

Telephone: 01440 712858
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CONSTITUTION: Chair: Town Councillor: A Thomas
Town Councillors: L Ager, T Marks, K Richardson and
L Samples

AGENDA

1. Apologies for Absence

Please give apologies for absence to the Office by 9.00 a.m. of day of meeting.

2. Declaration of Interests

For Members to declare any interests in items on the agenda

3. Minutes of Previous Meetings

To agree the minutes of the Meeting held 24th January 2006

4. Protection of Staff from Harm

To agree arrangements for excluding persons from Council events and premises
(see attached)

5. Issues Raised by Staff

To respond to any issues raised by staff

6. National Pay Award

To note the implementation of the new national pay rates

7. Closure

Gordon H. H.

11 April 2006

Protection of Staff from Harm

The Arts & Leisure Committee recently approved terms and conditions of admission which included the right to refuse admission to the Arts Centre in certain instances (e.g. a person aged under 16 attempting to enter a film or event with an admissions age of 18). However this policy, nor any other of the Council, contains a reference to refusal of admission, to Town Council events or premises, to persons who:-

- a) have been subject to a Pubwatch Ban
 - b) have been previously-evicted from Haverhill Arts Centre by virtue of a breach of admission policy (e.g. failure to comply with “no smoking” policy)
 - c) have been rude, abusive, violent, threatening or harassing to Town Council staff
- nor does either policy contain a right of appeal.

As Designated Premises Supervisor of Haverhill Arts Centre, and for Town centre outdoor events, the Town Clerk has a duty to specifically “keep out of Haverhill Arts Centre excluded individuals (subject to court or pub watch bans)”, as part of the operating licence.

As a corporate body, the Town Council has a duty of care to its staff, particularly in respect of protecting them from persons with a previous history of abuse, threats, violence or harassment towards staff. Whilst “frontline” staff might be expected to encounter isolated incidents of rudeness or abuse, and to be trained and supported in dealing with such incidents, it is important that the Council adopts a clear, but firm, policy regarding identified, or identifiable, persons who threaten or harass staff, or who are violent to staff, or who have a history of such towards staff.

Advice from NALC recommends that the Town Council adopt a clear policy regarding individuals who present a verbal or physical threat to employees and which addresses action that they need to take to minimise/eliminate such threat. The Policy will include how to report threatening behaviour, how and when to address it, (e.g. timeframes for investigating/verifying complaint, writing a warning letter, involving the police if appropriate.) Any decision arising from the policy which involves banning individuals from public meetings and or council offices with a view to protecting the safety of employees/councilors must be kept under review. Any decision to ban an individual from e.g. entering council offices or meetings without following the Council’s policy on harassment, and its lawful and reasonable decision making process, could be open to challenge.

It is therefore recommended that:-

- a) the Town Clerk, or in the absence of the Town Clerk, the Duty Officer for Haverhill Arts Centre, be authorised to ask persons who are known to be the subject of a Pubwatch Ban, or a ban imposed by the Magistrates, or Crown or Civil Court to leave the premises
- b) that the assistance of Police in enforcing the above be endorsed
- c) that records be kept of all incidents deemed by staff to have been threatening, intimidating, harassing or violent towards them, their colleagues, or customers, or damaging to the Council’s property
- d) that where appropriate staff be supported in reporting such incidents to the Police
- e) that where identifiable the names of those who were threatening, intimidating, harassing, or violent, or damaging to the Council’s property, be added to a list to be maintained of persons who have threatened, been violent towards, or harassed staff, such persons to be banned from Council premises
- f) that all persons whose names are added to the list be advised in writing of the nature of the ban and given a right to appeal against the ban
- g) that all staff be made aware of the names on this list
- h) that this list be reviewed annually

- i) that the names of persons who have threatened or been violent towards staff be submitted to the Police and the Pubwatch Banning Committee immediately following the incident (if aged over 18 years)
- j) that staff be given such counselling as may be required following their involvement in an incident
- k) that in the event of an appeal against the ban the Appeals Committee consider the appeal
- l) the Town Council adopt the attached Policy and Procedure

