
Zero Tolerance Policy Protecting Employees and Councillors from Harm

Where does this Policy sit?

This Policy sits above the Unreasonable Customer Behaviour and Persistent Complaints Policy and the General Complaints Policy. It applies where behaviour is aggressive or violent and poses a risk of harm to employees or councillors.

Where behaviour first comes to attention under the Unreasonable Customer Behaviour and Persistent Complaints Policy, managers should consider whether this Policy should also be activated.

This Policy is consistent with the Local Government and Social Care Ombudsman's Complaint Handling Code (February 2024), which requires organisations to have policies for managing unacceptable behaviour and to ensure that any restrictions are proportionate and compliant with the Equality Act 2010.



Elmbridge
Borough Council

Introduction

This Policy sets out how the Council prevents, manages and responds to work-related aggression and violence. The Council will not tolerate work-related violence – including verbal abuse – directed at employees or councillors. No employee will be blamed for an incident caused by a customer or member of the public. All employees have the right to be treated with consideration, dignity and respect.

This Policy applies to all employees working on Council premises – including community centres and Council-owned land – and to employees or volunteers conducting work activities elsewhere.

Recent years have seen an increase in aggression directed at councillors. The Council has a duty to ensure that councillors are not subjected to harm as a result of exercising their democratic mandate to represent the residents of their ward and the borough as a whole. Councillors must be able to perform their duties safely.

The detailed procedures for employees dealing with violence or aggression are set out in the Zero Tolerance Procedures document. Councillors who experience aggression or violence should contact the Monitoring Officer or the Chief Executive in the first instance.

This Policy updates and replaces the previous Aggression in the Workplace Policy. The associated Procedures document updates the Aggression in the Workplace Procedures 2023.

Definition of work-related violence

The Health and Safety Executive defines work-related violence as any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. The Council adopts this definition and extends it to cover councillors exercising their public duties.

Fear of harm is often as real as physical harm: it causes stress, affects wellbeing and prevents effective working. The Council therefore applies a wide definition of harm and will consider the impact on the individual employee or councillor concerned.

Examples of behaviour that will not be tolerated

The following examples illustrate behaviour that goes beyond the Unreasonable Customer Behaviour and Persistent Complaints Policy and triggers this Policy:

- Physical attack – whether or not visible injury occurs.
- Harassment or sexual harassment, whether in person or online.
- Harassment directed at employees or councillors when carrying out their duties.
- Discriminatory behaviour.
- Using an animal as a threat.
- Verbal abuse where an employee or councillor feels threatened or intimidated and the abuse is personally directed.
- Cyber-aggression or cyber-bullying, including recording employees' or councillors' actions, texts, emails or social media posts without consent and using them to intimidate.
- Stalking, whether in person or online.
- Hate crime.
- Attack on or damage to property or belongings belonging to the Council, an employee or a councillor.
- Demeaning behaviour.
- Bullying, whether in person, by phone or via electronic or social media.
- Spreading false information or misinformation about an employee or councillor.
- Malicious reporting of employees to outside agencies such as the Police, regulators or professional associations.

Statement of commitment

The Council will take the following steps to minimise the risk of aggression and violence:

- Assess the risks to employees and councillors and take all reasonable steps to minimise them.
- Provide training and appropriate guidance on avoiding and dealing with aggressive situations.
- Take employees' safety into account in office and workspace design.
- Provide appropriate support and counselling to any employee or councillor who is a victim of aggression or violence in the course of their role.
- Monitor incidents of aggression against employees and councillors and review this Policy as needed.

Who is at risk?

Certain Council functions involve a higher level of exposure to potentially aggressive or violent situations. These include:

- Activities involving contact with members of the public.
- Work involving highly stressful or emotive circumstances.
- Work with people experiencing mental health difficulties.
- Lone working.
- Work outside normal business hours.
- Work involving the storage or handling of money.
- Enforcement activity.

The Council's legal responsibilities

The Council has a duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees under the Health and Safety at Work etc. Act 1974. This includes protection from the risk of violence.

The Management of Health and Safety at Work Regulations 1999 require employers to assess all risks associated with their work activities, including exposure to aggressive or violent situations.

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, employers must report acts of workplace violence that meet the reporting criteria, including:

- Fatalities.
- Specified injuries.
- Injuries causing more than seven days' incapacity.

