantly required within Social Care when the need arose to fill statutory roles or ensure continuity of service, hence why there were levels of fluctuation throughout the year. It was also explained that the discrepancies apparent on the graphs within the report could be due to two to three high level roles skewing the figures. Members further noted that Wiltshire Council's agency costs fared well in comparison to other neighbouring Council's.

Resolved:

The Committee noted the update.

30 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 2.50 pm)

The Officer who has produced these minutes is Ellen Ghey - Democratic Services
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Staffing Policy Committee
12th July 2023

Unwanted Behaviour from Members of the Public policy

Purpose

1. This policy and procedure describe the arrangements to deter, mitigate, report, and respond to unwanted behaviour by members of the public toward employees carrying out their work duties.
2. The main aims of this policy are to safeguard staff, and to fulfil the council's corporate legal and moral obligation to prevent harm to staff.

Background

3. In the six months to the end of March 2023, a total of 230 episodes of unwanted behaviour from members of the public were formally reported by staff.
4. Existing health and safety policies take a preventative approach to support the proper management of risk. Inconsistent reporting of instances of unwanted behaviour, and managers' requests for support, have highlighted the need for guidance on the application of remedial or responsive action.
5. The policy has been developed following consultation with managers from relevant public-facing services to formulate this policy. The policy has also been reviewed by the Heads of Service Forum, the Joint Consultative Committee, Legal Services and CLT.

Main considerations

6. The council has legal obligations under Section 2 of the Health and Safety at Work Act 1974 and Sections 3 and 13 of the Management of Health and Safety Regulations 1999 to protect the safety and welfare of employees through the compilation of suitable and sufficient risk assessment and the provision of suitable training.
7. The issue features on the corporate risk register with a current risk rating of 9, against a risk appetite set by Cabinet of <8.

Reason for the policy

8. The employer's responsibility under Health and Safety legislation is to apply measures that are reasonably practicable to help prevent harm to employees. Harm includes psychological distress as well as personal injury.
9. This policy will establish a consistent approach for risk assessment and staff training as core control measures, and provide escalation procedures for use during an incident and post-incident. This will protect staff from harm and help to protect the council from criminal or civil liability.
10. The adoption and implementation of the Unwanted Behaviour policy will empower staff to take safe, preventative action when faced with unwanted behaviour; and provide reassurance that their health, safety and welfare remains a core council priority.
11. It will provide managers with a consistent reference point and suitable templates to use in order to ensure perpetrators of unwanted behaviour are made aware of the consequences of their actions.
12. It will give visibility to the issue of unwanted behaviour within our customer base and create a deterrent to repeated or escalating behaviour.

Environmental impact of the proposal

13. None identified.

Equalities impact of the proposal

14. This policy was presented at an Equalities Impact Assessment panel on 15th June. All comments raised at this panel were taken into consideration.

Risk assessment

15. If this policy is not adopted, the council's liability and reputational risk will remain exposed beyond the risk appetite of the Cabinet. Enforcement action from the Health and Safety Executive and claims upon the council's employer's liability insurance policy will also remain a potential threat.

16. The adoption and promulgation of this policy will be a significant risk mitigation action. A high level of existing awareness among public-facing teams, coupled with local team procedures and ongoing scrutiny from the Health and Safety service will also continue to mitigate the current risk level.

Financial implications of the proposal

17. There are likely financial losses attributable to service disruption following instances of unwanted behaviour by members of the public, however these are difficult to quantify.

18. Costs associated with criminal or civil litigation could be significant. Court fines for breaches of health and safety legislation are now unlimited and the council self-insures against claims upto £400,000.

Recommendations

19. It is recommended that Staffing Policy Committee agree to approve this policy for implementation.

Kate Blackburn
Director Public Health

Report Author: Paul Collyer, Head of Occupational Health and Safety

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Unwanted Behaviour toward Employees Policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy and procedure describe the arrangements to deter, mitigate, report, and respond to unwanted behaviour by adult members of the public toward employees carrying out their work duties.

