

Policy Number:	RM 5
Policy Type:	Risk Management
Policy Name:	Threats, Intimidation or Physical Assault Against Staff
Policy Owner:	Chief Executive Officer

1. Preamble

In view of the confrontational nature of some clientele of Council, it has been identified that violence against employees is a hazard in the workplace. As there is a reasonable level of risk of such incidents occurring, management has an obligation to ensure that measures are in place to address and manage this hazard.

To comply with the Occupational Safety and Health Act 1984 in relation to duty of care, as well as in response to physical assaults on an employee, the following policy has been implemented.

2. Policy

All clients of Council must be made aware when necessary, through verbal advice given by employees that at no time will threats, intimidation or physical violence be tolerated. Clients who engage in such activities may face permanent exclusion from the premises or be subject to legal action.

3. Procedure

3.2 Verbal assault or intimidation

3.1.1 In the case of verbal assault or intimidation against employees, the perpetrator will be asked to cease the behaviour or to leave the premises immediately.

3.1.2 Future entry into all areas of Shire premises will be determined by the responsible manager of each area subject to:

- Mitigating circumstances at the time of the incident.
- The response to the request to cease the behaviour and leave.
- Discussion with the perpetrator and a mutually agreed written contract to act in a more appropriate manner in the future.

3.1.3. Should a further incident occur the perpetrator will be banned from the premises.

- 3.1.4 If the behaviour does not cease on request and the perpetrator will not leave, the Police will be called and the future direction of the management of the situation will be determined by them.
- 3.1.5 Immediately following the incident, a report will be prepared for management, outlining the date and time of the incident, a description of the incident, the actions taken and the name and contact details of any witnesses.
- 3.1.6 The responsible senior manager is to be informed and appropriate debriefing and counselling offered to the employees involved.

3.3 Physical Assault

- 3.3.1 In all cases of physical assault the police are to be called immediately.
- 3.3.2 Employees are to diffuse the situation where possible or remove themselves to a safe place.
- 3.3.3 Once the police arrive the management of the incident must be handed over to them and the Chief Executive Officer will be notified. Incident report documentation must be completed in accordance with organisational policy.
- 3.3.4 The Police will advise the Chief Executive Officer or the senior officer present of their recommendations on what course of action should be taken. Depending on the circumstances of the incident, outcome of the assault and the recommendations of the Police the course of action will be decided by management in consultation with employees. Options are:
- To follow the course of action as outlined in 3.1.5 and 3.1.6.
 - An immediate ban from the organisation for the perpetrator for an agreed period, subject to review if referred to counselling, anger management or other appropriate services.
 - A permanent ban for the perpetrator backed up by a restraining order if required.
 - To charge the perpetrator with assault as well as instituting a permanent ban.

3.4 Decision Making

While consultation will take place with the responsible manager and employees, the final decision on the course of action taken for any incidents of threat, violence and intimidation lies with the Chief Executive Officer and senior management, in line with the legislative requirements to demonstrate and fulfil their duty of care.

3.5 Awareness

All employees must be informed of this policy, their duty of care to each other and be informed about the procedures for implementing the policy at induction and on an ongoing basis.

Related Policies	
Related Procedures/Documents	
Delegated Level	
Adopted	OM 22 July 2010 # 8426
Reviewed	OM 25 January 2018