

Staff Personal Safety Policy

(Personal Safety Register – PSR)

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If any updates are required, please submit to the Business Manager, Governance for inclusion and approval.

1. Purpose and Scope

Publica Group (Support) Ltd is a Wholly Owned Company which provides wide ranging services on behalf of its shareholders; Cotswold District Council, Forest of Dean District Council and West Oxfordshire District Council in office, customer facing and off-site environments. As a result, Officers, Councillors, and Contractors or partner staff meet and deal with members of the public in many different situations.

For the purposes of this policy, the term Council will be used and will cover Publica and its three Council shareholders: Cotswold District Council, Forest of Dean District Council and West Oxfordshire District Council.

The term "Council representatives" will be used to refer to Officers, District Councillors, Contractors, and partners completing work on behalf of the 'Council'.

The definition of a customer is, 'a person who contacts us for any reason, or is affected by anything we do'.

The Council is committed to providing the highest levels of customer service delivery and doing so in a way that gives all members of the public the right to be heard and respected.

Most contact with customers is a positive experience for everyone; however, there are occasions when a customer acts in a way that is not acceptable to the Council and its Council representatives. This policy sets out the Councils' definition of unacceptable behaviour and the Council approach to the minority of our customers whose behaviour has been assessed as being unacceptable.

This policy also sets out the definition for 'premise risk', as there are occasions when a residential or business premises has been identified as a potential risk to the safety of Council representatives that may visit.

The policy is intended to support and protect Council representatives when dealing with members of the public whose behaviour has been assessed as unacceptable or visiting high risk locations / premises. The policy sets out the various actions we may take in order to manage any instances of such behaviour and risk including maintaining a Personal Safety Register (PSR) of individuals whose behaviour has been assessed as unacceptable and premises that pose a risk.

Other supporting policies include:

- Customer complaints policy
- Equality Policy
- Lockdown procedures

2. Defining Unacceptable Behaviour

2.1 Abusive or offensive behaviour

Council representatives have the right not to suffer abusive, offensive, or threatening behaviour even when a customer is under stress.

Some example of unacceptable behaviour might include, but are not limited to:

- Abusive or offensive language; remarks of a sexual nature; racist language; homophobic or other discriminatory remarks
- Shouting
- Offensive gestures
- Verbal or physical threats
- Punching, kicking, head butting, spitting
- Bullying or intimidating behaviour
- Attempting to assault someone
- Using, brandishing or throwing weapons or objects aiming to inflict harm
- Stalking or other forms of harassment
- Publishing unacceptable information on social media, websites, newspapers, etc.

2.2 Unacceptable demands on services

Some customers may make unacceptable demands on services due to the amount of information they ask for, the nature and scale of service they expect and the number of approaches they make in relation to an issue(s). We recognise that in some cases this may be unintentional and what amounts to unacceptable demands will depend on the circumstances surrounding the particular issue(s) and the customer's behaviour.

Examples of unacceptable demands might include, but are not limited to:

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Sending the same or similar request to several members of staff
- Refusing to end a telephone call – and/or insisting on speaking to someone who is either not available or not the appropriate person (e.g. the Chief Executive)
- Requiring responses to correspondence where the content is malicious
- Sending the same or similar request on repeat occasions despite receiving a response

This and other types of contact can be viewed as unacceptable if it impacts significantly upon workloads and/or the capacity to deliver an effective service, for example, taking an excessive amount of employees' time to the disadvantage of other customers.

2.3 Unacceptable persistent contact

The Council recognises that some of our customers will not or cannot accept that the Council is unable to assist them further or provide a level of service other than that already provided. Customers may persist in disagreeing with the action or decision taken in relation to their concerns or they may contact the Council persistently about the same issue(s).