Unwanted behaviour may include but not be limited to:

- Assault
- Aggressive or threatening actions
- Display or use of weapons
- Offensive, derogatory, rude or abusive language
- Intimidation
- Stalking
- Sexual harassment
- Racial or discriminatory remarks
- Online abuse
- Anti-social interaction or vandalism
- Unreasonable levels of contact or demands

Who does it apply to?

This policy applies to all Wiltshire Council employees, with the exception of teaching and non-teaching staff employed in maintained schools or academies.

This policy also applies to councillors, temporary employees, casuals, consultants, agency workers, staff seconded from other organisations and volunteers.

This policy also seeks to support employees of other organisations sharing a Wiltshire Council worksite by way of mitigating the general risk.

When does it apply?

This policy applies wherever work duties are being undertaken and also where episodes occur outside of working hours or work settings but in association with the employee's employment by the council.

What are the main points?

Overview

1. It is foreseeable that occasionally staff may encounter any of the types of behaviour listed above when dealing with members of the public in undertaking their role; but no member of staff is ordinarily expected to have to tolerate such behaviour, particularly in a repeated pattern. Nor is any member of staff expected to have to tolerate unwanted behaviour if a member of the public approaches them in relation to a work matter during non-work periods or in non-work settings.
2. In all instances members of staff may take reasonable and proportionate action to protect themselves and other colleagues from any unacceptable behaviour from members of the public. This may mean avoiding certain situations, taking preventative action, curtailing interactions or, in extreme instances, adopting self-defence.
3. The consistent and diligent reporting of incidents involving unacceptable behaviour will enable the council to assess the actions necessary to provide support to employees and to take appropriate action against the perpetrator.
4. The council will seek to deter unacceptable behaviour by members of the public and will take action against those who do perpetrate such behaviour.

Prevention – risk assessment

5. All work activities that involve contact with members of the public and for which it is foreseeable that unwanted behaviour could occur, should be subject to a written risk assessment to establish the control measures to be applied in order to minimise risks as far as practicable. This includes scenarios in which the contact is in person or by telephone/video call or through social media.
6. Generic risk assessment templates are available for common instances of lone working where staff will come into contact with members of the public [Lone working \(sharepoint.com\)](https://sharepoint.com) Managers must undertake risk assessments based on local service circumstances. The templates may be a useful starting point.
7. Managers must make all relevant employees aware of this policy and of any risk assessment that applies to their work so that they understand how and when each of the control measures are to be applied.

Prevention – staff competencies

8. All relevant employees should receive information, instruction and training regarding the techniques and skills to be used to respond to difficult situations and challenging behaviour from customers. The scale and scope of training should be proportionate to the foreseeable risk and be updated at suitable intervals. It should include training to understand how unresolved trauma can impact on people's ability to regulate their stress and display behaviour that is very challenging; and how best to respond to mitigate this behaviour from escalating. Managers should assess training needs on a regular basis.

Prevention – sharing of intelligence

9. Records will be kept of any member of the public who has displayed unacceptable and harmful behaviour towards staff. Such intelligence will be shared amongst all teams who have contact with the public. For this purpose, each relevant team will nominate a named Intelligence Officer. Nb: records will also include reports of dangerous animals and any other environmental risk linked to a particular address.
10. Records will be retained securely in accordance with corporate data retention protocols and be available to be interrogated prior to any planned contact or visit in order to forewarn employees about potential risks. Only employees planning to meet a particular member of the public or visit a particular address may interrogate the records on a need-to-know basis.
11. Any unauthorised or inappropriate use of these records by a member of staff will be considered as misconduct and may lead to disciplinary action being taken.

Prevention – workplace environments and personal protective equipment

12. Spaces within council workplaces, where members of the public are met and dealt with, should be arranged and furnished so that personal safety risks are minimised. This consideration should be made as part of the overall risk assessment. In higher risk areas, employees should have means to get to a place of safety or to summon immediate assistance. Where alarms are employed, regular testing must occur to ensure that they work and that fixed alarms get the planned response from colleagues.
13. On the basis of a risk assessment, it may be appropriate to issue and operate a personal communication and tracking system via a mobile device or call centre contact arrangement.

