



**VIOLENCE AT
WORK -
A SURVEY OF
UNISON
EMPLOYERS
IN SCOTLAND
2013**

October 2013

UNISON Scotland
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Violent Assaults on Public Service Staff in Scotland
Follow up Survey 2013

1. INTRODUCTION

Since 2006, UNISON Scotland has carried out an annual survey of assaults to public sector workers by issuing a Freedom of Information request to all employers of UNISON members in the public sector. The 2013 survey was carried out from August to October 2013 using e-mail addresses for the first time.

Our analysis of the figures received for 2013 shows a total figure of **33,689**, a drop of **1,055** in the level of assaults compared with last year's figures. This can partly be explained by an decrease of **3,074** in the number of assaults recorded for police officers and staff, following the merger into the new Police Scotland authority. Over the year Local Government assaults have **increased** by **730** to **14,879**, and in health there has been an **increase** of **1,744**, from **10,974** in **2012** to **12,618**, despite a fall the previous year.

Our first survey in 2006 identified just over 20,000 violent incidents that year in the NHS and local government, and the figures have increased since that time and remain unacceptable. This may reflect greater awareness and better reporting, however, it is clear the problem is not going away.

The recording of incidents in the health service continues to improve, with their computer programme which appears to have made reporting much easier, although, there is not as much breakdown into job categories or additional information given.

Reporting in local authorities has improved over the last couple of years, with more councils being able to produce proper information. However, there are several whose information is limited, e.g. they are still sending in a list of assaults, with no totals, and clearly no co-ordination between separate departments. This indicates that while we are starting to get our message across, many local authorities still do not collate adequate statistics on violence and cannot, therefore, have a strategy for combating the level of assaults on their workers. Overall monitoring of figures within an authority cannot take place if the statistics are kept in departmental silos and never collated centrally.

In addition, there is a still a reluctance on the part of some employers and even some staff, to acknowledge assaults by "looked after people", e.g. children, elderly people, or those with learning disabilities, as there are in some instances perceptions that these types of assaults are just part of the job and have to be tolerated. One employer in local government referred to "deliberate" and "unintended" physical violence.

The work that UNISON had instigated with the STUC, the Scottish Centre for Healthy Working Lives and representatives of Scottish local authorities to develop best practice guidelines came to an end when guidelines for local government were published in February 2010, entitled “*Managing occupational violence in the workplace*”. These guidelines are now used by several councils who have produced or are in the process of drafting new policies, based on the Guidelines.

For the past few years, we have asked for breakdown of local authority figures to show assaults on non-teaching staff and this year, we also asked for information on assaults to housing staff, as we were concerned that recent changes to the benefit system, which could lead to evictions could result in additional assaults on housing staff.

2. LEGISLATION

UNISON Scotland campaigned for and welcomed the introduction of the Emergency Workers (Scotland) Act (EWA) in 2005. We wanted to see legislation much wider in scope than the Bill as originally drafted. We favoured a Bill covering all public service workers and it still remains our view that the Bill should have given statutory effect to that guidance, recognising that workers providing a service to the public should be given specific legal protection.

There were significant objections to the Emergency Workers (Scotland) Bill by the Law Society and Faculty of Advocates, amongst others, who argued that common law and other statutory provisions covered most of the Bill’s provisions. It was even claimed that there would be no successful prosecutions. However, the Act has been used extensively with 1,789 prosecutions to date. The latest figures available show that in 2011/12 there were 355 convictions under the Emergency Workers (Scotland) Act.

Persons with a charge proved in Scottish courts under the Emergency Workers (Scotland) Act 2005 ⁽¹⁾ , by category of offence, 2005-12							
	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Emergency Workers (Scotland) Act 2005 - Total	54	200	275	301	281	323	355
Emergency Workers (Scotland) Act 2005:Section 1(1)	11	44	40	74	113	136	159
Emergency Workers (Scotland) Act 2005:Section 2(1)	14	74	90	76	37	39	34
Emergency Workers (Scotland) Act 2005:Section 3(1)	-	3	2	4	2	4	1
Emergency Workers (Scotland) Act 2005:Section 5(1)	29	79	143	147	129	144	161

S:1(1) - Assault, obstruct or hinder constable/fire officer/person providing assistance in terms of S:35 or S:36 of the Fire (Scotland) Act 2005/ambulance worker.