Examples of unacceptable persistent contact might include, but is not limited to:

- Persistent refusal to accept a decision that has been made in relation to their complaint
- Persistent refusal to accept explanations relating to what the Council can or cannot do

- Persistent refusal to follow the proper procedures explained to them in order to pursue their issue/concern
- Making an excessive number of telephone calls or visits to Council offices
- Sending an excessive number of emails, faxes or letters
- Continuing to contact the Council on the same issue(s) without presenting any new information
- Use of other names by the customer to try and access officers or District Councillors to raise the same issues

It is not necessarily the manner in which such customers communicate with the Council, but their persistence in doing so that goes beyond them being reasonably forceful or demanding. In certain instances, continuously contacting an individual member of staff or the Council with telephone calls, texts, emails etc. or other unacceptable persistent behaviour may be considered to be harassment.

2.4 Unacceptable behaviour whilst engaging in public expression of views or acts of civil disobedience on Council premises

Everyone has the right to access the services of the Council without disturbance. Our commitment is to deliver excellent service in a space that is welcoming and safe and we ask all our customers and visitors for their co-operation in maintaining this environment. The Council also recognises the importance of striking a balance between providing an opportunity for the lawful expression of views and opinions and unacceptable behaviour and actions that affect Council Representatives.

Some examples of unacceptable behaviour in these instances might include, but is not limited to:

- Using any foul, abusive, threatening, intimidating or discriminatory language or behaviour
- Harassing and/or bullying behaviour
- Disorderly conduct which can include, but is not limited to, causing a disturbance, shouting, causing a nuisance and/or otherwise hindering the day-to-day business of the Council, its Council representatives.
- Congregating in Council buildings and/or obstructing thoroughfares and emergency routes and access points and otherwise hindering the day-to-day business of the Council.
- Entering or attempting to enter restricted and/or non-public areas of the building
- Recording or photographing people without their permission
- Willful damage to any Council property, defacing or spoiling Council property and/or interfering with Council property
- Failing to follow instructions of Council employees or security staff when instructed to leave the premises.

The Council reserves the right to remove any person from its property and to take the necessary action to prevent any person/s from entering its buildings or property.

2.5 Premise Risk

Council representatives may be required to undertake visits to the home / community as part of their role, and these homes, premises or location could present a risk to Council representatives.

This could include the potential for a serious incident or the potential to place the individual at risk of harm, injury, disease, illness, loss, or damage.

Examples of potential property / premise risk could include, but is not limited to:

- A dangerous pet, such as a dangerous dog
- Violence or threats from other family members or other adults within the home
- Violence or threats from other residents / neighbours
- Sexual offenders
- Exposure to hazardous substances or severe domestic squalor in the home
- Structurally unsafe property
- Guns and weapons
- Issues relating to mental health or substance abuse
- Environmental hazards such as dark alleyways, tower blocks

3. Equality of access

Council representatives meet a diverse population, including vulnerable individuals.

Any restrictions imposed must take into account the customer's individual circumstances and ensure that customers are not prevented from accessing essential services. The policy and procedure are not a "one size fits all" approach.

Some customers, particularly those with mental health issues, medication that makes them forgetful, or dementia, may become fixated on a particular issue or not remember that they have already contacted the Council.

While the Council needs to avoid "diagnosing" customers, a sensitive approach is needed to ensure that the Council is acting appropriately in the way it is dealing with the customer, and not making its services inaccessible.

Please refer to the Council's Equality, Diversity & Inclusion Policy for further information.

4. Personal Safety Register (PSR)

The Council maintains a Personal Safety Register (PSR). This is a list of customers and / or addresses / properties that are considered to present some kind of risk to Council representatives.

4.1 Customers of Risk

The PSR is maintained to inform, support, and protect all Council representatives when interacting or preparing to interact with customers who may pose a risk.

Customers are informed of their inclusion on the PSR. They have a right of appeal against the decision to include them on the list.

Please see template letters for notifying customers of their inclusion on the PSR.

Each Business / Service Manager is responsible for monitoring the updating or removal of customers that their team has added to the PSR and for notifying customers accordingly.

To ensure the PSR register is kept up to date, and customers are not retained on the list for longer than stated, the PSR register will be reviewed at 6-monthly intervals by the Governance Group. This group will monitor any entries that remain on the list beyond their stated time.