14. In exceptional circumstances, usually in respect of enforcement roles, it may be appropriate on the basis of a risk assessment to issue personal protective equipment (PPE) such as body armour. All PPE must be available in different or adjustable sizes and be subject to proper maintenance, storage and use.
15. All spaces used for customer contact will display signs indicating the key messages of this unwanted behaviour policy.

Response – at the point of experiencing unwanted behaviour

16. It is difficult for someone who is dysregulated to engage in conversation so where possible, employees should apply skills learned from training to attempt to calm any situation involving dysregulated behaviour.
17. If calming measures are not effective, the continuation of unwanted behaviour will give employees the right to take any of the following action based on their own assessment of risk:
 - a. Advise the member of public that their behaviour is not acceptable and that continuation may result in curtailment of the contact.
 - b. Temporarily suspend contact to seek support from a colleague or manager.
 - c. Curtail the contact and remove oneself from the area.
 - d. Use available warning systems such as fixed alarms, panic buttons, lone working devices and codewords to summon assistance from others.
 - e. Call the police.
18. Some of the members of the public that staff are likely to encounter will have mental health or learning/behavioural needs, others will be neurodivergent. Staff should attempt to take account of any of these circumstances in assessing risk and using the escalation procedure set out above.

Response – involving the police

19. The police should be called using 999 if the safety of a member of staff or other person is at serious risk. Staff should not attempt to detain any person. Assuming the police have not attended the incident already, the manager should report any suspected criminal offence to the police by ringing 101 or 999, or by using the respective online report form as appropriate and available below. Wiltshire Police has advised that all offences should be reported to aid in the gathering of intelligence as well as the pursuit of justice. There may be exceptional circumstances in which a manager and employee decide that the involvement of the police is not appropriate.

[Report a crime | Wiltshire Police](#)

[Report hate crime | Wiltshire Police](#)

[Report antisocial behaviour | Wiltshire Police](#)

Response – after the episode

20. After the episode, the person(s) involved, and their respective managers should:

- a. Seek/provide support to those affected.
- b. Share non-sensitive details of the incident using local team protocols to ensure other relevant staff are made aware of any on-going risk in dealing with this person.
- c. **Additionally**, report the incident using the corporate online reporting procedure found on HR Direct [Incident Reporting - Wiltshire Council](#). This serves three important purposes:
 - i. to ensure that the incident is properly investigated and that any learning to prevent the likelihood of a recurrence can be applied.
 - ii. to ensure that the perpetrator's details are added to the Employee Safety Database so that other staff in public-facing roles across the council will have the benefit of knowing the history of previous contact with that person should they have reason to have to contact them in future.
 - iii. to provide a full record of details in the event of any escalation to litigation.

NOTE: All employees are encouraged to report all incidents but pragmatically there must be scope for some local discretion depending on the severity of the incident. The isolated use of an expletive may not warrant corporate reporting for example.

Response – responding to the perpetrator (of known identity)

21. As a minimum, and within 5 working days, the manager should arrange for a letter to be sent to the perpetrator outlining the nature of the unwanted behaviour and the consequences of any repetition. The letter will also inform the recipient that their details have been retained for the purposes of protecting staff during any future contact. Templates are available at the end of this document.

22. It may be appropriate to apply further and stronger measures according to the circumstances of the incident and the nature of the behaviour displayed. These may include:
- a. restricting future contact to:
 - i. telephone or written correspondence only
 - ii. by appointment only
 - iii. access via nominated members of staff only
 - b. removing the right of entry to named council premises for a fixed period.
 - c. suspending or withdrawing further services for a fixed period where statutory duties allow.
 - d. applying permanent restrictions to the right to entry or to access of services where statutory duties allow.
 - e. pursuance of legal action.
23. The decision about which level of measure to apply is to be made only after careful consideration and verification of the behaviour. Restrictions on access and services must be approved by at least a Head of Service or Director and, if appropriate, after consultation with the Legal Service.
24. In every instance, the council will consider how the use of the information from the incident can be used to raise public awareness of the impact of unwanted behaviour and thus act as a deterrent to future incidents.

Response – responding to the perpetrator (of unknown identity)

25. Depending on the circumstances of the unacceptable behaviour, descriptions of perpetrators who are not known by name or address may be circulated amongst relevant public-facing staff.