S:2(1) - Assault, obstruct or hinder other emergency workers responding to emergency circumstances

S:3(1) - Assault, obstruct or hinder person assisting emergency worker responding to emergency circumstances

S:5(1) - Assault, obstruct or hinder health worker/ambulance worker/assistant to said workers on hospital premises

The Scottish Conservatives, however, claim that the current legislation is not working and are calling on the Scottish Government to instigate a crackdown on people who commit acts of violence against emergency workers. They recently carried out their own Freedom of Information request on assaults to police, fire and

ambulance personnel and discovered that there had been 6,499 assaults over the past year, which they assess is an average of 17 emergency workers being attacked every day. Another report highlighted the fact that there are 600 homes in Scotland which are blacklisted by ambulance bosses, which means that paramedics will not attend without police accompanying them, due to previous incidents.

Although the issue of workplace violence has moved higher up the public agenda since the introduction of the EWA and deliberate acts of violence on public service workers have, rightly, been condemned by most members of the public, the prospect of further legislation has stalled over recent years and there appears to be no likelihood of any improvement in the near future. The Scottish Government opposed Hugh Henry's proposed Protection of Workers (Scotland) Bill in 2009 which then fell and to date have no plans to introduce similar legislation themselves.

However, the experience of our membership and the results of our surveys tell us that the most vulnerable workers are not necessarily those from the emergency services but that all workers who deal with the public are at risk. Care workers face twice the national average risk of assault and nurses four times. There has also been a huge increase in assaults in schools, both for teaching and non-teaching staff. Whilst there has been a focus over the years on assaults to teachers, however, classroom assistants, pupil support assistants, assistants for special needs pupils often deal with the most difficult pupils in a school and are more likely to experience physical assaults.

The current EWA with its emphasis on 'blue light' services has the consequence of providing protection to predominantly male groups of workers., rather than nurses, care workers and classroom assistants, who are mainly female. This is an equal opportunities issue.

3. FREEDOM OF INFORMATION SURVEY 2013

As in our previous surveys, the 2013 survey was sent to all local authorities and health boards in Scotland, as well as to other public sector areas in which UNISON organises, asking for details on the number of assaults on workers during the past year, broken down by job title or department and nature of assault.

In response to the survey, we received data from 27 local authorities, all area and Special Health Boards, and Police Scotland, but only one from Universities. The use of email addresses had proved positive in local government and health, but unfortunately, not so in the university sector where only one provided figures and an acknowledgement

A reminder was sent out to those local authorities who did not reply in the required time, despite all local authorities having acknowledged receipt fo the email. Of those who did not respond West Dumbartonshire apologised but advised that they would send the figures in by 25th October; Angus apologised but said they did not know when they would be able to provide the figures. Aberdeenshire, East Dunbartonsire and East Renfrewshire did not respond to either the original email or the reminder, again to reiterate that all had acknowledged the original request. Complaints are being raised with all of these councils. For comparative purposes, the figures from 2012 have been counted for those councils that did not respond in time.

Local Government

Local government figures had increased **703** over the previous year, to **14,879**. This year, of those that responded, 11 councils had cut their assault levels, but 16 had shown increases. Over the past year, North Ayrshire's assault level had fallen from 1062 to 174 – a marked decrease. Against this, Dundee City's had risen from 1129 in 2011 to 2,370 for 2013 (they had not responded in 2012). City of Glasgow's had increased by 579 to 2,661. Improvements to the collation of figures had been made in several councils, with some preparing yearly reports for councillors to consider and make recommendations. Education continues to have the highest levels of assault, on both teachers and support staff, particularly classroom assistants, and special needs assistants, but also including, instructors, janitors, and admin staff. Social care also continued to have high figures, especially in residential and home care settings.

Glasgow continued to show the highest number of assaults, with an increase of 579 over last year, despite several departments having now left their direct employment and not, therefore, counted for the survey. The fact that their figures continue to increase is a cause for concern. Of the figures given, Dundee City's increase from 1,129 to 2,370 makes them the second highest, with the City of Edinburgh third, despite a decrease of 57 to 902.

Again councils were asked if they could indicate the levels of assaults on classroom assistants and other support staff who often deal with pupils who are excluded from their main classes. This year, there were more who broke their figures down to indicate non-teaching staff or classroom assistants/pupil support assistants, etc., but some only gave figures for non-teaching staff, others education as a whole. There were 7,942 assaults in Education of which 5065 were classified as non-teaching. Differences with reporting systems could mean that the overall total could be a lot higher, as some only gave non-teaching staff, and some didn't break down at all.

Education, therefore, showed the largest number of assaults, with social work services second, with 1196.

Recent changes to the benefit system, with Housing Benefit now being paid direct to tenants, and the introduction of the bedroom tax, are increasingly reported to be causing rent arrears which in turn are leading to possible evictions. We are hearing anecdotally that protests are occurring at some housing offices, leading to intimidation of housing staff and we are concerned that there could be an increase in violence to the staff involved. For this reason, we asked councils to indicate any assaults that had been recorded on housing staff, and whether they were introducing any special measures to protect these particular employees. In their responses, many councils advised that they no longer held housing stock, therefore could not answer that aspect of the question. Despite that there were 239 assaults among the remainder.