Responsibilities of employees

All employees are personally responsible for their own behaviour and for engaging professionally with customers, the public, councillors and colleagues. Specifically, employees should:

- Recognise the potential for work-related violence and take early action.
Contact a manager if you think a customer or member of the public might cause problems.

- Use any personal safety device that has been issued, at all times when lone-working.
- Never accept work-related violence or abuse directed at themselves or others. Report every incident, including details of when it happened, who was involved and any relevant circumstances.
- Support colleagues who are victims of or witnesses to work-related violence, during and after the incident.
- Suggest additional measures to managers that might help prevent or manage work-related violence.
- Discuss with your line manager in one-to-one meetings whether a personal safety device or lone working arrangement is needed.
- Remember that tolerating aggression is never 'part of the job'.

Any employee found to be encouraging or inciting violence may be subject to disciplinary action. Any councillor found to be encouraging or inciting violence may be referred under the Code of Conduct.

Responsibilities of managers

All managers have a responsibility to set a positive example by implementing this Policy and making sure their employees understand it. Managers should:

- Be aware of the types of abuse that may occur and address risks through the risk assessment process.
- Treat any report of work-related violence, harassment, threats or abuse seriously and respond promptly.
- Report all accidents, incidents and near misses to the HR team and give full support to employees involved. Consider and respond to suggestions from employees about improving prevention and management, and explain if a suggestion will not be taken forward and why.
- Review the use and effectiveness of personal safety devices or lone working arrangements in supervision meetings and team meetings.
- Set a positive example by not tolerating abusive behaviour from customers or members of the public.
- Address incidents of unreasonable behaviour and, where possible, resolve them before they escalate. Use the Unreasonable Customer Behaviour and Persistent Complaints Policy as the first step.
- Monitor incidents and take further action if needed.
- Direct employees to appropriate support after an incident. Encourage

colleagues to support those affected, including witnesses. Where employees are significantly impacted, signpost them to the Employee Assistance Programme and consider time off or changes to their tasks.

- During any investigation, work with internal teams, the Police and external agencies. Managers must report incidents of violence to the Police. This includes assault, hate crime, sexual assault and threats.

Reporting and recording incidents

Employees must report incidents of work-related aggression or violence using the Aggressive Incident Report form on SharePoint. Councillors should report to the Monitoring Officer or Chief Executive.

Investigating an incident

Heads of Service and Senior Managers must ensure a local investigation is completed following any act of aggression against their employees.

Following the investigation, the Head of Service or Senior Manager will record written comments on the Aggressive Incident Report form. This will include any proposed changes to local practice and any action relating to the perpetrator.

The Head of Service or Senior Manager will then contact the Head of Customer Operations, Technology, ICT and Operations to discuss the incident and any further steps.

The Head of Customer Operations, Technology, ICT and Operations, working with the relevant Strategic Director, will consider whether the customer should be placed on the Aggressive Persons Register and will write to the customer as appropriate.

If the person is already on the Aggressive Persons Register, it may be necessary to restrict how the Council delivers its service to them. If so, the Head of Service or Senior Manager should include this in their report.

Consequences of aggressive or violent behaviour

The Council's response will be informed by the facts of each case. Any restrictions placed on a customer will be proportionate to the behaviour and will take into account the provisions of the Equality Act 2010. The Council will be able to evidence the reasons for any action taken. The Council may:

- Introduce warning and recording mechanisms to prevent future harm.
- Amend its service delivery to reduce the risk of harm.
- Put in place a Single Point of Contact procedure or a special communications arrangement.
- Ensure that relevant third parties – such as suppliers and contractors – are made aware of the risk.
- Report incidents of violence to the Police or other agencies.
- Seek injunctions to restrain behaviour through the civil courts.
- Seek prosecutions for criminal offences.
- Seek costs against the person responsible.

Further information

Further information is available from the Health and Safety Executive:

- Work-related violence: <https://www.hse.gov.uk/violence/>
- HSE publication 'Violence at Work – A Guide for Employers' (INDG69): <https://www.hse.gov.uk/pubns/indg69.pdf>
- Managing the risk of violence and aggression: <https://www.hse.gov.uk/violence/worker/index.htm>

Review

This policy will be reviewed every three years, or sooner following a significant incident or a change in legislation.

Approved by Cabinet: March 2026 | Effective from: 1 April 2026