



09 October 2025

Dear Applicant

**Our Ref: FOI 943**

Your request for information received on 29 September 2025 has been handled under the Freedom of Information Act 2000 (FOIA).

### **Request**

*1. The total number of disciplinary cases relating to bullying and/or harassment recorded by NIHE in each of the last five calendar years (2020–2024).*

*2. A breakdown of these cases by:*

*Year*

*Staff grade/band involved (if available)*

*Outcome (e.g. verbal warning, written warning, dismissal, settlement, other).*

*3. The number of formal grievances raised by staff alleging bullying/harassment in the same period.*

*4. Whether NIHE maintains a specific “zero tolerance” policy or equivalent document on workplace bullying and harassment – and if so, please provide a copy.*

## Our response

1. The total number of disciplinary cases relating to bullying and/or harassment recorded by NIHE in each of the last five calendar years (2020–2024).

### Disciplinary Cases relating to Bullying and/or Harassment 2020-2024

Calendar Year	No. of Disciplinarys
2020	0
2021	1
2022	0
2023	2
2024	0

2. A breakdown of these Disciplinary cases during the period 2020-2024 by: Year, Staff grade/band/outcome

Please refer to Question 1, note information relating to Grade/Band and Outcome has not been provided, due to the small number of cases and the potential to link individuals to the data. For this reason, the Housing Executive cannot provide the information requested as this is exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

3. The number of formal grievances raised by staff alleging bullying/harassment in the same period.

### Formal Grievances raised by staff alleging bullying and/or Harassment 2020-2024

Calendar Year	No. of Formal Grievances
2020	9
2021	4
2022	7
2023	5
2024	7

Please note formal grievances refers to complaints raised in accordance with the NIHE's Dignity at Work policy, which is separate to the NIHE's Grievance Policy.

In instances where it was determined that no formal investigation was warranted, recommendations may have been provided to reinforce the standards of dignity and respect within the workplace.

4. Whether NIHE maintains a specific “zero tolerance” policy or equivalent document on workplace bullying and harassment – and if so, please provide a copy.

The Housing Executive is committed to equality of opportunity and dignity at work. We promote a good and harmonious working environment where individuals are treated with dignity and respect. Harassment, bullying and victimisation in the workplace are unacceptable and will not be tolerated within the Housing Executive.

The organisation takes a proactive approach to people management, through clear policies and procedures, supported by mandatory training and awareness sessions for management and employees and through early and often informal management intervention.

Please find attached a copy of our Dignity at Work Policy & Procedure and The Prevention and Management of Violence and Aggression at Work Policy.

Some staff names have been redacted in accordance with FOI Act Section 40(2) as this is considered to be personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

This concludes our response.




# **Dignity at Work Policy and Procedure**

# Dignity at Work Policy and Procedure

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*Human Resources Department*

## Issue Details

	
Title	Dignity at Work Policy and Procedure
Aim	To promote a good and harmonious working environment where all individuals are treated with dignity and respect in line with the Housing Executive's core values.
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Rural Needs Impact Assessed	February 2025
Date of next review	February 2028
Policy Owner	Assistant Director of HR Advisory

# Dignity at Work Policy & Procedure

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# **Dignity at Work Policy & Procedure**

## **1.0 INTRODUCTION**

The Housing Executive is committed to equality of opportunity and dignity at work. We will promote a good and harmonious working environment where individuals are treated with dignity and respect. Harassment, bullying and victimisation in the workplace are unacceptable and will not be tolerated within the Housing Executive.

## **2.0 PURPOSE**

The purpose of this policy is to promote a good and harmonious working environment where all individuals are treated with dignity and respect in line with the Housing Executive's core values.

## **3.0 DEFINITIONS**

### **3.1 Harassment**

- 3.1.1 Harassment is any unwanted physical, verbal or non-verbal conduct, which has the purpose or effect of violating the person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- 3.1.2 Conduct shall be regarded as having this effect only if, having regard to all the circumstances and, in particular, the alleged victim's perception, it can be reasonably considered as having that effect.
- 3.1.3 Unlawful harassment may involve conduct of a sexual nature (sexual harassment) or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation or membership or non-membership of a trade union. Such harassment will amount to unlawful discrimination.

Many forms of behaviour can constitute harassment, for example:

- Physical conduct ranging from touching to serious assault
- Verbal or written harassment through jokes, inappropriate remarks or comments related to the categories outlined above, offensive language, gossip or slander, sectarian songs, mobile phone ring tones, threats, letters, emails, photographs or comments posted on social media, wearing sports clothes which could be associated with one section of the community
- Visual display of posters, computer screen savers, downloaded images, graffiti, obscene gestures, flags, bunting or emblems, or any other offensive material
- Isolation or not co-operating at work, exclusion from social activities
- Coercion, including pressure for sexual favours, pressure to participate in political or religious groups
- Intrusion by stalking, pestering, spying, following etc.

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- 3.1.4 A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

### 3.2 Bullying

- 3.2.1 Bullying is 'persistent, offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power or unfair penal sanctions, which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.'
- 3.2.2 Conduct shall be regarded as having this effect only if, having regard to all the circumstances and, in particular, the alleged victim's perception, it can be reasonably considered as having that effect.

The following acts may constitute bullying:

- Aggression, threats and shouting
  - Constant belittling, marginalising or ridiculing
  - Unfair criticism about minor things
  - Inappropriate removal of areas of responsibility, or deliberately impeding the work of another employee
  - Unreasonable monitoring of someone's work or inaccurate accusations about quality of work
  - Setting unreasonable objectives or constantly changing someone's work remit
  - Withholding information from, or deliberately supplying incorrect information to, employees so they are less able to do their jobs.
- 3.2.3 Where behaviours relate to a characteristic protected by equality legislation then it is referred to as harassment. Where behaviours are not based specifically on an aspect of social identity, then it is often referred to as bullying.
- 3.2.4 Legitimate, constructive and fair criticism of an employee's performance or behaviour at work is not bullying. Isolated incidents of unreasonable behaviour such as abruptness, sharpness or rudeness, whilst totally unacceptable, should not be described as bullying. Many of these are legitimate employment relations difficulties that, wherever possible, should be dealt with in the first instance by letting the person know the impact of their behaviour.

### 3.3 Victimisation

- 3.3.1 A complaint of victimisation may arise where less favourable treatment of a person has occurred because he/she has lodged a complaint of discrimination, given evidence or information in a discrimination case, or taken action in respect of a complaint.



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- 3.3.2 It is important to remember that the legislation focuses primarily on the impact of the behaviour on the recipient rather than the motive or intent of the alleged perpetrator.

### **4.0 POLICY PRINCIPLES**

Harassment, bullying and victimisation in the workplace can detract from a productive working environment and can affect an individual's confidence, morale, performance and health.

Therefore, the Housing Executive will:

- Ensure every employee understands the right to dignity and respect at work and their personal responsibilities in this regard.
- Ensure every employee knows how to complain about bullying, harassment and victimisation.
- Ensure complaints are dealt with promptly in line with procedure.
- Consult trade union representatives on proposed initiatives to promote a good and harmonious working environment and prevent harassment, bullying and victimisation.
- Provide training for managers and employees to ensure a good and harmonious working environment.
- Provide confidential counselling for employees affected by harassment, bullying or victimisation.

### **5.0 SCOPE**

#### **5.1 Employees**

This policy and procedure applies to all Housing Executive employees.

#### **5.2 Agency Workers**

This policy will apply where a concern about harassment, bullying or victimisation is raised by an agency worker against an employee. The line manager, in conjunction with HR, will work with the recruitment agency, using this policy, towards an effective resolution of the issues.

