Safety Aspects of Lone Working

Neil Jobes – CMS Training Ltd

Safety Aspects of Lone Working

- Key definitions
  - Lone Working
  - Work Related Violence
  - Anti-social Behaviour
- Legislation & National/ European Standards
- Assessing & Controlling the risks
- Technology Solutions
- The role of training
- Some legal case law

Key Definitions

What is a Lone Worker?

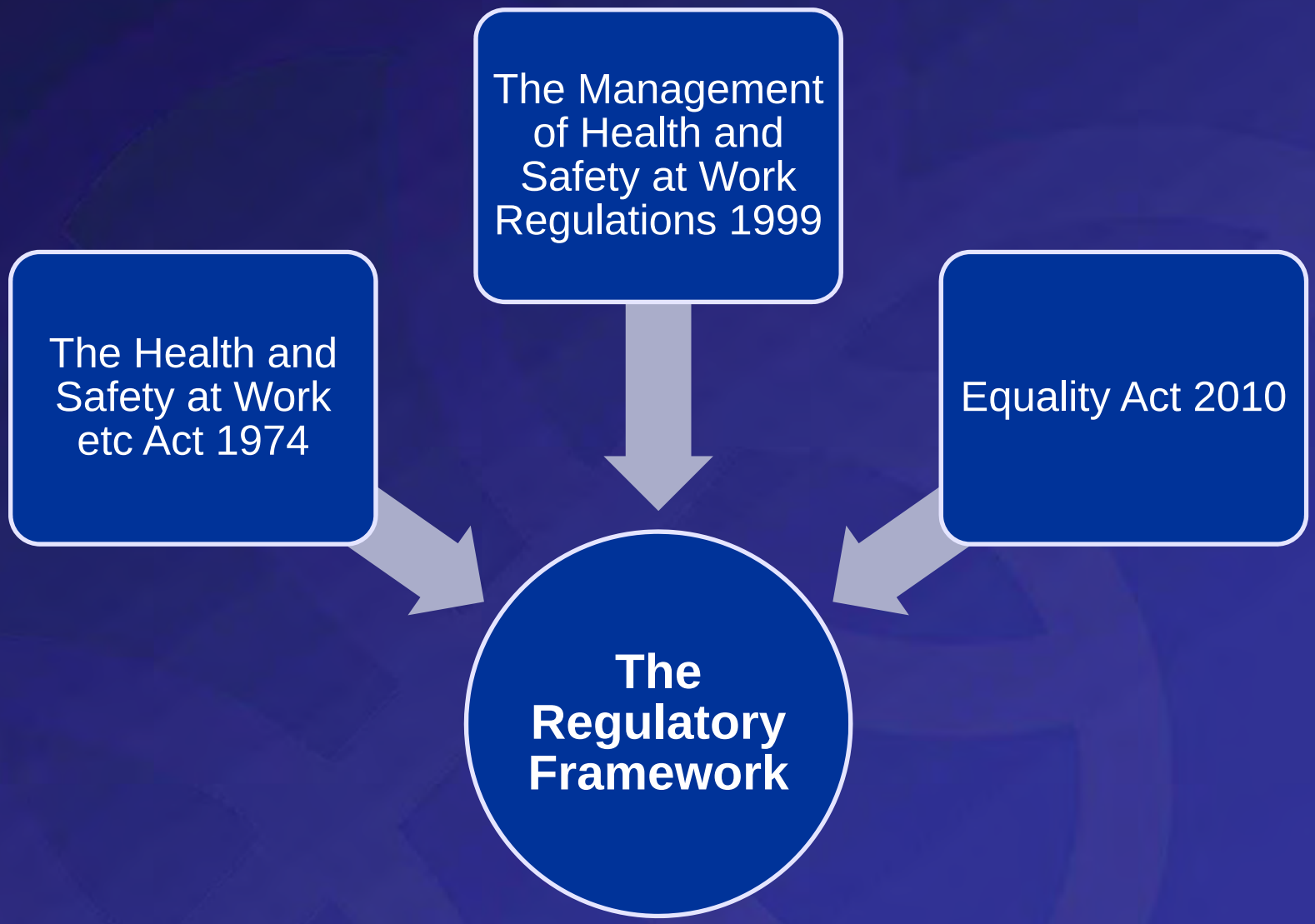
"...those who work by themselves without close or direct supervision" (HSE)

What is Work Related Violence?

"... Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work" (HSE)

What is Anti-Social behaviour?