Response – Summary Table

26. Summary of appropriate action

	DURING INCIDENT			POST INCIDENT				
	VERBAL WARNING GIVEN BY EMPLOYEE	CURTAILMENT OF CONTACT IF BEHAVIOUR CONTINUES	IMMEDIATE EMERGENCY 999 CALL TO POLICE	COMPLETE CORPORATE INCIDENT REPORT FORM	LEADING TO ADDITION TO EMPLOYEE SAFETY DATABASE	FORMAL WARNING LETTER	REPORT TO POLICE	WITHDRAWAL OR RESTRICTION OF NORMAL ACCESS/SERVICES
Verbal insults, derogatory language, anti-social behaviour	YES	YES	UNLIKELY	YES unless very minor	YES	YES	UNLIKELY	CONSIDER
Intimidating behaviour, abusive language	YES	YES	IF AT RISK	YES	YES	YES	CONSIDER	CONSIDER
Physical aggression, sexual or racial harassment, hate language, verbal threats (implied or direct)	YES	YES	IF AT RISK	YES	YES	YES	YES	YES
Assault (physical or sexual), use or threat of weapon	N/A	YES	YES	YES	YES	YES	YES	YES
Property damage	YES	YES	CONSIDER	YES	YES	YES	YES	CONSIDER
On-going risk to personal safety after episode	INDIVIDUAL CASE CONFERENCE TO ASSESS ONGOING RISK AND AGREE CONTROL STRATEGY							

Roles and responsibilities

Employee responsibilities

27. All employees are required to:

- a. follow their training and any risk assessment instruction to minimise risks from the unwanted behaviour of members of the public.
- b. report all incidents of unwanted behaviour and/or criminal offences.
- c. co-operate with any management investigation and comply with any restrictions placed upon access or services.

Line manager responsibilities

28. Line managers are required to:
- a. ensure suitable and sufficient risk assessments are prepared for the foreseeable risks involving contact with members of the public.
 - b. ensure that all relevant employees are aware and understand how the outcomes of the risk assessments are to be applied.
 - c. ensure that all relevant employees receive appropriate training to deal with foreseeable situations involving members of the public.
 - d. investigate all reported incidents of unwanted behaviour and record details on the corporate reporting system.
 - e. report to the police, any behaviour that may amount to a criminal offence that occurs during any interaction with a member of the public.
 - f. ensure that perpetrators of unwanted behaviour receive a written warning regarding their behaviour as per this policy and/or to escalate details to the Head of Service or Director for consideration of further measures as per this policy.

Frequently asked questions

29. Can I refuse to see a particular member of the public?

If there is good reason for you to be fearful of having to deal with a particular member of the public, then you should make this known to your manager. Your manager will assess circumstances to determine safe and appropriate means of ongoing contact with that individual.

30. Can I discontinue a call or contact with a customer?

Yes. If you encounter unwanted behaviour, you should calmly and assertively inform the customer that the behaviour is not acceptable and ask for it to desist. If the behaviour does not desist and continues to a point beyond *your personal level of tolerance* then you should inform the customer that you are curtailing the call/conversation and, if in person, remove yourself from the vicinity and contact your manager. Your manager will assess circumstances to determine safe and appropriate means of ongoing contact with that individual.

31. Do I need to identify myself to a member of the public?

You are required to identify yourself to any customer (name / post / work contact details) but you should not disclose any personal information or contact details.

You are not required to identify yourself to a member of the public outside of your work role or setting.

32. What training is available to me?

Your manager will assess all of the training that you need to be able to do your job safely. Personal safety training and de-escalation skills training are available from HR/OD.

33. What should I do if I think a work customer is targeting me outside of work?

If you feel in immediate danger, contact the police on 999 and try to get to a safe place where there are other people around. In other circumstances, in the first instance notify your line manager. Your manager will investigate and undertake a risk assessment. If necessary, your manager will work with you to identify sensible and proportionate measures to mitigate any risks. The police will be informed and offer further advice if the risk assessment identifies potentially criminal behaviours and a risk of harm.