If an employee raises concerns against an agency worker, the line manager should refer the concerns to HR who will refer the concerns to the relevant recruitment agency. The agency should have their own policies and procedures for dealing with concerns about their employees. HR will liaise with the employment agency to ensure there is an effective resolution of the concern.

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In circumstances where a Line Manager is concerned that an agency worker has engaged in harassment, bullying, or victimisation, the Housing Executive reserves the right to terminate their assignment without notice.

### **5.3 Third Parties**

The Housing Executive will not accept harassment, bullying or victimisation of its employees or workers by third parties, e.g. service users or contractors' staff. This includes face-to-face behaviours, telephone conversations and on-line messages both during and outside of work hours and whether on internal or external IT platforms.

Employees who believe they have experienced harassment, bullying or victimisation from a third party with which the Housing Executive has dealings should report the incident to their Line Manager.

The line manager should contact the relevant Senior HRBP for advice on the appropriate action in such circumstances. This will include liaison with other parties as appropriate, for example relevant managers in Health and Safety Services.

### **5.4 Former Employees**

If a former Housing Executive employee submits a complaint under the Dignity at Work policy within 3 months of leaving the organisation, the complaint will be reviewed to determine if there are grounds to substantiate the complaint. This will normally be a desktop review but may involve meeting with the complainant to gather further information if required. The decision will be communicated to the complainant in writing. There is normally no right of appeal against such decisions.

## **6.0 ROLES AND RESPONSIBILITIES**

### **6.1 Senior Management Team (SMT) are responsible for:**

- Providing organisational leadership in implementing this policy to achieve the Housing Executive's vision, priorities and objectives.
- Ensuring this policy and associated procedures are applied in a fair and consistent manner.

### **6.2 The Director of Corporate Services and Assistant Director of Human Resources Advisory are responsible for:**

- Developing and managing this policy and associated procedures.
- Providing high quality advice and support on related matters.
- Ensuring meaningful consultation takes place with Trade Unions and employees.

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### 6.3 Human Resources

Human Resources will:

- Participate on Investigation Panels.
- Provide professional advice and support to managers in the operation and application of this policy and procedure.
- Ensure managers identified to conduct investigations have been appropriately trained.
- Attend meetings held under this policy and procedure when required.
- Ensure support is offered to complainants and alleged perpetrators including identifying points of contact for both parties.
- Ensure consistency in the application of the policy and procedure.
- Ensure meeting records are shared and that employees have the opportunity to confirm accuracy.
- Issue all correspondence/documentation to employees during the formal procedure.
- Retain all records confidentially and in accordance with relevant legislation.
- Take the lead role in investigations when requested to do by the DoCs.
- Review and monitor the use of the policy and procedure.

**HR Business Partners (HRPBs)\*** have specific responsibilities under this policy and will:

- Appoint investigation and appeal panels and ensure panel members sign confidentiality and conflict of interest declarations.
- Develop terms of reference for investigation panels and issue these.
- Consider the need to avoid contact between the parties while the investigation is carried out and, where appropriate, consider precautionary suspension in conjunction with the relevant Assistant Director.
- Consider the initial report and recommendations from the Investigation Panel and reach a decision regarding whether a full formal investigation is required or not.

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- Consider the full formal investigation report and recommendations and reach a decision.
- Inform complainants and alleged perpetrators of the outcome of the formal investigation and consider working arrangements going forward.
- Arrange for mediation where requested by the parties.
- Consider whether disciplinary action is appropriate if a complaint is deemed to be vexatious, frivolous or malicious.

*\*For the purposes of this policy this will include HR Business Partners and Senior HR Business Partners.*

### 6.4 Investigation Panels

Investigation Panels will:

- Conduct investigations thoroughly, reasonably and promptly in line with the terms of reference issued to them.
- Be fair and unbiased in investigations and not predetermine the matter.
- Maintain confidentiality at all times and ensure information is not shared with anyone who is not involved in investigations.
- Complete conflict of interest and confidentiality declarations.
- Plan the investigation, collect, process and analyse evidence to establish the facts, make findings and reach conclusions.
- Complete and submit investigation reports.
- Make an appropriate recommendation based on findings.
- Retain all records relating confidentially and in accordance with relevant legislation.
- Seek professional advice from Human Resources (if no HR Rep is on the panel) if required.

### 6.5 Appeal Panels

Appeal Panels will:

- Conduct appeal hearings and ensure hearings are based on the grounds of appeal as set out by the employee.

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- Determine whether to uphold or change the decision reached by the Senior HR Business Partner and communicate the outcome to the employee.
- Maintain confidentiality at all times and ensure information is not shared with anyone who is not involved in the appeal.
- Complete conflict of interest and confidentiality declarations.
- Prepare a written report setting out the considerations and the appeal decision.
- Retain all records relating confidentially and in accordance with relevant legislation.
- Seek professional advice from Human Resources (if no HR Rep is on the panel) if required.

### **6.6 Line Managers**

Line Managers will:

- Familiarise themselves with this policy and procedure and ensure employees are also familiar with these, particularly the standards of behaviour expected of them.
- Act on alleged incidents of harassment, bullying, or victimisation which come to their attention.
- Take prompt and appropriate action to end harassment, bullying, or victimisation.
- Provide support to all parties, including the complainant, alleged perpetrator and witnesses and seek to ensure there is no harassment, bullying or victimisation while a complaint is being dealt with or after it has been resolved.
- Adhere to the standards of behaviour expected of employees and act with fairness and equity to ensure that their own behaviour prevents any claims of personal harassment.

### **6.7 Employees**

Employees will:

- Maintain a supportive working environment, which respects the dignity of their colleagues (responsibilities extend to work related social events and the use of email, internet, mobile phones and social media).

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- At all times act in a professional manner towards their colleagues and be mindful of their actions (and omissions), language and general conduct.
- Not be physically or verbally abusive, make derogatory comments, display or share offensive written/pictorial comments or make discriminatory comments to their colleagues.
- Encourage dignity at work and make it clear that any harassment, bullying or victimisation should stop.
- Raise concerns about potential harassment, bullying or victimisation as soon as possible and seek informal resolution where appropriate to do so.
- Submit a formal complaint about potential harassment, bullying or victimisation no later than 3 months from an alleged incident.
- Attend investigation meetings held under this procedure without undue delay when requested to do so and arrange for an appropriate person to accompany them if required.
- Co-operate with Investigating Panels by fully answering questions that are asked during meetings and confirm accuracy of notes in a timely manner.
- Work with the Investigation Panel to meet the scheduled timescales of the process.
- Arrange for the appropriate person to accompany them as provided for within the policy without undue delay.
- Maintain confidentiality at all times and refrain from discussing the case under investigation with anyone other than the Investigating Panel and their representative where relevant.

### **NOTE:**

***Employees should be aware of the possibility that they may be individually named in legal proceedings. In most cases, an employer will be liable for the acts and omissions of an employee during the course of their employment. However, where an employee is considered to have acted outside the scope of his/her duties, the Housing Executive may have no legal responsibility and the employee may have to arrange their own legal representation. In such circumstances, the Housing Executive will not accept responsibility for any compensation or damages awarded.***

## **6.8 Trade Unions**

Trade Unions will:

- Work with the Housing Executive to support managers and employees to ensure a good and harmonious working environment.

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- Work with management to address issues which may arise.
- Raise complaints under the procedure on behalf of its members where appropriate.
- Work with the Housing Executive to ensure the timely progression of complaints under this process.

### **6.9 Dignity at Work Advisors**

Dignity at Work Advisors are based throughout the organisation and are able to provide information to employees on a confidential basis on issues relating to harassment, bullying or victimisation.