"... any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life" (Home Office)


The Management of Health and Safety at Work Regulations 1999
The Health and Safety at Work etc Act 1974
Equality Act 2010
The Regulatory Framework

National & European Standards

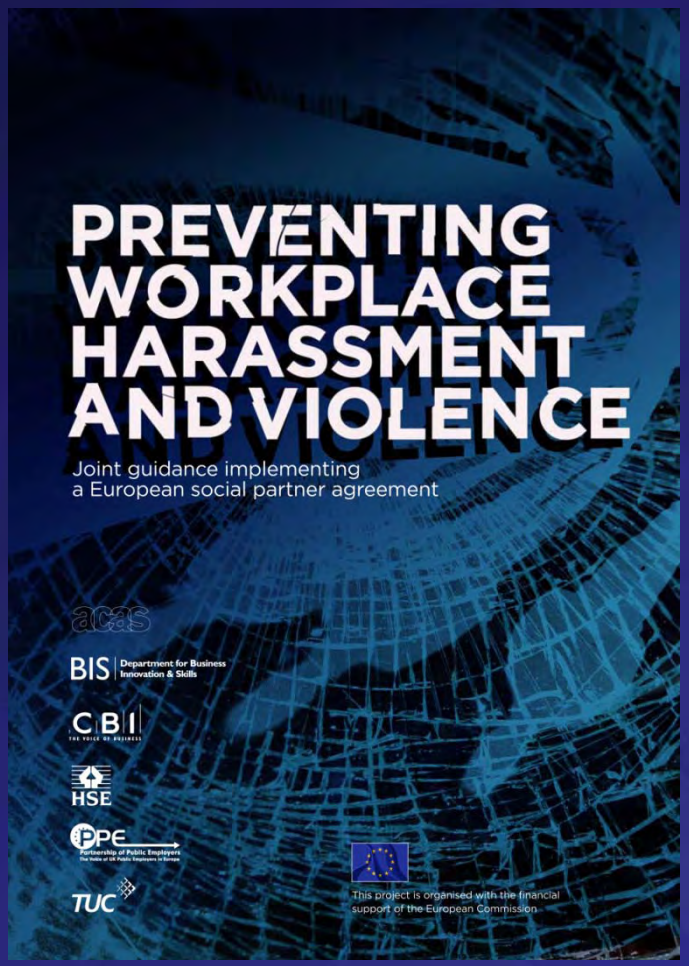
HSE Guidance on the risks of working alone (INDG73)

2010 European social partner agreement on Preventing Workplace Harassment & Violence

British Standard (BS) 8484:2009

- *Code of practice for lone worker device services*

National Occupational Standards for Prevention and Management of Work-Related Violence (WRV 1–14)



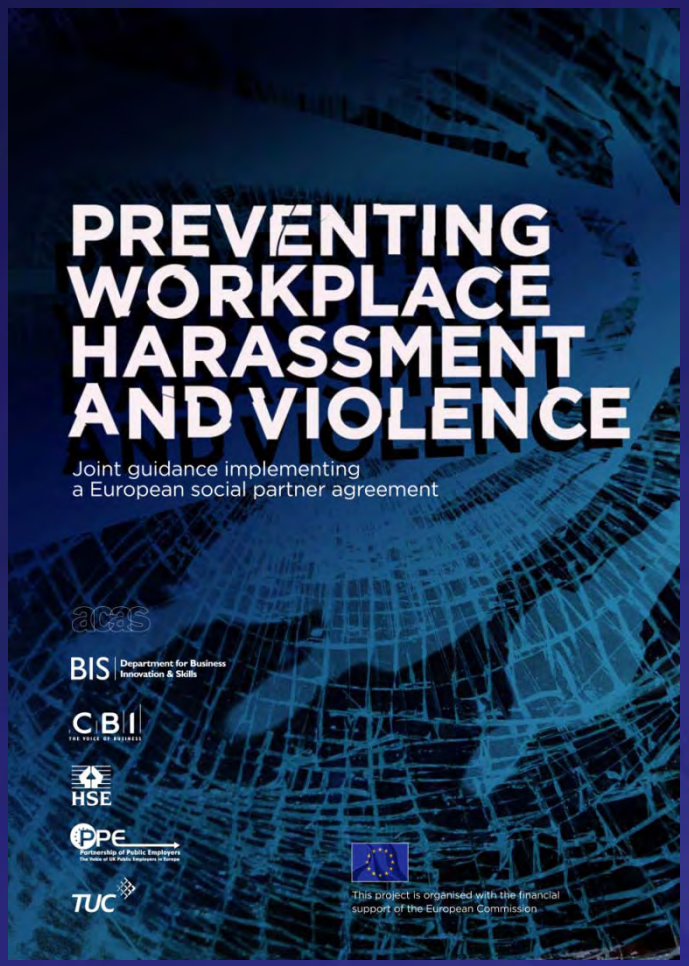
Definition of harassment and violence

Defines harassment and violence as unacceptable behaviour by one or more individuals that can take many different forms, some of which may be more easily identifiable than others.

