

Violence in the workplace

While incidents of violence at work have fallen significantly in the last decade, health and social welfare professionals remain at high risk of attack.

A recent Home Office Report (Violence at Work: Findings from the 2002/2003 British Crime Survey published in the first quarter of this year) reveals that, overall, the incidence of physical assaults at work has fallen by 35% since 1995. The bad news, however, is that health and social welfare professionals (including doctors, nurses and dentists) still face a significant risk of violence when carrying out their job.

The Health and Safety Executive (HSE) define work-related violence as 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'. This definition is clearly a very wide one and, in simple terms, means that violence is not just actual physical harm but also the threat of such harm.

Tackling the problem

A number of initiatives have been launched to deal with the issue of workplace violence and increase the level of prosecutions. In 2000, the Health and Safety Commission began a three-year campaign aimed specifically at reducing the number of violent incidents at work: the effectiveness of that campaign is now being evaluated. The government has also initiated a number of programmes – for instance, the NHS zero tolerance campaigns Working Together: Securing a Quality Workforce for the NHS and Improving Working Lives – designed to tackle the problem in the healthcare sector in particular.

An assault on a member of staff would ordinarily be the subject of a criminal investigation by the police. They would then liaise with the Crown Prosecution Service over whether there was sufficient evidence to prosecute an offender, and whether it was in the public interest to do so. That would not, however, preclude a parallel investigation into the employer (usually by the HSE) in cases where it was felt that underlying management failures might have contributed to the injured member of staff not being protected against such violent incidents.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) define accidents as including 'acts of non-consensual physical violence' and any such incident must be reported if the worker is unable to undertake their full range of duties, or is absent from work, for more than three days. Even if an incident does not have to be reported under the RIDDOR regime, it can still be investigated by the HSE or treated as the responsibility of employers under the Health and Safety at Work Act 1974 or the Management of Health and Safety at Work Regulations 1999.

HSE guidance

The HSE has issued various guidances concerning workplace violence. Such guidance is not compulsory. But if the recommended steps have not been implemented, then an HSE inspector may well conclude that not all 'reasonably practicable' measures have been taken to reduce or minimise the risk of violence in the workplace. That would be bad news for the employer, as it could result in both civil and criminal penalties.