Dignity at Work Advisors will:

- Act as a point of contact for employees who feel they have a complaint covered by this policy.
- Listen to the complaint and provide information on the options available for resolving the matter.
- Support employees in lodging and progressing the complaint, if they so wish.
- Maintain confidential records of inquiries and complaints relating to harassment.

Dignity at Work Advisors have a duty of care to report any information divulged to them which may have future consequences for the well-being or health of the complainant or other employees. Any such disclosures will be treated in accordance with relevant data protection requirements. A list of Dignity at Work Advisors can be found in Appendix A (Please note this list is currently under review).

## **7.0 SUPPORT TO EMPLOYEES**

The Housing Executive recognises that harassment, bullying or victimisation in the workplace, and indeed the reporting of such, may have an adverse impact on the health and wellbeing of those affected. It is therefore important that any affected employees receive the appropriate support.

Line Managers should therefore ensure that any employees who may have been subjected to harassment, bullying or victimisation are made aware of relevant support e.g. counselling.

It is equally important to offer the same support to individuals against whom allegations have been raised and who may be subject to an investigation/disciplinary action as a result of allegations of harassment, bullying or victimisation.

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Where a formal complaint is submitted, Human Resources will ensure that a point of contact is identified for both parties i.e. the complainant and the alleged perpetrator.

Under no circumstances should any individual involved in the process be victimised. They should have their concerns treated with dignity, respect and confidentiality. Managers must provide direct support and take the time to explain the process thoroughly.

### **Protection and support for those involved**

Employees who make complaints, or who participate in good faith in any investigation, must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under NIHE Disciplinary Procedure.

If you believe you have suffered any such treatment you should inform your line manager or a member of Human Resources.

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### **8.0 SCOPE OF PROCEDURE**

Any employee who believes that they have been harassed, bullied or victimised is entitled to raise the matter informally or formally using the procedures set out below.

Where an alleged incident of harassment, bullying or victimisation towards a third party arises, the manager who has been notified of the complaint will make enquiries to ascertain whether the alleged victim wishes to make a complaint.

### **9.0 INFORMAL PROCEDURE**

It is the normal expectation for all concerned to try to resolve matters informally if possible. This is likely to produce solutions that are speedy, effective and restore positive relationships in the workforce.

The informal procedure is appropriate when an employee simply wants the harassment, bullying or victimisation to stop, where it does not pose a serious threat to other employee and/or where it is a single incident.

Using the informal procedure does not affect the employee's right to invoke the formal procedure at a later stage. However, the formal and informal procedures cannot run concurrently. Any informal attempts at a resolution will stop when the formal procedure commences.

Employees can seek to resolve matters informally by:



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- Personally approaching the alleged perpetrator, making it clear that the alleged harassment, bullying or victimisation is unreasonable, offensive, is not welcome, makes the employee uncomfortable and that they should stop immediately.
- Approaching the alleged perpetrator with the support of a manager, colleague, Dignity at Work Advisor or Trade Union representative.
- Asking a manager or Dignity at Work Advisor to meet with the alleged perpetrator on their behalf in order to move towards an informal resolution.
- Requesting mediation.

### 10.0 MEDIATION

Mediation is an informal, confidential process whereby parties that are in dispute have the opportunity to have an open and honest discussion about their situation. An independent mediator will facilitate this process and remain impartial while supporting the parties equally to find their own solutions to the issues. Mediation, which is voluntary, will take place only where all parties involved in the dispute agree to it.

Employees, who wish to engage in mediation, should contact their divisional Senior HR BP, who will arrange for an accredited mediator to facilitate a meeting with all parties. On occasions, it may be appropriate to use an external mediator.

Further information on mediation is available [here](#).

### 11.0 FORMAL PROCEDURE

Where possible, the Housing Executive will aim to try to resolve matters informally. As outlined above, an informal approach aims to ensure a satisfactory resolution of the issues and assist in restoring a good and harmonious working environment. However, a complaint under the formal procedure may be made where the informal procedure has been exhausted, been unsuccessful or the alleged harassment, bullying or victimisation is very serious.

The Housing Executive will deal with complaints seriously, promptly, and in so far as is practicable, confidentially.

#### 11.1 Timescales

Employees who wish to make a complaint should do so as soon as possible following the incident of harassment, bullying or victimisation, and no later than 3 months from the alleged incident. Extension to this time limit will only apply in exceptional circumstances.

Managers should consider complaints under this policy in a timely basis and should normally aim to conclude investigations within 3 months of receipt of the complaint.

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### **11.2 Making a complaint**

Employees who wish to make a complaint must submit details in writing to their Line Manager. In the event that the complaint relates directly to the immediate Line Manager, the employee may submit the complaint to the immediate Line Manager's Supervising Officer.

### **11.3 Complaints Relating to Senior Management**

If the complaint relates to a Senior Manager, it may not be possible to follow and apply the normal line management structure when establishing panels. Therefore, the Housing Executive may use the services of an independent third party to progress the matter. This may also be the case where specific expertise or an external perspective is required.

In such situations, this Policy and Procedure will still apply but may involve the use of external professionals or Board Members (for example, for complaints regarding the Chief Executive). Any external professional appointed will be impartial and will be required to declare whether there is conflict of interest before any decision to select them.

### **11.4 Anonymous Complaints**

In normal circumstances, employees may not raise a harassment, bullying or victimisation complaint anonymously. Where an employee has a genuine fear of the consequences of making a complaint, they should contact their Senior HR BP for advice.

### **11.5 Complaints During Another Employment Process**

If an employee raises a complaint during another employment process, (e.g. disciplinary process) the Housing Executive will aim to avoid unnecessary duplication and to resolve the matter as quickly as possible.

Depending on the circumstances, and following consultation with the Senior HRBP, both matters may be dealt with at the same hearing/meeting. For example, if an employee raises a complaint before a disciplinary hearing, which relates to the substance of the hearing, it may be appropriate to deal with this during the disciplinary investigation and subsequent hearing.

In exceptional circumstances, where a complaint is made during the disciplinary process which impacts directly on the conduct of that process, the disciplinary process may be halted to allow for investigation of the complaint.

### **11.6 Right to be accompanied**

The Housing Executive recognises the right of the employee to be accompanied throughout the process by a colleague or Trade Union official as set out under the Employment Relations (NI) Order 2004. A Legal Representative cannot accompany an employee.

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Under employment legislation, an accompanying individual cannot answer questions directly on behalf of the employee they are accompanying, but can address the meeting, sum up the case and respond to views expressed by other parties involved in the process.

Where an employee chooses a colleague to accompany them, they must ensure that the colleague has not been directly involved in the issue(s).

### **11.7 Vexatious Complaints**

The Housing Executive reserves the right not to pursue harassment, bullying or victimisation complaints that are vexatious, frivolous or malicious, or that merely repeat previous complaints.

Examples of complaints of this nature could include (note: this list is indicative only and is not intended to be exhaustive):

- To persistently pursue a complaint when NIHE's policies and procedures have been fully and properly implemented and exhausted
- Being unwilling to accept documented evidence given as being factual or deny receipt of adequate response in spite of correspondence specifically answering their questions
- Refusing to specify the grounds of a complaint, despite offers of help
- Refusing to cooperate with the complaints investigation process
- Making unjustified complaints about employees who are trying to deal with the issues, and seeking to have them replaced.

If the Investigating Panel finds that the complaint is vexatious, frivolous or malicious this should be included in their report. The Senior HRBP will then decide whether the matter should be considered further in accordance with the disciplinary procedure.