Harassment occurs when someone is repeatedly and deliberately abused, threatened and/or humiliated in circumstances relating to work.

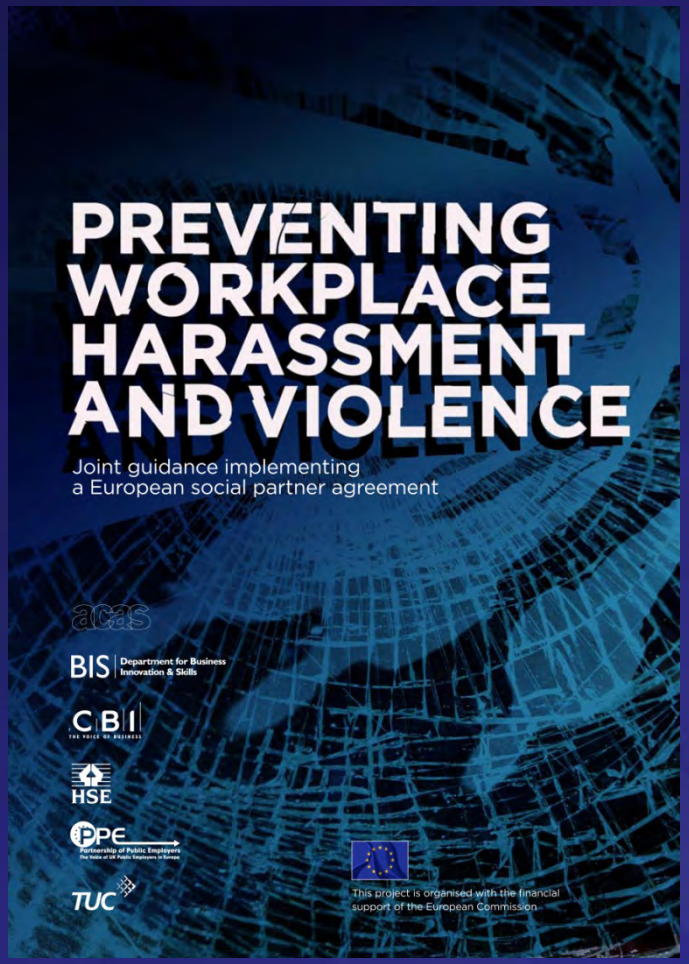
Violence occurs when one or more worker or manager is assaulted in circumstances relating to work.

Both may be carried out by one or more manager, worker, service user or member of the public with the purpose or effect of violating a manager's or worker's dignity, affecting his/her health and/or creating a hostile work environment.



Recognises that harassment and violence can:

- Be physical, psychological, and/or sexual;
- Be one off incidents or more systematic patterns of behaviour;
- Be amongst colleagues, between superiors and subordinates or by third parties such as clients, customers, patients, pupils, etc;
- Range from minor cases of disrespect to more serious acts, including criminal offences, which require the intervention of public authorities.



Preventing, identifying and managing harassment and violence

- Employers are responsible for identifying and managing the risk of harassment and violence at work.
- They should provide clear policies in relation to harassment and violence
- To stress the seriousness of the issue, this information should also include recourse to the law where necessary.
- Many organisations already have policies and procedures in place for dealing with harassment and violence.
- These existing procedures may be sufficient, or may only need to be adapted in the light of this agreement.
- The measures introduced by employers should be established in consultation with their workforce

The Equality Act 2010

Section 40, E.A. 2010

- Introduces New Harassment Measures

→

If Worker is Harassed

- by third party (customer)
- on three occasions

→

Employer Liable

- If failed to take reasonably practicable steps to prevent it

Employer must know that harassment had occurred on two previous occasions

The Equality Act 2010

Harassment

- unwanted conduct related to a relevant protected characteristic, and the conduct has the purpose or effect of:
  - violating B's dignity, or
  - creating an intimidating, hostile, degrading, humiliating or
  - offensive environment for B.