The Governance Group includes the Monitoring Officer from each District Council, Business Manager Governance, Legal Services, Audit and Counter Fraud and Enforcement Unit (CFEU) who meet on a quarterly basis. Customers are informed of any extension to their entry or removal from the list.

4.2 Properties of Risk

The list of properties that are considered to present some kind of risk to Council representatives are recorded in the PSR. The PSR will state whether it is a customer or property risk or both.

Property information is provided by Council representatives and relevant third parties.

The properties of risk list will detail the reasons for the risk and appropriate personal data will be recorded. It will also provide, where appropriate any additional information, such as advice to attend the property in pairs. It is not mandatory to notify the owners of the property that they have been included on the PSR.

The properties of risk data will be added and removed in accordance with requirements and whether or not it is appropriate to do so. There may be some properties that are not removed from the register, whilst the occupier retains residency.

4.3 PSR access and markers

The Council keeps a single version of the PSR. This has 4 tabs which include:

- Customers
- Properties
- Request for a change to information including removal from the PSR
- Incident reporting for those already on the PSR

The PSR **must not** be reproduced, saved or separate lists or records kept by any individual or team.

Updates are made via forms which are accessible via the Council internal portals.

Viewable access to the PSR is restricted to those who require it for business need and requests for access will be made via a Business or Service Manager. Access should only be required for Council representatives who have regular contact with service users. Please see section 4.4 Council representatives without PSR access for those who do not have regular contact with service users.

Teams may add a marker on their own ICT systems to the customer record for an individual or property that is on the PSR. This marker is an indicator that the PSR needs to be referenced; personal information from the PSR must not be copied. This **MUST** be a marker that can be toggled on and off or removed with no record of it having been added.

When a customer and / or property is added, amended or removed from the PSR, council representatives who have access to the PSR will receive a notification that a change has been made to the PSR and will be requested to check the PSR and update any markers that they have on service area systems. It is the responsibility of individual teams to make their staff aware if they do not have access to the PSR.

Notes about a customer's PSR status must not be added to customer records unless they can be deleted at the time the customer is removed from PSR.

4.4 Council representatives without PSR access

The PSR list is restricted to those who need access on a regular basis, however, some Council representatives may need to access information from time to time if for example they are due to visit a property or have organised to meet a customer. In this instance, they should contact their Business Manager or Service Manager to ask them to check that the property and / or individual they are meeting prior to visiting is not on the list. This may include:

- Councillors
- Partner organisations such as Cheltenham Borough Homes, and Ubico;
- contractors working on the Council's behalf
- Employee representatives who do not regularly meet with customers

4.5 Checking PSR

Before visiting or meeting any customer, Council representatives should check the PSR. If they do not have access, they can ask their Business Manager or Service Manager to check the PSR for them to ensure that the customer and / or property they are visiting does not pose a risk to them. This ensures both the safety of the Council representative and the customer.

The Council representative must ensure they adhere to the guidance set out in the PSR.

4.6 Engaging contacts with individuals on the PSR

Follow the advice on the PSR when handling contact with individuals on the PSR.

If there are restrictions and the customer has visited the office or phoned when banned, use the guidance in the **PSR Protocol: Managing customers who are on the PSR (Appendix 1)**.

The protocol also gives guidance when customers are restricted to contacting a specific Council representative but contact a different representative.

When submitting reports or requests for service for customers on the PSR to partners and contractors, include a brief note of any restrictions and cautions in place.

5. PSR Procedure

5.1 *Adding a customer to the PSR Register*

The policy and procedure are designed to support and protect Council representatives and not intended to replace emergency procedures.

In cases of threat or injury, contact the emergency services immediately.

When an incident occurs, the affected Council representative should notify their Business Manager or Service Manager and complete a written statement as soon as possible after the incident. This should include supporting evidence where available, such as witness statements, copies of correspondence or CCTV footage.