## **12.0 INVESTIGATION**

### **12.1 Appointment of an Investigation Panel**

On receiving a formal complaint, the Line Manager must contact their Senior HRBP for advice and to ask for an Investigation Panel to be appointed. The Senior HRBP will develop terms of reference and issue these to the Investigation Panel.

The Investigation Panel will normally include a Senior Manager and an HR Representative. Identification of appropriate investigators should include consideration of the following:

- the role/grade of the complainant and alleged perpetrator (investigating managers will normally be Band 7 or above)
- complexity and nature of the alleged bullying, harassment or victimisation

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- the potential need for an external investigator and discussion with the Assistant Director of Human Resources on taking this forward if deemed necessary.

Terms of reference will include an initial consideration stage to determine if a formal investigation is warranted. Timescales for completion of the initial consideration stage and the full formal investigation will be clearly communicated to the Investigation Panel along with the requirement to provide regular updates on progress.

Prior to issuing terms of reference to the Panel, the Senior HRBP will ensure that the Investigation Panel signs two declarations:

- (i) conflict of interest - if any such conflict exists which cannot be mitigated a different panel member will need to be appointed and
- (ii) a confidentiality agreement to ensure that all the information will be held in confidence and not discussed with anyone outside of the process.

Where a Panel member has declared a conflict of interest, the Senior HRBP will assess the declared interest and determine if the panel member:

- (i) can complete the fact finding/investigation with or without mitigation; or
- (ii) should be removed from the process. A formal record will be maintained of this decision making process.

### 12.2 Initial Consideration of the Complaint

The Investigation Panel will invite the complainant to attend a meeting to provide further details and the names of any witnesses (normally within 10 working days). The Investigation Panel will explain the procedure and ensure a point of contact has been identified.

The meeting will be used to:

- Establish if a full formal investigation is warranted.
- Secure the complainant's agreement regarding what information can be shared with the alleged perpetrator.
- Ensure that the complainant avoids contact (or follows any steps to be taken to avoid contact) with the alleged perpetrator or any witnesses until the matter is resolved.
- Confirm that a point of contact has been identified to support the complainant throughout the process.

Following the meeting with the complainant the Investigation Panel must develop a short written report and determine whether a full formal investigation is required or not. In order to determine this, the Investigation Panel may need to seek information from other parties. Any facts/information collated must be retained with the report. This initial report should normally be produced within

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10 working days of the initial meeting with the complainant and should be submitted to the Senior HRBP.

The Senior HRBP will consider the initial report and reach a decision regarding whether a full formal investigation is warranted. If a full formal investigation is required, the Senior HRBP will notify the Investigation Panel and they will carry out the full formal investigation.

If the Senior HRBP determines a full formal investigation is not warranted, the Senior HRBP will inform the complainant and the alleged perpetrator in writing of the reasons for that decision and the right of appeal in line with Section 13.

### **12.3 Limiting contact between parties**

Depending on the nature of the allegation/s, the Senior HRBP will consider the need to avoid contact with the alleged perpetrator while the investigation is carried out. The Investigation Panel will advise the complainant to maintain strict confidentiality and ensure that there is no communication regarding the complaint with the alleged perpetrator or others who could be party to the investigation.

Precautionary suspension may be considered at any stage of the process, for example, where a complaint is a serious allegation. In all cases, the Senior HRBP will consider alternatives to suspending the alleged perpetrator, e.g. temporary transfer to another location. In such cases, employees will normally relocate to an office no further than their usual place of work, and travel and subsistence allowances will therefore not apply.

When precautionary suspension is considered necessary, the Senior HRBP will consider this in conjunction with the relevant Assistant Director. If the issue is a matter of immediate threat to an employee or a health and safety issue, the employee can be sent home for that day whilst authorisation and written confirmation of the suspension is sought from the Senior HRBP and the relevant Assistant Director. Such suspension shall be with full pay and the Housing Executive will endeavour to ensure that the matter is resolved and the suspension lifted as soon as reasonably possible. Employees who are suspended must remain available during normal working hours to co-operate fully with any investigation/s.

It will be made clear to the employee that any suspension is precautionary in nature and does not indicate any prejudgement. Precautionary suspensions will be subject to monthly review to ensure these are not unnecessarily protracted.

Where it is necessary to limit contact between the complainant and the alleged perpetrator, the Senior HRBP will consider the wishes of the complainant, particularly where they request to be the one to be moved. Such temporary transfers will be considered in line with the Travel & Subsistence policy.

### **12.4 Meeting with alleged perpetrator**

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Following the investigation meeting with the complainant, and where a decision has been taken to proceed with a full formal investigation, the Investigation Panel will invite the alleged perpetrator to a formal meeting. The alleged perpetrator will be informed of the nature of the complaint prior to the meeting. A colleague or a trade union official may accompany the employee.

At the meeting, the Investigation Panel will advise the alleged perpetrator of the following:

- Outline the nature of the formal complaint.
- It is a formal complaint under the Dignity at Work Policy.
- Explain the stages of the formal procedure.
- The need to avoid contact (or follow any steps to be taken to avoid contact) with the complainant or any potential witnesses until the matter is resolved.
- The importance of not discussing any aspect of the case with anyone other than the investigating panel and their own representative.
- That, following investigation, if appropriate, consideration may be given as to whether a disciplinary response is warranted.

Human Resources will identify a point of contact to support the alleged perpetrator throughout the process.

If the alleged perpetrator accepts the allegations, there will be no need to involve witnesses. Where the alleged perpetrator denies the allegations, the Investigation Panel may arrange a further meeting to enable him/her to respond fully to the allegations.

### **12.5 Witness interviews and gathering of information**

The Investigation Panel may interview any witnesses who may have information relevant to the investigation and will keep a written record of all meetings.

Those involved in an investigation will be expected to co-operate fully by making themselves available for interview and by giving detailed responses when answering questions. The Investigation Panel will consider whether to recommend disciplinary action against anyone who wilfully fails to co-operate with an investigation or who breaches confidentiality.

If the complainant, alleged perpetrator or any witnesses are absent from work due to sickness, the Investigation Panel may consider alternative arrangements for investigation interviews e.g. using a remote access option, meetings at home or at a suitable neutral location.

Following the initial gathering of information, the Investigation Panel may need to meet again with any party or witness to either clarify or gain additional information.

## **Dignity at Work Policy & Procedure**

### **12.6 Preparation of report**

The Investigation Panel will prepare a written report of the full formal investigation for the Senior HRBP. This report will include the background to the complaint, the actions taken during the course of the investigation, detail on witness interviews, the evidence considered and will outline findings and recommendations.

The Senior HRBP will consider the report and recommendations and reach a decision.

### **12.7 Outcome**

The Senior HRBP will write to the complainant to inform him/her of their decision, normally within 10 working days of receipt of the report. This letter will include:

- (i) The outcome of the investigation
- (ii) The reasons for the decision
- (iii) Any recommendations if required
- (iv) Details of any further action which will be taken
- (v) How to appeal against the decision (see Section 13).

The person against whom the complaint was made will be informed in writing of the outcome. A copy of the Investigation report will normally be provided to both parties, redacted as appropriate.

### **12.8 In the event of finding harassment, bullying, or victimisation**

Where harassment, bullying or victimisation has been found, the report will clearly state this outcome. The Senior HRBP will take steps to reassure the complainant and to protect them from further harassment, bullying or victimisation. This may mean offering specific support, transfer (if this is feasible), training for employees and/or other management action.

The Senior HRBP will consider requests from a complainant who wishes to avoid any further contact with the perpetrator. The Housing Executive will agree to such requests when the Line Manager/ Senior HRBP concurs that further contact would be problematic and it is possible to accommodate the request. In these circumstances, the Line Manager/Senior HRBP will consider relocating the perpetrator in the first instance.