Appeals Procedure

1. All appeals against a ban from Town Council premises must be made in writing, to the Town Clerk, within 14 days of receipt of letter advising of ban.
2. The Town Clerk will call a meeting of the Appeals Committee to consider the appeal, such a meeting to be convened within 14 days of the appellant's letter being received.
3. The hearing will normally be conducted by the Chair of the Appeals Committee. The Town Clerk who conducted the investigation will be asked to present the supporting facts and material. The appellant, or his or her representative, and the Members hearing the case will be entitled to question the Town Clerk and any witnesses who may attend the hearing to give their account of the matter. The appellant will be entitled to give any explanation he or she wishes, and may be questioned by the Town Clerk as well as by the Members hearing the case. The Town Clerk, as well as the appellant or his or her representative, will be given the opportunity to state their case.
4. The Chair of Appeals Committee presiding over the hearing may adjourn the proceedings at any stage if this appears necessary or desirable. If adjourning for the purpose of enabling further information to be obtained, he or she will specify the nature of that information. Any adjournment will normally be for a stated period.
5. On completion of the proceedings, the Chair of Appeals Committee will normally announce his/her decision. He or she will also give an explanation for that action.

Haverhill Town Council

Policy on Violence and Violent Incidents

1. Statement of Policy

Employers are required by the Health and Safety at Work etc. Act to do what is reasonably practicable to ensure the health and safety of employees and others who may be affected by Council activities. This includes taking steps to reduce the risk to staff, and in certain cases the public, from violent incidents and unacceptable behaviour. There is also a requirement, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, to report injuries to employees that result from acts of non-consensual physical violence.

The Council will endeavour to reduce the threat of violence and unacceptable behaviour and will aim to provide a secure environment for employees. Contractors and members of the public are also entitled to expect to be reasonably safe from violent attack and unacceptable behaviour when visiting Council premises. The objectives of this policy will be achieved in a variety of ways including physical means (e.g. controlled entry, secure areas) and providing information and training for those at particular risk. The importance of supporting staff who are victims of violence or aggression is also recognised.

Recording of violent incidents is an important step towards understanding the nature and extent of the problem and reports will be reviewed in order to see if more can be done to lower the risk.

Disciplinary measures are outside the scope of this policy, but are dealt with elsewhere.

2. Organisation and arrangements

2.1 Town Clerk

- will, consider the risk of violence and unacceptable behaviour in all general risk assessments;
- where control measures are identified that are reasonably practicable then line managers will endeavour to implement the measures. Physical control measures e.g. protective screens, limiting access, etc. will be used in preference to other means of control e.g. training;
- where an assessment has identified training as necessary for staff at risk of violence then the Town Clerk will make arrangements for staff to attend;
- will encourage staff to use the appropriate report forms for violent/aggressive incidents and for potentially hazardous visits (see appendix 2).
- where a violent incident is reportable to the Health and Safety Executive, will make the report;

2.2 Section Leaders

- will work with staff and others who may be involved to ensure that all general risk assessments take account of the risk of violence and unacceptable behaviour to people in workplaces used by the Council;
- will liaise with staff and others to advise and assist with the selection and implementation of appropriate control measures to reduce the risk of violence and unacceptable behaviour;
- will ensure that publicity is given to the existence of this policy and the forms for recording and reporting violent incidents and potentially hazardous visits;
- will collect and review forms for reporting and recording violent incidents. Where immediate action is appropriate will advise the Town Clerk.
- will ensure that reported incidents are brought to the attention of the Town Clerk;

2.3 All staff

- will report violent incidents and unacceptable behaviour in which they are personally involved. See appendix 2 for a sample report form;
- where they have knowledge of violent incidents in which contractors or members of the public are involved, will report these incidents on the appropriate form;

2.4 Contractors

- may, if they so wish, may report violent incidents and unacceptable behaviour in which they are involved when engaged in work for the Council.

2.5 Personnel Committee

- will periodically review violent incident reports and consider where further action to reduce risk may be possible and appropriate.

Appendix 1

Definition of Violence and unacceptable behaviour

For the purposes of this policy a definition of violence and unacceptable behaviour is needed :-

“any incident in which any employee, contractor, elected member or member of the public is abused, threatened, harassed or assaulted by any person on premises used as a workplace by the Council or whilst in the employ of the Council”.