Employer must know that harassment had occurred on two previous occasions

The Equality Act 2010

Protected Characteristics

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

Section 41 includes a harassment offences related to <u>contract</u> workers

Assessing Lone Working Risks

- Slips , Trips & Falls.
- Animal Bites, Insect Stings & Infestations.
- Manual Handling Incidents.
- RTA's.
- Needle Stick Injuries.
- Contamination & Infestation from e.g. Rubbish Collection.
- Anxiety/Stress, Boredom.
- Machinery Injuries.
- Chemical Injuries.
- Cuts & Lacerations.
- Accusations from Members of the Public (inc. of a sexual nature).
- Sunburn, Dehydration & General Exposure to the Elements
- Violence from Members of the Public.

Aggression & Violence Risks

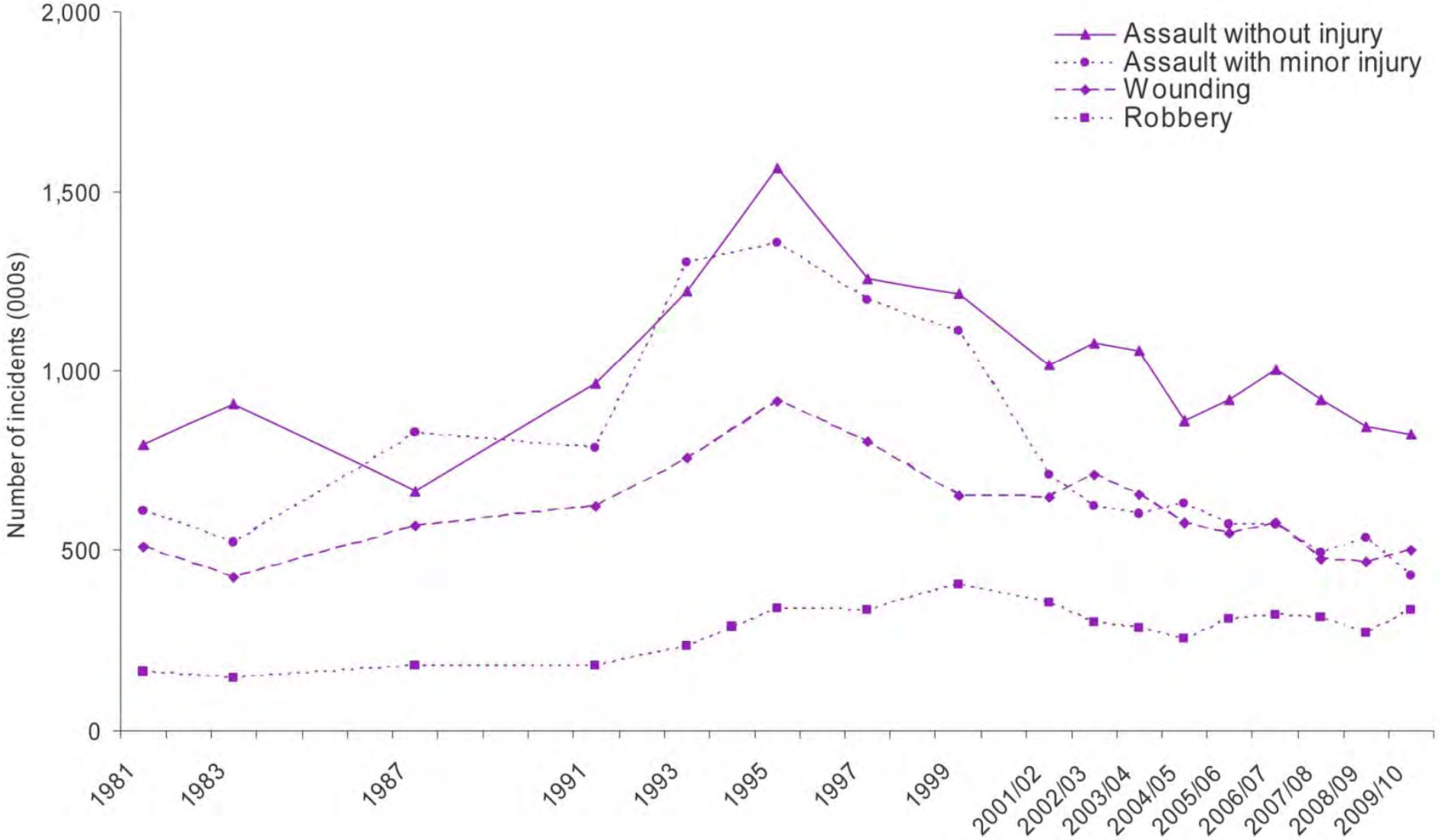
- Impoliteness
- Rudeness
- Harassment
- Abuse
- Threats
- Common assault
- Actual Bodily Harm
- Weapons Offences
- Robbery
- Grievous Bodily Harm
- Manslaughter/ Murder

What are the risks?