Where the Senior HRBP decides that harassment, bullying or victimisation has occurred, they will consider if disciplinary action is appropriate in line with the disciplinary policy.

The Senior HRBP has discretion to take other action as appropriate, for example to advise the functional Director if a pattern emerges.



## Dignity at Work Policy & Procedure

### 12.9 In the event of finding no harassment, bullying or victimisation

Where harassment, bullying or victimisation has not been found, the report will clearly state this outcome. If appropriate, the Senior HRBP may state that there is insufficient evidence to determine whether the alleged harassment, bullying or victimisation did or did not take place. Certain recommendations may still be appropriate in this instance.

Where an investigation has not found harassment, bullying or victimisation, it may be appropriate to consider allowing either party to transfer voluntarily.

### 13.0 APPEAL

If the complainant is not satisfied with the outcome, they may appeal in writing, stating the full grounds of their appeal. The complainant may appeal in circumstances where the Senior HRBP has not upheld the complaint.

The complainant must submit the appeal in writing, within 10 working days, following the instructions on the outcome letter.

An Appeal Panel will be established by a Senior HR Business Partner to hear the appeal, normally within 20 working days of the date the complainant lodged the appeal.

The Appeal Panel will normally include:

- An independent manager senior in grade to the Senior HR Business Partner who made the original decision and
- A Senior HR Business Partner who had no previous involvement in the case.

Prior to commencing the appeal, the panel must sign two declarations:

- (i) conflicts of interest - if any such conflict exists which cannot be mitigated a different panel member will need to be appointed and
- (ii) a confidentiality agreement to ensure that all the information will be held in confidence and not discussed with anyone outside of the process.

Where an Appeal Panel member has declared a conflict of interest, a Senior HRBP will assess the declared interest and determine if the panel member:

- (i) can complete the appeal with or without mitigation
- (ii) should be removed from the process. A formal record will be maintained of this decision making process.

The Appeal Panel will invite the complainant to an appeal hearing.

The Appeal Panel will decide whether to uphold or change the decision reached by the Senior HR Business Partner. The Appeal Panel will prepare a written



## **Dignity at Work Policy & Procedure**

report setting out the considerations and the decision. The report will be submitted to the Senior HR Business Partner who appointed the Appeal Panel.

The Appeal Panel will communicate their decision to the complainant, normally within 10 working days of the appeal hearing. This letter will include:

- (i) The outcome of the appeal and the reasons for the decision
- (ii) Any actions to resolve the situation if upheld
- (iii) A reminder that there is no further right of appeal
- (iv) A copy of the written report.

### **14.1 CONFIDENTIALITY AND DATA PROTECTION**

- 14.1** The Housing Executive requires all parties to maintain confidentiality in so far as is possible. This is required to ensure fair and impartial investigations and to maintain dignity in the workplace. Failure to maintain confidentiality could result in disciplinary action.
- 14.2** All complaints relating to dignity at work will be treated confidentially, however if there are a number of people who are involved in a complaint, they will likely need to know details of all, or part, of a concern in order to be able to assist in the process of resolution.
- 14.3** Where a complaint relates to other employees, or involves other employees such as witnesses, they will need to be made aware of the parts of a complaint which relate to them so the matter can be investigated fully, and to potentially involve them in the resolution of the matter.
- 14.4** All parties must retain all records in accordance with the Dignity at Work Policy and Data Protection legislation. Employees are to note that all records may be discoverable in the event of legal proceedings or disclosable under the data protection legislation subject to applicable Data Protection Act 2018/DPA2018 Exemptions.
- 14.5** The Housing Executive will normally have a note-taker to ensure there is a written record of meetings under this procedure. Recording devices will not be permitted unless deemed to be a reasonable adjustment under the Disability Discrimination act (DDA) and permission has been sought from the individual and HR in advance.

## **Dignity at Work Policy & Procedure**

### **Appendix A – Dignity at Work Advisors**

List under review

## The Prevention and Management of Violence and Aggression at Work Policy

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DOCUMENT CONTROL SUMMARY	
<b>Policy Number</b>	C/H&S/007
<b>Author/s</b>	
<b>Ownership</b>	Compliance / Health & Safety, Asset Management Policy applies to all those working for NIHE
<b>Approval by &amp; Date</b>	CXBC 27 <sup>th</sup> August 2019
<b>Operational Date</b>	27 <sup>th</sup> August 2019
<b>Review Date</b>	Autumn 2022
<b>Version Control</b>	Version 1
<b>Replaces Explanation for Review</b>	Violence at Work Policy
<b>Links to other NIHE Policies</b>	General Health & Safety Policy Management of Lone Working Policy Managing Health and Safety Risk Policy
<b>Key Words</b>	Lone Working, Risk Assessment, Control Measures, Safe System of Work, Violence, Aggression, Emergency, Communication Device.

## 1. Introduction

### 1.1 Background

It is recognised that a number of staff within the Northern Ireland Housing Executive (hereafter called NIHE) by the nature of their job may be exposed to the occurrence of violence during work activities. The Health and Safety Executive (HSE) defines violence as: 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'. Verbal abuse and threats are considered the most common types of incident. Physical attacks are comparatively rare.

NIHE recognises the potentially damaging effect on an employee's well-being of all categories of violence. It regards all types of violence as unacceptable and will take effective action to deal with violent incidents.

This includes:

- Physical attack - whether visible injury occurs or not;
- Animal attack – includes when an animal is used as a threat;
- Verbal abuse - when an employee feels threatened or intimidated and the abuse is personally directed. This also includes cyber-aggression through texts, email messages or social networking sites;
- Attack or damage to property or belongings of the employee or the NIHE; and
- Any work-related incident involving an employee, or their family, which happens away from the workplace.

Through a process of risk assessment, significant risks will be identified and controls put in place to eliminate / reduce the risk of violence and aggression associated with NIHE work activities. To achieve this, the co-operation of all involved is essential and requires all levels of management and individual staff members to work together to develop and implement local safe systems of work.

This Policy has been prepared for the purposes of the Health and Safety at Work (NI) Order 1978, the Management of Health and Safety at Work Regulations (NI) 2000 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) (NI) 1997.

The Health and Safety at Work (NI) Order 1978 requires employers to provide and maintain a working environment for staff that is safe, without risks to

health, and adequate as regards facilities and arrangements for their welfare at work. RIDDOR regulations require employers to notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury or incapacity for normal work for three or more consecutive days. This includes any act of non-consensual physical violence done to a person at work.

The purpose of this Policy is to state NIHE's position and provide relevant information on the Prevention and Management of Violence and Aggression at Work within the organisation. NIHE has a legal responsibility to safeguard the health, safety and welfare of its staff, in addition to reducing violence and aggression associated with NIHE work activities.

Violence and aggression can lead to poor morale and a poor image for the organisation, making it difficult to recruit and keep staff. It can also mean extra cost, with absenteeism, higher insurance premiums and compensation payments. For employees, violence can cause pain, distress and even disability or death. Physical attacks are obviously dangerous but serious or persistent verbal abuse or threats can also damage employees' mental health through anxiety or stress.

## **1.2 Objectives**

This policy is designed to alert staff to the hazards and risks presented by the occurrence of violence and aggression associated with NIHE work activities, to identify the responsibilities for relevant persons, to provide advice and guidance to managers and to describe procedures which will minimise such risks.

This policy will outline the general principles to be adopted by staff with regard to safe working practices which eliminate or mitigate violence and aggression associated with NIHE work activities.