Appendix 2

REPORT FORM FOR VIOLENT / AGGRESSIVE INCIDENTS

Complete ALL SECTIONS and pass form WITHOUT DELAY to the Town Clerk. This form may be filled in by anyone who has been involved in or witnessed a violent or aggressive incident.

Date of Incident Time of incident

Where did incident occur (building, place, etc.)

Exact location of incident

Person or persons suffering violence/aggression (use back of form if necessary)

Surname Forenames

Title (Mr., Mrs., Ms) Home telephone number

Address

.....

.....

Date of birth Male / Female

Status (Staff, Councillor, public, contractor, etc)

Identity of aggressor(s), if known, or description if not known

.....

.....

.....

Describe fully the violent or aggressive incident. Say what lead up to the incident and just what happened.

.....

.....

.....

Was a weapon used, if so what?

.....

.....

Nature of injuries suffered (if any)

.....

.....

What action was taken after the incident (e.g. police called, complaint made, etc.)

.....

.....

.....

Name and address of witness

.....

.....

Were there any factors which contributed towards this incident?

.....

.....

.....

Is aggressor known to have been involved in previous incidents? (give details)

.....
.....
Had any measures been taken to prevent an incident of this type occurring? Is so why did they fail?

.....
.....
.....
.....
What more could be done to prevent a similar incident from occurring?

.....
.....
.....
Any other relevant information

.....
Name of person completing report

Signature Date

Note :- The incidents for which this form should be used include those involving physical violence, aggressive behaviour, verbal abuse, sexual or racial abuse, intentional damage to property.

National Joint Council for Local Government Services

Employers' Secretary: Mike Walker
Layden House, 76-86 Tummill Street
London, EC1M 6LG
Tel: 020 7296 5600 Fax: 020 7296 6739
www.lg-employers.gov.uk

Trade Union Secretaries
Heather Wakefield, UNISON
Peter Allenson, TGWU
Brian Strutton, GMB

Address for correspondence:
1 Mabledon Place
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**To: Chief Executives in England, Wales and N Ireland
(with copies for the Finance Director and Personnel Director)
Members of the National Joint Council
Provincial/Associated Joint Secretaries
Local Authority Associations' Secretaries**

17 November 2005

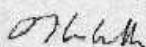
Dear Chief Executive

NJC CIRCULAR 2/05
2006/07 PAYSCALES & ALLOWANCES

Agreement has now been reached on rates of pay applicable from **1 April 2006** in line with the settlement agreed in 2004.

The new rates are attached at **Annex 1**. The new rates for allowances up-rated in line with pay are also set out in the annex. In accordance with usual practice, Inner and Outer Fringe Allowances are the only London Weighting rates included in the annex.

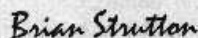
Yours sincerely



Mike Walker



Peter Allenson



Brian Strutton



Heather Wakefield

Joint Secretaries

ANNEX 1

SCP	1 Apr 05	1 Apr 06
4	£10,872	£11,193
5	£11,127	£11,454
6	£11,286	£11,619
7	£11,649	£11,994
8	£12,018	£12,372
9	£12,381	£12,747
10	£12,642	£13,014
11	£13,458	£13,854
12	£13,737	£14,142
13	£14,106	£14,523
14	£14,364	£14,787
15	£14,664	£15,096
16	£15,015	£15,459
17	£15,372	£15,825
18	£15,675	£16,137
19	£16,260	£16,740
20	£16,854	£17,352
21	£17,469	£17,985
22	£17,922	£18,450
23	£18,450	£18,993
24	£19,053	£19,614
25	£19,656	£20,235
26	£20,295	£20,895
27	£20,970	£21,588
28	£21,654	£22,293
29	£22,512	£23,175
30	£23,265	£23,952
31	£24,000	£24,708
32	£24,708	£25,437
33	£25,437	£26,187
34	£26,157	£26,928
35	£26,703	£27,492
36	£27,411	£28,221
37	£28,179	£29,010
38	£29,004	£29,859
39	£29,958	£30,843
40	£30,747	£31,653
41	£31,557	£32,487
42	£32,361	£33,315
43	£33,168	£34,146
44	£33,984	£34,986
45	£34,746	£35,772
46	£35,586	£36,636
47	£36,402	£37,476
48	£37,212	£38,310
49	£38,010	£39,132