

# Zero Tolerance Policy & SOP

August | 2019

**Responsible Committee:** Quality Committee

**Date Effective:** August 2019

**Supersedes:** N/A

**Next Review Due:** August 2022

**Version:** 3.0

**Comments (details of changes):** Updated email addresses

## 1.0 BACKGROUND AND CONTEXT

### 1.1 Introduction

SELDOC Healthcare has a duty to provide a safe and secure environment for patients, staff and visitors. Violent or abusive behaviour will not be tolerated and decisive action will be taken to protect these groups. The purpose of this policy is to address instances of unacceptable behaviour that may cause harm or the fear of harm to any person within the service. Any such incidents will be reported to the police and patients who are extreme or persistent in their unacceptable behaviour can, as a last resort, be excluded from the organization.

Persistent unacceptable behaviour refers to behaviour both within one encounter and/or over a number of separate encounters within the period of the sanction.

### 1.2 Scope

This policy applies to all staff/employees, which for the purpose of this document include: clinicians, contractors, agency and locum workers, as well as patients of GPs and Care Homes seen by SELDOC Healthcare, Access Medical Services, or any other SELDOC related company. This policy applies throughout all SELDOC affiliated premises, including any car park and grounds, or locations where SELDOC is undertaking its activities such as on home visits or care homes. It also applies to any employee or anyone carrying out services on behalf of the companies.

## 2.0 Definitions

**Physical Assault** is “the intentional application of force to the person of another, without lawful justification, resulting in physical injury or personal discomfort”

**Non- Physical Assault** is “the use of inappropriate words or behaviour causing distress and/or constituting harassment”

**Unacceptable behaviour** is, in addition to behaviours explicit above, any of the following (but not exhaustive):

- Excessive noise e.g., loud or intrusive conversation or shouting.
- Threatening or abusive language involving excessive swearing or offensive remarks.
- Derogatory personal, racial or sexual remarks.
- Malicious allegations relating to members of staff, other patients or visitors.
- Offensive sexual gestures or behaviours.
- Abusing alcohol or drugs (all medically identified substance abuse problems will be treated appropriately).

- Drug dealing.
- Wilful damage to company property.
- Theft.
- Threats of violent behaviour.

**Violence and aggression are defined as:-**

- Violence is the use of force against a person and has the same definition as “assault” in law (i.e. an attempt, offer or application of force against the person). This would cover any person unlawfully touching any other person forcefully, spitting at another person, raising fists or feet or verbally threatening to strike or otherwise apply force to any person.
- Aggression is regarded as threatening or abusive language or gestures, sexual gestures or behaviour, derogatory personal, sexual or racial remarks, shouting at any person or applying force to any property or the personal property of any person on the SELDOC premises or any person carrying out work on behalf of SELDOC/any of its venture parent company. This would cover people banging on desks or counters or shouting loudly in an intimidating manner.

### **3.0 Application**

#### **3.1 Areas involving patients who do not have a mental illness**

SELDOC must balance its ability to deliver effective health care and treatment with the needs of the patient but there may be circumstances in which, as a last resort, it would be reasonable to withhold treatment from violent and abusive patients. A decision to withhold treatment will be taken by the Group Medical Director, the GP responsible for the patient and a Non-Executive Director. In the out-of-hours period the decision will be made by the GP Director on-call in discussion with the manager-on-call.

#### **3.2 Violent and abusive patients with mental health problems**

Some types of violence may be related to a mental health problem. Fear, anger or provocation is just as likely to lead to violence in such settings. Verbal abuse and physical violence may be symptoms of an underlying mental health problem but SELDOC staff will not simply accept such behaviour as inevitable.

#### **3.3 Inappropriate Behaviour by Visitors/those accompanying patients**

In addition to violence against staff perpetrated by patients, unacceptable behaviour, violence or aggression displayed by visitors will not be tolerated.

### 3.4 Inappropriate Behaviour by Staff

Violence or use of violence will not be tolerated from staff (as defined in 1.2) and it is the duty of every staff member, contractor of SELDOC and those visiting SELDOC premises to take responsibility for their behaviour and modify it if necessary, as violence or harassment is not acceptable under any circumstances.

Staff must conduct themselves in accordance with SELDOC's Anti-Harassment policy. Breaches of policy may lead to investigation and, if appropriate, disciplinary action in accordance with SELDOC's disciplinary procedure.

## ZERO TOLERANCE

### SAFE OPERATING PROCEDURE

#### 1.0 Introduction:

Under The Health & Safety at Work Act 1974 SELDOC is committed to caring for the health and safety of its staff. It also has a legal responsibility to provide a safe and secure working environment, including the management of work-related violent incidents. In this context, SELDOC has a **zero tolerance policy** towards violence against its staff.