The objectives of the Policy are:-

- I. To safeguard the Health, Safety & Welfare of staff.
- II. To provide information and best practice guidance to educate staff on how to work safely.

The NIHE will, so far as is reasonably practicable, provide a safe place of work to all employees, contractors, visitors and other persons. NIHE is committed to setting and maintaining the highest standards of Health & Safety through the risk assessment process and ensuring the application of appropriate control

measures and best practice to reduce the risks posed by its undertakings is effectively achieved at all times.

As a result of the wide variety of working arrangements within NIHE, this policy is unable to state specific procedures to be followed. The procedures must be tailored to each department's own working environment and be determined by the risk assessment process.

## **2. Scope of the Policy**

This Policy applies to all NIHE staff, line managers and agency workers, where work activities expose staff to the potential for violence and aggression.

For the remainder of this policy, any reference to staff should be considered to include agency workers unless otherwise stated.

The Line Manager's assessment of the risk should include identification of the potential hazards and the preventative and protective measures needed to control the associated risks. Line Managers need to ensure the implementation of the recommended actions arising out of the risk assessment, including safe systems of work (as produced by each division), particularly for staff who are most at risk from violence and aggression in the course of their work activities.

The Policy details the responsibilities for Health & Safety and the arrangements that are to be put in place for managing violence and aggression associated with NIHE work activities which require the full co-operation of the relevant management and staff at all levels.

## **3. Definitions**

**Violence** - Any incident, in which a member of staff is abused, threatened or assaulted by another person in circumstances arising from their employment. This can include verbal abuse, threats (with or without a weapon), rude gestures, innuendoes, harassment (refer to HR Policy available on Gateway), discrimination (refer to HR Policy available on Gateway) and physical assault whether or not it results in injury.

It also includes violence to a member of staff's colleagues, property or family as a result of the staff member's work. This also refers to being attacked by or threatened with an animal, e.g. dogs.

Those employees potentially at risk of Violence and aggression are likely to be employees who:

- Handle or collect money or valuables;

- Work alone or away from a workplace;
- Carry out inspections or maintenance work;
- Have contact with service users;
- Visiting a property or person where there is history of violence / aggression.

**Peripatetic staff** - those who are mobile, working away from their fixed base.

**Hazard** - anything which has the potential to cause harm, e.g. a potentially aggressive / violent person.

**Risk** - the likelihood (high, medium or low) that someone could be harmed by hazards, together with an indication of how serious the harm could be.

**Risk Assessment** – is a careful examination of anything that may cause harm to persons during the course of their work, and evaluation of existing control measures to decide whether reasonable steps are being taken to prevent that harm. Refer to the Management of Lone Working Policy for an example risk assessment including violence and aggression from persons or animals.

**Safe System of Work (SSoW)** - a step by step procedure detailing how an activity is to be carried out. This can also be known as a Method Statement.

**PPE** – Personal Protective Equipment (hard hat, safety shoes, high visibility vest etc.)

**UDC** – User Defined Code on HMS (Housing Management System).

**Emergency** – A serious, unexpected and often dangerous situation requiring immediate action, e.g. a member of staff takes ill suddenly or sustains an injury where they require assistance; an attack; fire; flooding etc.

## 4. Roles and Responsibilities

### The Board

Chair of the Board and Board Members are responsible for:

1. Accountability to the Department for Communities (DfC) for ensuring that NIHE is fully compliant with the requirements of the Health and Safety at Work (NI) Order 1978 and all relevant statutory provisions;
2. Liaising with the Chief Executive and Directors to fully embed the Health & Safety management function within the NIHE's management process;

3. Ensuring sufficient resources are available to permit the Chief Executive, Directors, Assistant Directors and line management to comply with their legal duties.

### **Chief Executive**

The Chief Executive has ultimate responsibility for ensuring the health, safety and welfare of all staff, ensuring that NIHE complies with their legal obligations under Health & Safety legislation, and establishing a positive, proactive Health & Safety culture by embedding the management of Health & Safety throughout the organisation and promoting the adoption of best practice.

### **Director – Asset Management**

The Director of Asset Management is appointed as the lead Director for Health & Safety and is responsible for:

1. Ensuring the Compliance / Health & Safety department have adequate resources to fulfil their roles and responsibilities;
2. Ensuring that The Prevention and Management of Violence and Aggression at Work Policy is fully implemented and maintained within their area of operational responsibility.

### **Directors, Assistant Directors, Heads of Service and Senior Managers**

All Directors, Assistant Directors, Heads of Service and Senior Managers are responsible for ensuring that The Prevention and Management of Violence and Aggression at Work Policy is fully implemented and maintained within their area of operational responsibility by cascading this down through their management structure.

### **Assistant Director, Asset Management, Compliance / Health & Safety**

The Assistant Director, Compliance / Health & Safety is responsible for all aspects of Compliance / Health & Safety management, including specifically:

1. Ensuring that this Policy is regularly reviewed, consulted upon and that managers and staff are made aware of their respective responsibilities;
2. Ensuring processes are in place to monitor the effective implementation of Health & Safety policies and procedures throughout the organisation;



3. Ensuring the Compliance, Health & Safety functions have adequate resources to fulfil their roles and responsibilities;
4. Positively promoting Compliance, Health & Safety across NIHE;
5. To provide advice and guidance to the Chief Executive's Business Committee on all Compliance, Health & Safety issues.

### **Head of Human Resources**

The Head of Human Resources is responsible for:

1. Ensuring the appointment of sufficient qualified staff and resources for the training and development of those staff potentially exposed to violence and aggression associated with NIHE work activities and ensuring that appropriate staff training records are retained as part of the Learning Management System;
2. Delivering the training programmes:
  - Dealing with Difficult Situations / Lone Worker Training
  - Personal Safety Online Training
  - Violence and Aggression Online Training

### **Head of Corporate Investigation and Security**

The Head of Corporate Investigation and Security is responsible for:

1. The investigation of all matters relating to intimidation or violence at work against any NIHE staff, contractor, or anyone employed in the business of NIHE;
2. The provision of advice and guidance to victims of intimidation or violence at work as required;
3. The conduct of personal security audits whenever required or requested; and
4. The provision to premises managers of assistance and recommendations for security and safety of staff whilst working in NIHE premises.

### **Corporate Health & Safety Department**

The Corporate Health & Safety Department are responsible for:

1. Supporting management with the co-ordination of Health & Safety, providing support and advice on violence and aggression at work issues;
2. Assisting line managers identify training needs of their staff and facilitating the delivery of personal safety awareness training;
3. Assisting managers to investigate incidents, near misses or reported problems relating to violence and aggression associated with NIHE work activities;
4. Assisting with the completion of General Health & Safety Risk Assessments.

