



Occupational violence

In order to understand the workplace health and safety requirements for occupational violence and your obligations under the law you must consider and understand relevant legislation and codes of practice.

What law applies

Legal obligations, workplace regulation

What is occupational violence?

Definition of threats and physical attacks

Sources of occupational violence

Most likely perpetrators, settings where violence can occur

Effects of occupational violence

Impact on workers and community, reaction to violence

Prevention and Control measures

Violence prevention plan, written records, several control measures

If violence occurs

Defence, first aid, work environment, debriefing, rehabilitation, support

What law applies

In order to understand the workplace health and safety requirements for occupational violence and your obligations under the law you must consider and understand relevant legislation and codes of practice.

General health and safety obligations

To understand your obligations and safety requirements you must be familiar with the:

Workplace Health and Safety Act 1995 which imposes obligations on people at workplaces to ensure workplace health and safety. The *Workplace Health and Safety Act 1995* also helps you to meet your workplace health and safety obligations through:

- The *Workplace Health and Safety Regulation 2008* which describes what must be done to prevent or control certain hazards which cause injury, illness or death
- codes of practice, which are designed to give practical advice about ways to manage exposure to common risks. In particular, the *Risk Management Code of Practice 2007* should be read in conjunction with information on PPE.

Every Queensland employer must have **workers' compensation** insurance. Most employers insure with WorkCover Queensland, while a small number of large organisations have their own insurance. This insurance coverage ensures that employees injured at work receive financial support.

What you must do

It is a requirement of the *Workplace Health and Safety Act 1995* that risks must be assessed and control measures then implemented and reviewed to prevent or minimise exposure to the risks.

If the *Workplace Health and Safety Regulation 2008* describes how to prevent or minimise a risk at your workplace you **must** do what the regulation says. If there is a code of practice that describes how to prevent or minimise a risk at your workplace you **must** do what the code says or adopt and follow another way that gives the same level of protection against the risk.

If there is no regulation or code of practice about a risk at your workplace you **must** choose an appropriate way to manage exposure to the risk. People must, where there is no regulation or code of practice about a risk, take reasonable precautions and exercise proper diligence against the risk.

See the *Risk Management Code of Practice 2007* for further information.

What is occupational violence?

Occupational Violence is defined as any incident where a worker is physically attacked or threatened in the workplace or during workplace activities.

Within this definition:

Threat means a statement (verbal) or behaviour that causes a reasonable person to believe they are in danger of being physically attacked.

Physical attack means the direct or indirect application of force by a person to the body of, or to clothing or equipment worn by, another person where that application creates a risk to health and safety.

The number of physical attacks at the workplace is lower than the incidences of threats.

Occupational violence should not be considered as simply 'part of the job'. Occupational violence is not acceptable, no matter how frequently or infrequently it occurs.

The term occupational violence applies to all forms of physical attacks on workers, including but not limited to:

- striking, kicking, scratching, biting, spitting or any other type of direct physical contact
- throwing objects
- attacking with knives, guns, clubs or any other type of weapon
- pushing, shoving, tripping, grabbing.

Occupational violence is defined without consideration of the attacker's intent. The definition, therefore, covers situations where a worker is attacked by a person who may not be able to form intent, but who is capable of violence. For example, a nurse physically attacked by a patient with an acquired brain injury – it is unclear whether the patient made a conscious decision to physically attack the nurse.

Sources of occupational violence

Occupational violence can be perpetrated by:

- a co-worker (including a supervisor, manager or employer)
- a customer or client (including for example patients, prisoners, students)
- a person known to the organisation or worker (eg. parent of a student, worker's partner)
- a stranger (intruder).

Occupational violence can occur in a number of settings, including the usual workplace and off-site situations, such as training courses or in a client's home.

There is a potential for occupational violence when:

- working with objects of value
- working with patients or clients who are in distress
- investigating and enforcing specific legal requirements
- working with patients or clients who are likely to be intoxicated
- working with people who are disturbed or violent
- working where drugs are kept and handled
- dealing with frustrated customers
- denying someone a service
- working alone or in isolation
- working at night
- handling cash
- working in environments where political/cultural/religious/racial intolerance is present
- walking to cars or public transport alone at night.

The above list is not exhaustive. There may be other situations that expose workers to occupational violence, particularly where there is face to face interaction with the public.

Effects of occupational violence

Violence can have a dramatic impact on the health, safety and welfare of workers and cause significant economic and social costs to the victim, their family, the organisation in which they work, and the wider community.