#### 2.0 Action to be taken in the event of:

##### 2.1 An abusive telephone call

The member of staff must advise the caller that they find the language unacceptable and that they will terminate the telephone call if the abuse continues. The member of staff must make the following statement:

##### 1<sup>st</sup> Warning

**'I must inform you that I find your language unacceptable and if it continues I will terminate this call – please consider this as your first warning'**

##### 2<sup>nd</sup> Warning

**'I must inform you that I find your language unacceptable and if it continues I will terminate this call – please consider this as your second and final warning'**

##### Termination Statement

**‘I have politely requested that you refrain from using language that I find unacceptable on two occasions, I am very sorry but I must now terminate this call’.**

- The member of staff may terminate the phone call only when the two warnings have been stated.
- The member of staff must document and inform the shift manager that a phone call was terminated indicating date, time and caller’s name and detailed nature of abuse including and specific language used.
- The shift manager will log the details on the shift incident reporting form, after which the incident will be managed by the operations managers.
- Where a verbally abusive incident occurs, including racial, religious, homophobic or sexual language, the matter should always be reported on an incident form, after which the operations team will consider reporting the incident to the police
- A warning letter will be sent to the perpetrator

## **2.2 Patients or accompanying visitors displaying unacceptable behaviour when accessing treatment at a SELDOC base centre:**

Offenders will be asked to desist and offered the opportunity to explain their actions. The member of staff must make the following statement:

### **1<sup>st</sup> Warning**

**‘I must inform you that I find your behaviour unacceptable and if it continues I will ask you to leave, please accept this as your first warning’.**

### **2<sup>nd</sup> Warning**

**I must inform you that I find your behaviour unacceptable and if it continues I will ask you to leave, please accept this as your second and final warning’.**

### **Termination Statement**

**‘I have politely informed you that I find your behaviour unacceptable on two occasions, I am very sorry but I must ask you to leave’.**

- If they fail to leave assistance may be requested from a colleague, security and/or the police

- All incidents must be recorded and reported with accurate information that allows management to fully investigate and repeat offenders identified on the shift incident reporting form.

### **2.3 Patients or any other person displaying unacceptable language / behaviour at a home visit (includes residential care homes).**

SELDOC personnel that are subjected to unacceptable language / behaviour whilst attending a home visit may terminate the visit once the following statements have been made:

#### **1<sup>st</sup> Warning**

**'I must inform you that I find your language / behaviour unacceptable and if it continues I will terminate this visit and leave, please accept this as your first warning'.**

#### **2<sup>nd</sup> Warning**

**'I must inform you that I find your language / behaviour unacceptable and if it continues I will terminate this visit and leave, please accept this as your second and final warning'.**

#### **Termination Statement**

**'I have politely informed you that I find your language / behaviour unacceptable on two occasions, I am very sorry but I must now terminate this visit and leave'.**

- All incidents must be recorded and reported with accurate information on a shift incident reporting form that allows the operations managers to fully investigate and repeat offenders identified.
- Assistance may be requested from a colleague, security and or the police

### **3.0 Reporting and Investigating of Violence and Aggression Incidents**

All instances of actual or threatened violence and aggression are to be reported. It is important to remember that remedial measures cannot be taken unless the operations manager is aware that a problem exists. Incident reporting will be used to ensure that other members of staff benefit from shared experiences and training can be realistic and relevant.

An investigation of incidents is a management role. Root cause analysis of all violent incidents will be undertaken by Operations Managers with support from the Director of Operations.

#### **4.0 Specific Roles and Responsibilities**

##### **4.1 The Nominated Director (Service Delivery Director) must ensure:**

- An assessment of the risks of violence and aggression are carried out, and appropriate controls implemented. That a Training Needs Analysis is completed, and appropriate conflict resolution and disengagement training is taken up by staff as appropriate.
- All staff are informed of this policy at local induction, and of the findings of the violence and aggression risk assessment.
- Full co-operation is given to the police and any subsequent action into a case of physical assault, including access to personnel premises and records (electronic or otherwise) considered relevant to the investigation.
- An acknowledgement is sent to the injured party. The acknowledgement will state that appropriate action will be taken and that the victim will be kept apprised of progress and outcome. Furthermore, that all necessary support for staff such as counselling or occupational health are offered.
- The risk assessment is reviewed following incidents, significant changes or at least at yearly intervals, and all further controls identified are implemented to minimise the risk of a similar incident recurring.
- Action on the withdrawal of treatment where appropriate, is considered.
- Where a matter has been reported to the Police and they have decided not to pursue the matter, consideration will be given as to whether the company should initiate civil proceedings. The Nominated Director may devolve some of the above activities to an appropriate manager, but will retain accountability.

##### **4.2 Operations Managers must ensure:**

- That all employees are aware of the contents of this policy and that they read the information applicable to them.
- That an investigation is carried out after each Violence and Aggression incident in order to learn lessons, to look at trends and to assess control measures in place.
- The Business Leadership Team (BLT) are informed as soon as practicable, that a physical or serious verbal assault on a member of staff has occurred
- That details of the incident are recorded as per the company's guidelines.

- That the Chief Executive Officer, Clinical Governance, HR, if a staff member is involved, have been sent a copy of all security incidents.
- In the event of a violent incident, to provide support to the victim as needed and refer to the Occupational Health Service if necessary.
- Encourage contact with a counselling service if necessary.

#### **4.3 Employees must ensure:**

- That they read this policy and understand how it is to be implemented in the event of violence and aggression incidents.
- That the correct procedure is applied to prevent the escalation of any incident in the early stages.
- That they comply with this Policy and its procedures and co-operate to ensure the incident is managed effectively.
- That they notify their Manager, and complete an incident report if subjected to a Physical Assault.

#### **5.0 Training and Implementation**

The organisation recognises that the prevention and management of violent and aggressive behaviour against its staff is an important part of the Health and Safety Policy and that such training should be included in training courses where appropriate and in on-the-job training as a normal part of job instruction. These training are in line with the mandatory training requirements of the organisation.