### **Line Managers and Supervisors**

Line Managers and Supervisors are responsible for:

1. Ensuring that The Prevention and Management of Violence and Aggression at Work Policy is fully implemented and maintained within their area of operational responsibility;
2. Ensuring that persons under their control have received an adequate level of information, instruction and training in relation to The Prevention and Management of Violence and Aggression at Work Policy to enable them to carry out their work activities in a safe and proper manner;
3. Undertaking risk assessments of work activities, in consultation with their staff, to identify and manage the risks to their staff and reduce potential harm to them. For work activities involving the potential for violence and aggression, the following guidance for undertaking risk assessments is available:
  - Managing Health & Safety Risk Policy
  - General Health & Safety Risk Assessment Training Course (1 day) (Details on The Learning Zone Portal);
4. Ensuring that relevant staff have been provided with appropriate communication devices (e.g. Mobile Phone or Lone Working Devices such as: MicroGuard, Identicom, MySOS, Smartphone App etc.) where identified as required by risk assessments and ensuring that training commensurate to such devices is provided to relevant staff (Refer to NIHE Management of Lone Working Policy);

5. Ensure that relevant staff are aware of known risks and previous incidents of Violence and Aggression associated with NIHE work activities, including checking for User Defined Codes (UDCs) on HMS System.
6. Ensuring that all relevant staff have access to relevant risk assessments and are provided with appropriate information, instruction, training and supervision to help them assess the risks and understand how to use equipment issued to them to ensure their safety;
7. Ensuring that all relevant staff attend appropriate Personal Safety Awareness Training and refresher training as required;
8. Ensuring the review of risk assessments where applicable, implementing control measures to prevent re-occurrence and liaising with the Police and enforcing agencies where appropriate;
9. Supporting staff following an adverse event by advising on how to access counselling support. Line Managers / Supervisors may:
  - I. Refer the case to the Absence Management Team; and / or
  - II. Signpost staff to Inspire to avail of their Post-Critical Incident Service
10. Ensuring that staff are aware of the Incident Reporting Procedure and supporting staff following an incident, investigating the incident, reviewing risk assessments, putting measures in place to prevent re-occurrence, advising how to access counselling support and liaising with the Corporate Investigation and Security Unit (CISU), Police and Enforcing Agencies where appropriate.
11. Ensuring staff are aware of the local procedures for The Prevention and Management of Violence and Aggression at Work;
12. Ensuring their staff who carry out High-Risk Activities are provided with Safe Systems of Work relevant to the specific work activities relating to lone working, including emergency response arrangements and that these are regularly monitored and reviewed to ensure effectiveness including arrangements to keep in contact (Refer to NIHE Management of Lone Working Policy);
13. Ensuring staff are provided with the appropriate PPE and equipment (e.g. First Aid kit, torch etc.) where required;

14. Treating any reports of work-related violence, threats or abuse seriously and respond to them promptly:

**Actual Physical Assault**

- 1) Report to Police at time of incident;
- 2) Report to Line Manager / Supervisor;
- 3) Ensure details are taken from any witnesses and recorded on the Incident Report Form (IR1);
- 4) Ensure Incident Report form is completed & sent to the Corporate Health and Safety Department and Head of CISU where appropriate;
- 5) Review incident with member of staff, identifying a need for support, training needs etc.

**Threat of violence or abuse in public place (e.g. Housing Centre HQ, Regional Offices etc.)**

- 1) The Manager should try to calm the offender and ask them to leave. The notice under Article 23 of The Public (NI) Order 1987 should be drawn to the attention of the offender. If it becomes necessary Police should be called to facilitate removal;
- 2) In any event, matter should be reported to the Police following consultation with the victim;
- 3) Ensure detail are taken from any witnesses and recorded on the Incident Report Form (IR1);
- 4) Ensure Incident Report form is completed & sent to Corporate Health & Safety Department and Head of CISU where appropriate;
- 5) Inform HR team of incident;
- 6) Review incident with member of staff, identifying a need for support, training needs etc; and
- 7) Consider issuing a notice barring the offender from NIHE premises.

**Threat to kill or threats to property**

- 1) Report to Police;
- 2) Ensure details are taken from any witnesses and recorded on the Incident Report Form (IR1);

- 3) Ensure Incident Report form is completed & sent to Corporate Health & Safety Department and Head of CISU where appropriate;
- 4) Inform HR team of incident;
- 5) Review incident with member of staff, identifying a need for support, training needs etc.

**Threat of violence or abuse in non-public place (e.g. in assailants home or on their property, including abusive correspondence)**

- 1) Ensure Incident Report form is completed & sent to Corporate Health & Safety Department and Head of CISU where appropriate;
- 2) Review incident with member of staff, identifying a need for support, training needs etc.
- 3) Inform HR team of incidents;
- 4) If further incidents occur which involve the same individual, the matter should be referred to Head of CISU to consider the appropriate action to be taken in liaison with the NIHE legal department;
- 5) Ensure further Incident Report form is completed & sent to Corporate Health & Safety Department;
- 6) Review incident with member of staff, identifying a need for support, training needs etc.

**Shouted or sworn at in person or over the telephone/abusive correspondence.**

- 1) Ensure detailed notes of the incident are made;
- 2) Ensure Incident Report form is completed & sent to Corporate Health & Safety Department and the Head of CISU where appropriate;
- 3) Review incident with member of staff, identifying a need for support, training needs, official correspondence etc.
- 4) Repeat incidents should be assessed by the manager with the member/s of staff in the context of the situation;
- 5) If this does not have the desired effect Manager should consider designating one staff member to deal with complainant, etc.
- 6) If the behaviour continues seek advice from Legal Department or Head of CISU.

### **Filming or recording of staff on any device during meetings/ visits/ interviews**

- 1) Staff if they believe they are being recorded should endeavour to ascertain if, in fact, they are;
- 2) Staff should make it clear if they do not wish to be interviewed;
- 3) Staff should ask the person to desist from recording;
- 4) If individual continues staff should consider terminating the meeting/ visit/ interview; and
- 5) Where the incident occurs within NIHE premises staff may ask the person to leave as the meeting/ visit/ interview is terminated.

### **All Staff**

All staff, including agency staff shall:

1. Take care of their own health and safety, and that of other persons, and co-operate with supervisors and managers on all Health & Safety matters;
2. Comply with relevant Health & Safety policies, procedures and Safe Systems of Work in relation to Violence and Aggression at Work;
3. Follow safe working procedures including the use of safety / communications equipment;
4. Ensure they know how and who to contact in an emergency
5. Share their schedule in accordance with local arrangements;
6. Advise line managers of any concerns or risks about carrying out work activities;
7. Notify their line manager of any special circumstances which may be required to be taken into account when assessing the risk;
8. Notify their line manager of any incidents (including violence, harassment, intimidation and aggression) when working, immediately by phone and complete an incident report form on return to the office / workplace;
9. Attend appropriate Personal Safety Awareness / Lone Working training when requested;

10. Staff have a responsibility to act in a way that does not incite or increase the likelihood of violence. Any staff member found to be encouraging or inciting violence may be subject to disciplinary action;
11. Comply with the requirements of The Prevention and Management of Violence and Aggression at Work Policy.

A checklist for Home Visits is contained within the Management of Lone Working Policy, available on Gateway.

## **5 Implementation of the Policy**

### **Resources**

Responsibility for staff training requirements, equipment, completion of Risk Assessments and Safe Systems of Work and other resources associated with implementation of this Policy are detailed in the responsibilities section.

Access to available Training Programmes/Providers is available through the Learning Management System.

Equipment should be procured by the line manager.

Assistance with Risk Assessments and Safe Systems of Work is available from the Health & Safety Team.

### **Dissemination / Circulation**

This policy is required to be implemented by all Divisions within NIHE. The latest version of The Prevention and Management of Violence and Aggression at Work Policy is available from Gateway. All staff, managers and Departments with specific responsibilities are required to comply with this Policy as detailed. The Policy requirements should be brought the attention of all staff.

### **Performance Monitoring**

It is the responsibility of the line manager to monitor compliance with this policy. The Compliance / Health & Safety Department will perform a pivotal role in ensuring that the Policy is implemented and will oversee monitoring of the specific requirements of the Policy. Performance Management will also be measured by the number of Risk Assessments completed for activities commensurate with The Prevention and Management of Violence and Aggression at Work Policy and the number of Incident Reports relating to Violence and Aggression associated with NIHE work activities.

## **Auditing Compliance**

Audits of compliance with the Policy, associated procedures and processes may also be undertaken by the Technical Inspection Unit, Internal Audit and Department for Communities.