34. Do the police need to be informed about all suspected criminal offences?

Reporting all criminal offences gives the police important intelligence and may help prevent further offences being committed. However, if there are compelling reasons why you would not want the police to be notified, you will be able to discuss this with your manager.

Managers may also take into account the mental health or learning/behaviour needs of the alleged offender in determining if the involvement of the police is appropriate.

35. What will happen after the police are notified of an incident?

If the police are notified, the incident will be issued with a crime reference number and be allocated to an investigating officer. That officer may contact you for more details and you may be asked to give a statement. This can be at a police station or another location if you prefer.

36. Will I need to give a witness statement?

If you witnessed an episode of unwanted behaviour from a member of the public then you may be asked to give a witness statement by the investigating manager. If an offence is reported to the police, you may also be asked to provide a statement to aid the police investigation.

Equal Opportunities

37. This policy has been Equality Impact Assessed to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Legislation

38. This policy is subject to the Council’s policy framework and duties to employees under relevant legislation including Health and Safety at Work Act 1974; The Management of Health and Safety at Work Regulations 1999; and The Equality Act 2010.

Advice and guidance

39. If you require help in accessing or understanding this policy, you should contact your line manager or trade union representative.

40. If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your Head of Service who will nominate an appropriate manager or colleague to help you.

Further information

41. For further information please speak to your manager, or contact healthandsafety@wiltshire.gov.uk or hradvisory@wiltshire.gov.uk

Template letters

42. The following templates are provided to assist managers in written warnings.

- Desist behaviour letter/email
- Further measures letter/email

Policy author	H&S Service
Policy implemented	July 2023
Policy last updated	

TEMPLATE TEXT FOR 'WARN & DESIST' LETTER/EMAIL

PLEASE COMPLETE THIS LETTER TEMPLATE WITH THE RELEVANT ALTERNATIVE DETAILS IN ALL PLACES MARKED WITH * AND THEN REMOVE THIS INSTRUCTION AND ALL HIGHLIGHTING.

Dear

Re: Incident at xxxxxxxxxxxxxxxx

I refer to the events which took place at (*where) on (*day, date, year).

Our record of the incident is that during an interaction with council staff to *discuss your council tax bill, you *used abusive language and behaved in a threatening and intimidating manner to the member(s) of staff.

You should note that such behaviour is unacceptable and that details of the incident have been retained for purposes of ensuring the future safety and well-being of other council staff. *Wiltshire Police has also been informed in line with the council's policy on unwanted behaviour towards staff.

No matter how difficult the situation, council staff do not deserve to be subject to the type of behaviour you have displayed, and you should be aware that any recurrence of unwanted behaviour towards our employees may result in further action being taken against you to restrict or remove access to services. *If appropriate Wiltshire Police will also be informed.

Yours faithfully,

**TEMPLATE TEXT FOR ADDITIONAL MEASURES BEING APPLIED
LETTER/EMAIL**

PLEASE COMPLETE THIS LETTER TEMPLATE WITH THE RELEVANT ALTERNATIVE DETAILS IN ALL PLACES MARKED WITH * AND THEN REMOVE THIS INSTRUCTION AND ALL HIGHLIGHTING.

Dear

Re: Incident at xxxxxxxxxxxxxxxx

I refer to the events which took place at (*where) on (*day, date, year).

Our record of the incident is that during an interaction with council staff to *discuss your council tax bill, you *used abusive language and behaved in a threatening and intimidating manner to the member(s) of staff.

You should note that such behaviour is unacceptable and that details of the incident have been retained for purposes of ensuring the future safety and well-being of other council staff. *Wiltshire Police has also been informed in line with the council's policy on unwanted behaviour towards staff and consideration is being given to commencement of legal action against you.

No matter how difficult the situation, council staff do not deserve to be subject to the type of behaviour you have displayed. To prevent any further exposure the following restrictions will now apply to you.

- You are prohibited from entering *designate specific premises and include timeframe
- All further contact with you for the foreseeable period will be conducted only by telephone or online. *Add contact details
- All contact with you will only be conducted through the following named officers. * Add name/contact details
- Your access to *name of service is being temporarily suspended or restricted. This means that * Add details

Yours faithfully,