Violence can cause both physical and psychological injury and illness. Victims respond differently to violence, both in terms of the emotions they experience and the time taken to recover from a violent incident. Injury and illness may also occur to a person who observes a violent incident but is not the *direct* victim.

A person's reaction to a violent incident can depend on a number of factors that include, but are not limited to:

- the nature of the violence they have experienced
- their previous experiences and coping skills
- the assistance they receive and the way they are treated by others including co-workers
- the opportunity to openly discuss their feelings with their colleagues.

Workers in areas where the risk of violence is high may benefit from additional information and training that gives them an appreciation of the ways in which people may react to violent incidents. Such training enables workers to recognise their reactions to violence.

Prevention and control measures

Preventing occupational violence

A risk management approach can be used for the prevention of reasonably foreseeable occupational violence.

One of the ways employers can manage the risk is to develop a violence prevention plan in consultation with workers. The plan should be an integral part of the overall approach to safety in the workplace and include a risk management process.

It is recommended that a record of the risk management process is kept. A written record assists when undertaking subsequent risk assessments.

Control measures for occupational violence

There often will be several control measures to address particular forms of violence. Some may be easier to establish than others, some may be used in combination and some may be more effective than others. The introduction of new ways of managing violent and threatening behaviour will be easier and more effective if workers are actively involved in choosing and carrying out changes.

Violent incidents can, in some instances, be prevented by eliminating direct contact between workers and aggressors. Where this cannot be achieved the next option is to consider alternatives to the design of work systems and the work environment. Below are examples of alternatives to reduce the risk of injury.

Type of control	Example
Change the workplace or equipment Use of design or engineering measures to change the physical characteristics of the workplace, including structures and equipment, to reduce the risk.	<ul style="list-style-type: none">• Widen service desks so that physical contact is made difficult• Install barriers (eg. security doors, unbreakable screens)• Secure worker areas• Provide secure retreat space for workers• Enhance visibility• Install security devices (eg. deadlocks, security passes).
Change the system of work	<ul style="list-style-type: none">• Increase the efficiency of services provided at peak times to reduce client frustration• Change interaction from face to face to

<p>Change the systems of work or work practices to help reduce risks.</p>	<p>telephone</p> <ul style="list-style-type: none"> • Limit the quantity of valuables (eg. cash, drugs) stored at the workplace • Arrange meetings with difficult clients at times when most workers are available • Implement a client log-in system • “Flag” aggressive clients/customers • Train workers in aggression management • Use of personal duress alarms • Use of mobile phones • Implementation of a system of communication and support for home visits.
<p>Personal protection measures</p>	<ul style="list-style-type: none"> • Personal protective equipment.

If violence occurs

Rights of defence

Workers subjected to unacceptable behaviour have the right to withdraw to safety. Workers do not have the right to retaliate physically or verbally. However, if a person is physically assaulted and there is no way out, they can use reasonable force to defend themselves or another person from assault and injury. The force used should only be enough to ward off an attack.

Unreasonable force may result in the aggressor successfully bringing legal action against the worker. If an assault does occur, filing an incident report for both appropriate administration and the police is vital for future prevention.

First aid or medical assistance

First aid should be provided to any person requiring it following a violent incident in the workplace. First aid providers should not place themselves at risk of violence at any time.

Removal of staff from their work environment

Staff directly affected by a violent attack should be offered the option of removing themselves from their work environment, with time and resources to allow settling of remaining anger or tension. This will limit the further spread of anger, tension or fear to other staff and facilitate return to business as usual. This time can also be used to better assess the requirement for further treatment, counselling, mediation or action by management to reduce episodes of further violence.

Immediate support

Other staff should listen to and assist the victim of violence, providing support and empathy. The victim may also benefit from a colleague to accompany them home and to stay until other support is available.

The management plan should also include:

- procedures for the victim and others following occupational violence
- Victim support and rehabilitation services for employees to help them manage the impact of crisis situations and develop skills for handling violent incidents in the future.

Debriefing

Workers directly and indirectly involved in the incident may benefit from psychological debriefing. The debriefing process may help those involved to assimilate and cope with the event.

Rehabilitation

Workplace Rehabilitation may be required for physical or psychological illness or injury following an incident of occupational violence. The appropriate Rehabilitation Coordinator must be consulted immediately if an injury has possibly been sustained. The Rehabilitation Coordinator will assist with the rehabilitation process and with lodgement of a WorkCover compensation claim as needed.

Follow-up support

Management may also assist with time off, compensation claims and legal assistance to help minimise after-effects. Additional counselling may be required should a court appearance be necessary.