The Business Manager and / or Service Manager should review the incident and agree on the course of action to be taken (please see sanctions below). It is important that this is completed in a timely manner, as if the Council needs to contact the customer regarding their behaviour this should be done as soon as possible after the incident has occurred. If it is a complex case, support on the decision can be given from the Business Manager for Governance or HR.

If it is agreed that the customer should be added to the PSR. The customer should be notified (please see template letters). The Business Manager for the service area should write to the customer advising them of the decision to include them on the PSR and the sanction. The 'Registering Unreasonable Behaviour' online form must then be completed ([insert link](#)) which includes the requirement to upload evidence and a copy of the letter sent to the customer.

In addition, a Health & Safety incident form should be completed for any near miss, abusive or threatening language, accident, violent incident, dangerous occurrence or other incidents in respect of Council representatives ([insert link](#)).

5.1.1 Warning

In many cases the first action will be informal - letting the customer know that their language or behaviour is inappropriate and asking them to modify it. If this is successful, the action is noted on the customer record in the relevant service area. An example may be, if a customer has called the customer services team and has been verbally aggressive, the customer services officer should inform the customer that their behaviour is not appropriate.

If the informal approach does not work and the Council representative should notify their Service Manager and or Business Manager, provide a statement, and if appropriate, the service manager should issue a first written warning to the customer, without imposing restrictions (please see first written warning template letter).

A copy of the first written warning should be kept locally with the issuing team and disposed of after 6-months of issuing to the customer. In this case, the PSR form / register does not need to be completed as the customer is not being added to the register.

In the case of violence or serious threats, the warning stage will be bypassed.

5.1.2 Applying Customer Restrictions

Before imposing any restrictions, it is important to consider all the circumstances including whether the customer has a current formal complaint with the Council or has completed the complaints process. Please contact the complaints team if you need to check.

If the customer is unreasonably persistent with one service area but acts reasonably with another service area, this may either indicate that there is a genuine issue with the service provided or that any restrictions should only apply to contact with that service area.

The Council writes to the customer clearly explaining:

- the incident(s) leading to the restrictions;
- what restrictions are in place;
- the reasons why the decision has been made;
- what actions the Council will take if the customer does not abide by the restrictions;
- the right of appeal and the appeal procedure;
- when the decision will be reviewed.

The types of restrictions which could be applied include:

- Adding or amending the PSR appropriately.
- Limiting access to days and times.
- Requiring the complainant to communicate only with one named member of staff or email address.
- Ensuring that officers only visit the customer's home in pairs.
- Requiring the complainant to communicate by email only
- Agreeing with the customer the expected future behaviour on Council premises.
- Banning the customer from visiting any Council offices and Customer Service points
- Blocking a customer's social media account so that they are unable to tag or comment on Council posts.

In all cases, you must consider equality of access. As such, any restrictions imposed must take into account the customer's individual circumstances and ensure that customers are not prevented from accessing essential services as a result of being on the PSR. The policy and procedure are not a "one size fits all" approach.

Once the sanction has been agreed, the Business / Service Manager must write to the customer and complete the online form to register the customer onto the PSR. A copy of any statements and letters sent to the customer should be uploaded to the PSR. Add link to the form.

Please see template letters and link to PSR online form.

5.1.3 Property Restrictions

Restrictions on properties can be added to the PSR without notifying the resident. This is because we are not restricting their access to services, we are instead highlighting risks to the property, guidance for attendance or flagging when Council representatives should not visit homes, or if they do, with precautions e.g., no lone person visits.

Restrictions on properties do not require defined timescales as they can be left on indefinitely if the risk continues to exist e.g., relating to the resident, family, dangerous pet etc.

To add a property to the PSR, complete the PSR [online form](#).