This Policy comes under the General Health & Safety Policy. This Policy will be reviewed every 3 years and new versions issued following any amendment, updating or revision as appropriate.

## **6 Evidence Base / References**

Reported violent and aggressive incidents (NIHE)

INDG73 – Health and Safety Guidance on the Risks of Lone Working:  
<http://www.hse.gov.uk/pubns/indg73.pdf>

HSE – Violence at Work: A Guide for Employers  
<http://www.hse.gov.uk/pubns/indg69.pdf>

<https://www.suzylamplugh.org/Pages/FAQs/Category/personal-safety>

Cox, T. and Leather, P., 1994. The prevention of violence at work:  
Application of a cognitive behavioural theory.

Offences Against the Person Act 1861

Public Order (NI) Order 1987

Protection from Harassment (NI) Order 1997

Anti-Social Behaviour (NI) Order 2004

## **7 Consultation Process**

It is a legal requirement to consult with the staff, managers and trade unions on the purpose, objectives and responsibilities within the Policy. The Policy was devised in collaboration with the Asset Management NIHE Senior Management and Corporate Health & Safety Committees and the Corporate Health & Safety Team. Staff and their trade union representatives were also consulted during the development and introduction of this policy.



## **8 Appendices**

- 1 – Procedures / Processes for Line Managers for dealing with Violence and Aggression at Work
- 2 – Incident Report Form (Available on Gateway)

## **9 Signatures**



Karen Cunningham

Assistant Director, Compliance, Health & Safety

Paul Isherwood

Director of Asset Management

## Appendix 1

### 1 – Procedures and Processes for Line Managers for dealing with Violence at Work

#### **a) – Identification and Assessment**

Line Managers should establish if there is a problem by consulting with staff and their representatives. Line Managers should establish the nature of the risk and if working practices expose employees to violence they should arrange for a risk assessment if necessary. Refer to the General Health & Safety Risk Assessment within the Management of Lone Working Policy (Available on Gateway).

In the event of an incident of personal violence or threat of violence, a personal security audit may be requested by contacting the Head of CISU. Following significant adverse events, Line Managers and Supervisors should, when requested by a member of their staff, refer their staff to critical incident support services such as Inspire or Occupational Health services.

#### **b) - Reporting, Recording and Investigation**

Line Managers should ensure staff report incidents on the Incident Report Form for Violence and Aggression associated with NIHE work activities. Refer to the Incident Reporting and Investigation Policy (Available on Gateway). Line Managers should classify each incident so that particular trends, patterns and factors can be detected which may help her/him determine preventative strategies.

Line Managers must report each incident, (where an investigation is commenced, this may include interviewing witnesses and staff, inspecting the scene, contacting the CISU and co-operating with the Police) determine the action to be taken and record on the Incident Report Form. A copy of the completed form should be forwarded to the Health and Safety Department and the Head of CISU who are also available to provide assistance. However under certain circumstances, the Security Advisor may contact the line manager to discuss and/or recommend action to be taken.

#### **c) – Preventative measures**

Line Managers should consider the following when developing preventative measures.

##### **1) Staffing Levels**

In areas where a risk of violence to employees has been identified lone working should be avoided where possible. This may mean re-arranging home visits to the office or staff house visiting in pairs.

Line Managers should consider arrangements for communication when employees are lone working. Line managers must ensure, so far as is reasonably practicable, that the Lone working procedures are adhered to by all employees working outside their office base.

## **2) Working Practices**

Line Managers should consider methods of cash handling, waiting arrangements, interviewing clients, late working and any other situation which has been identified as potentially presenting a risk or threat of violence to staff.

## **3) Environment**

Line Managers should make every effort to ensure that the working environment i.e. the reception area [in particular counter width and height] interview rooms, lighting, noise, presence of potential weapons, clear lines of sight, colour schemes, locating of furniture, video cameras, alarms, phones, security etc. are appropriate for dealing with external customers. If in doubt, CISU should be contacted to assess and review the environment.

Line Managers should consider introducing special areas, working conditions, and working practices for employees dealing with clients/customers known or suspected of presenting an increased risk.

## **4) Alarms**

Line Managers should, if the working situation warrants it, consider personal alarms and / or panic buttons. If these are introduced Line Managers should as a further deterrent publicise their existence to outside clients (Refer to the NIHE Management of Lone Working Policy).

### **d) – Information, Training and Review**

Line Managers must ensure that workers at risk of violence are given information and training on the measures and procedures that they have introduced on prevention and handling of violent situations and also undertake reviews, as and when necessary.

Line Managers must ensure all staff are aware of safe systems of work and relevant guidance for the workplace activities of their staff.

Employees who are required to work alone as part of their duties either routinely or occasionally should be provided with suitable and sufficient training so that they understand the risks they may be exposed to, how to assess them, and their duties and responsibilities. This also includes employees who are not alone in a building however they do not have immediate access to another person for assistance, e.g. Receptionist (lower risk staff). The

training will include dynamic risk assessment, de-escalation / diffusion of situations, disengagement techniques, how to deal with emergency situations etc.

## Appendix 2 - Incident Report Form IR1 (Available on Gateway)

**Housing**  
Executive

### INCIDENT REPORT FORM

**IR1**

<b>ALL SECTIONS OF THIS FORM TO BE COMPLETED IN BLOCK CAPITALS – INCOMPLETE FORMS WILL BE RETURNED</b>									
<b>ABOUT THE PERSON WHO HAD THE INCIDENT</b>					<b>INCIDENT NUMBER</b>		<b>(For Office Use Only)</b>		
Full Name:					Date of Incident:    /    /		Time of Incident    :		
Home Telephone Number:					Job Title / Trade:				
Work Telephone Number:							Staff Number:		
Injured Party Contact Address:									
Post Code:									
Employee	Tenant	Contractor	Visitor	Member of the public	<i>*Tick as Appropriate</i>				
Did the Incident occur during working hours?			Yes	No	<i>*Tick as Appropriate</i>				
<b>ABOUT THE INCIDENT</b>					Task / Job Number (If applicable):				
Date Incident reported			Time Incident Reported		Location of Incident				
/    /			/    /						
Full Description of Incident (Including how it occurred, activity being performed, details of assailant and / or witnesses if applicable):									
<i>(Continue on separate sheet overleaf if required)</i>									
Details of Injuries: (If none, state none)									
Nature of Treatment Given:									
Name of First Aider (If applicable):									
Resumed Work that day	Sent Home	Attended Hospital / GP Surgery	<i>*Tick as Appropriate</i>			Length of Stay in Hospital (If applicable)			
<b>CLASSIFICATION</b>	Major Injury	Over 3 Day Injury	Dangerous Occurrence	Occupational Disease / Condition	<i>*Tick as Appropriate</i>				
No. of Witness Statement(s) (when available) to be attached: (including negative Witness Statement(s))					Witness/es Names				
<b>ABOUT THE PERSON FILLING IN THIS RECORD</b>									
Name:			Contact Address:						
Post Code:			Contact Telephone Number:						
Signature of Person Filling in this Form							Date	RIDDOR CATEGORY	
Signature of Injured Party (where available)							/    /		
Signature of Line Manager / Supervisor							/    /		
IR1 Copied (CC) to:	Line Manager		Regional H&S Advisor (Corporate)						
	DLO H&S Manager		Regional H&S Advisor (Construction)						
	Head of CISU (Violence at Work only)		If RIDDOR Corporate H&S Manager Contacted						
To find out how we use your personal information and your individual rights you can view the full version of our Privacy Notice at <a href="http://www.nihe.gov.uk/privacy_notice">www.nihe.gov.uk/privacy_notice</a>									