No councils advised that they were making special arrangements to protect housing staff, with most believing that their current systems were adequate. Several reported that they risk-assessed their housing staff regularly and believed they had sufficient training regimes in place. Some advised that their systems provided for housing officers to advise where they were going, to note all appointments and specify addresses they would visit, and a few had or were compiling lists of potentially violent clients to share across all teams to ensure that everyone was aware of potentially violent risks. Often visits involved two members or staff or in

some cases, staff were accompanied by police officers. Several had lone working policies which covered these aspects, including mobile phone links.

UNISON has issued special guidance to our branches regarding the potential risks to staff involved in housing, echoing the situation in the civil service who are often at risk from benefit claimants. When people are refused services they are due to get or see their benefits cut their reaction can often be to hit out at frontline staff who are just doing their jobs but often this means having to implement unpopular government policies.

In local government much still continues to be made of the fact that many of the assaults are caused by children with special needs, or elderly people with dementia type illnesses. There continues to be an assumption that because some people have a reduced capacity, assaults are therefore, part of the job. One council referred to deliberate and unintentional assaults. UNISON is aware that some people have illnesses which can lead them to kick out at staff for various reasons, however, this does not excuse employers, as there are many precautions and safeguards that can be implemented to protect their staff, which some have done, as is reflected in their figures.

Health Service

IN 2012/3 figures in the NHS increased by **1,744** over the year to **12,618** despite a fall the previous year. For the first time all area health and special health boards responded. Ten boards had decreased their figures and eight had increased, mostly by small numbers, with the exception of Scottish Borders who had increased by 847 to 1961, making it the second highest after NHS Greater Glasgow and Clyde, with Lothian third highest.

Most boards are now recording digitally, but this appears to mean that they are not able to break down into types of assaults, or groups of staff, as they had previously done. Again, amongst those who did categorise staff groups, the majority of assaults were on nursing staff, both in acute hospitals and in the community and mental health settings.

Among the Special Health Boards, NHS 24's figures showed a slight decrease in incidences of phone rage. UNISON and the Scottish Government carried out research into phone rage and produced a protocol which is now part of the work of the Scottish Centre for Healthy Working Lives. NHS 24 has introduced a series of rest rooms where staff can go to take time out following abusive or difficult calls. Scottish Ambulances's figures had increased slightly to 282. The State Hospital's figures had again decreased considerably to only 60 over the year.

Police Scotland

The figures for 2012/13 a decrease of over **3,074** to **6,187**. This was the first year that figures had been obtained from the newly formed Police Scotland. Most of these assaults were on police officers however, there were several assaults recorded on police staff, such as special constables, police custody support officers, community wardens and traffic wardens many of whom are categorised as police staff.

Universities and Colleges

As advised above, our request to authorities was made by email this year, but to date only Glasgow University had acknowledged and responded with a nil report.

Universities typically record very low numbers, but this situation is being investigated and will be followed up with formal complaints where necessary..

Due to the changing situation with college mergers during 2013, it was not possible to contact colleges this year. Again, colleges usually show very low numbers of assaults, but UNISON is concerned that this could be due to under-reporting and further work will be done on this sector, once the mergers are all in place.

4. CONCLUSIONS

The main conclusion to be drawn from this report are the continuing increases in the numbers of assaults on public sector staff in local government and the NHS, despite an overall fall in numbers, due to those given by the police service.

The reporting systems, particularly in local government have improved a lot, but still show no consistency. We need to urge all councils to put the guidelines produced in 2010 by the Scottish Centre for Health Working Lives into practice, in the hope that the level of assaults can fall across Scotland.

As we continue to stress, however, whatever the figures, and however they are collated, it is still clear that there is an unacceptably high level of violence being perpetrated against public facing staff in Scotland. UNISON Scotland believes that attacks on **any** staff delivering public services should be treated under the law as serious assaults.

Diane Anderson
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Further information

UNISON Scotland Health & Safety pages

<http://www.unison-scotland.org.uk/safety/abouts.html>

UNISON Health & Safety Site – Anti -Violence Campaign

http://www.unison.org.uk/safety/pages_view.asp?did=6077

It's not part of the job: UNISON's guide to tackling violence at Work.

<http://www.unison.org.uk/file/4096.pdf>

Contacts:

Dave Watson: d.watson@unison.co.uk

Diane Anderson: diane.anderson@unison.co.uk