5.1.4 Restriction periods

Incident	Expiry
Warning letter	6 months
Unreasonably persistent contact (not abusive or threatening)	1 year
Ongoing personal circumstances posing a potential risk to Council representatives	1 year
Verbal <u>abuse</u> where a person reasonably fears for their own or another's safety	1 year
Verbal <u>threat</u> where a person reasonably fears for their own or another's safety	1 year
Physical <u>violence</u> where there is no injury but a person reasonably fears for their own or another's safety (for example, damage to property)	2 years
Physical <u>assault</u>	4 years
Premises Risk	As appropriate

Restrictions for serious incidents have a longer expiry as the potential risk to Council representatives is higher.

PSR entries should be reviewed and updated by the Business Manager / Service Manager who added the entry onto the PSR. For example, if a Business Manager added a customer onto the PSR for 6-months, it is their responsibility to review the entry after 6-months and either extend or remove.

To ensure compliance to this policy, the PSR will be reviewed at 6-monthly intervals by the Governance Team to ensure no customers remain on the PSR beyond the timescales for which they have been added. If customers are found to remain on the PSR beyond the allocated timescales, the relevant Business / Service Manager will be notified and asked to review and update accordingly.

5.1.5 Appeal

Customers have the right to appeal the decision to add them to the PSR, including an external review by the Ombudsman.

The PSR entry and restrictions remain in place until the outcome of the appeal is decided. The appeal will be completed by the Business Manager for Governance or HR, or this can be completed by an Assistant Director / Director.

A note is added to the PSR entry to denote that the appeal is in progress.

Please use the appeal response template letters (upheld or overturned).

5.1.6 Reporting new incidents for customers already on the PSR

To capture repeat offences for customers who are already on the PSR, a new incident form is available to enable council representative to record repeat offences. If the “incident” is unreasonably persistent contact, then a single report can be completed covering multiple individual contacts.

Without evidence of further incidents, the customer will be removed from the PSR at their review date.

Please see link to the [reporting an incident for customers already on the PSR](#).

5.1.7 Updating details on the PSR

When a service team becomes aware that the details of a customer or property on the PSR have changed they must complete the [request a change to the PSR](#) form. This can be used to request changes to personal details, changes to the timescales that a customer or property is included on the PSR for, updating advice, or requesting removal (see 5.2). The Business Manager, Governance will review the request and will liaise with the completing manager before making the necessary changes.

Council representatives who have access to the PSR will be notified of any changes.

5.2 *Review and removal from the PSR*

Each entry on PSR has a review date. If there have been no new incidents reported, the Business / Service Manager who registered the customer on the PSR can request that the customer (or property) is removed from the PSR by completing the [request a change to the PSR](#).

When a customer is removed from the PSR, details of previous reports and PSR status will be retained by the Business Manager, Governance for a period of 6 months to provide background in case of a repeat incident (this will be kept on a separate tab on the PSR). Following the 6-month period the information will be deleted.

The Business / Service Manager must write to the customer to advise them that they have been removed from the PSR. If a decision has been made to extend, the Business / Service Manager must write to the customer to advise them of this extension. Please see template letters.

Compliance with this will be monitored on a 6-monthly basis by the Governance Group.

Where customers are listed on the PSR because of ongoing vulnerabilities or special circumstances rather than particular incidents, the Business / Service Manager that originally raised the report should provide a justification for retaining the customer’s PSR entry and consider whether the current restrictions are the most appropriate.

The Ombudsman expects that all decisions to retain a customer’s details and restrictions on a Personal Safety Register should be reviewed at least every 6 months.

Any positive or neutral contact with the customer should be considered when reviewing their entry, to support removal.

6. Data Protection Considerations

The Council will comply with the Data Protection Legislation at all times when administering the PSR. The quantity of personal data added to the PSR will be limited to what the Council considers necessary to meet the stated purposes of the PSR.

The Council limits representatives that have access to the PSR, giving access only those who need the information to safely carry out their job.

7. Policy Review

The policy and appendices will be reviewed annually; managed by the Business Manager, Governance.

8. Supporting information

- PSR protocol
- Template letters
- Registering unreasonable customer behaviour form
- Registering high-risk properties form
- Reporting an incident for the PSR
- Request a change to the PSR