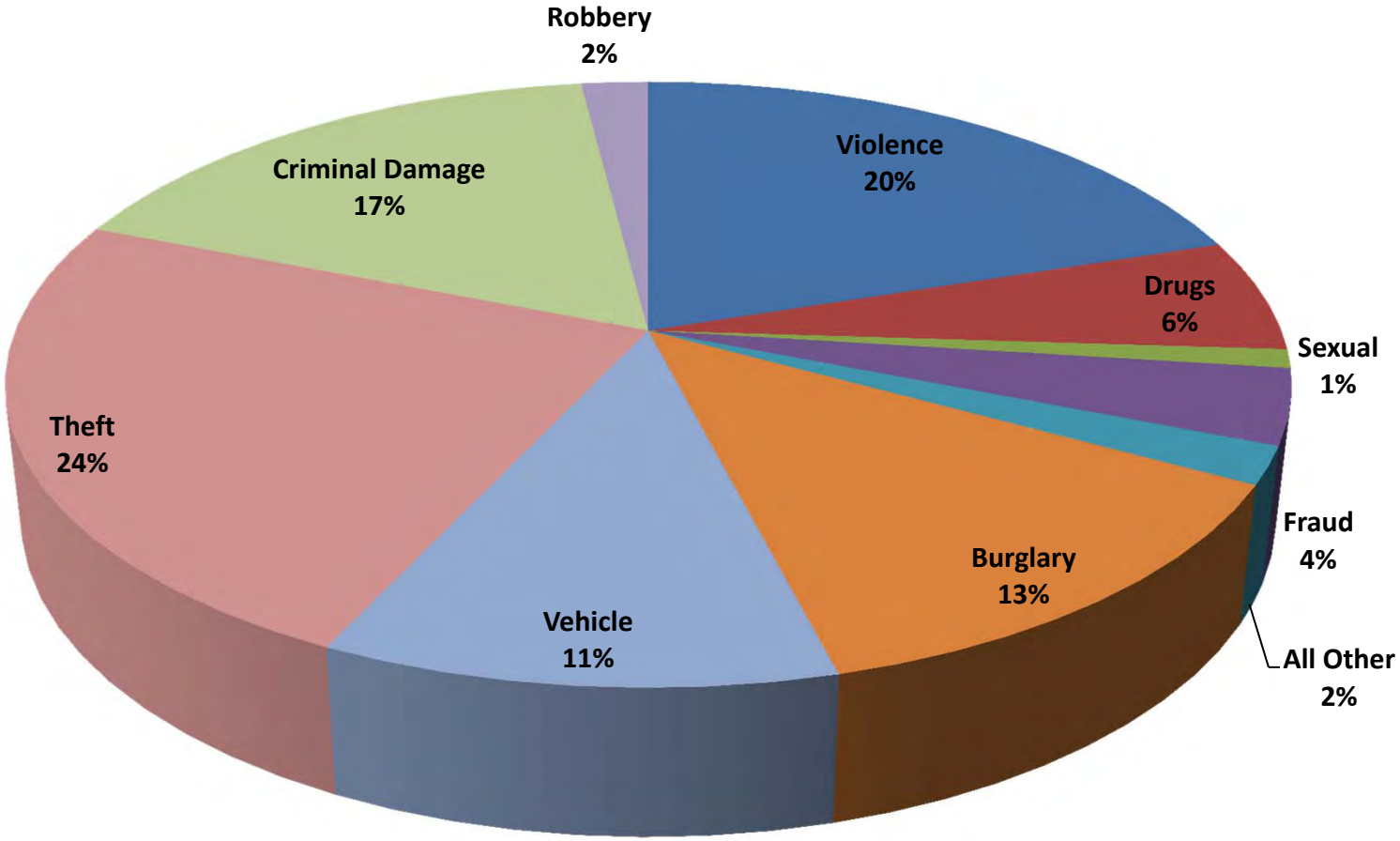
Reliable data on violent crime

National & Local Perception
Occupational Risk
National Crime Stats
Crime
Organisational records
Local Crime Stats

Figure 3.2 Trends in violence by offence type, 1981 to 2009/10 BCS



Recorded Crime England & Wales 2011



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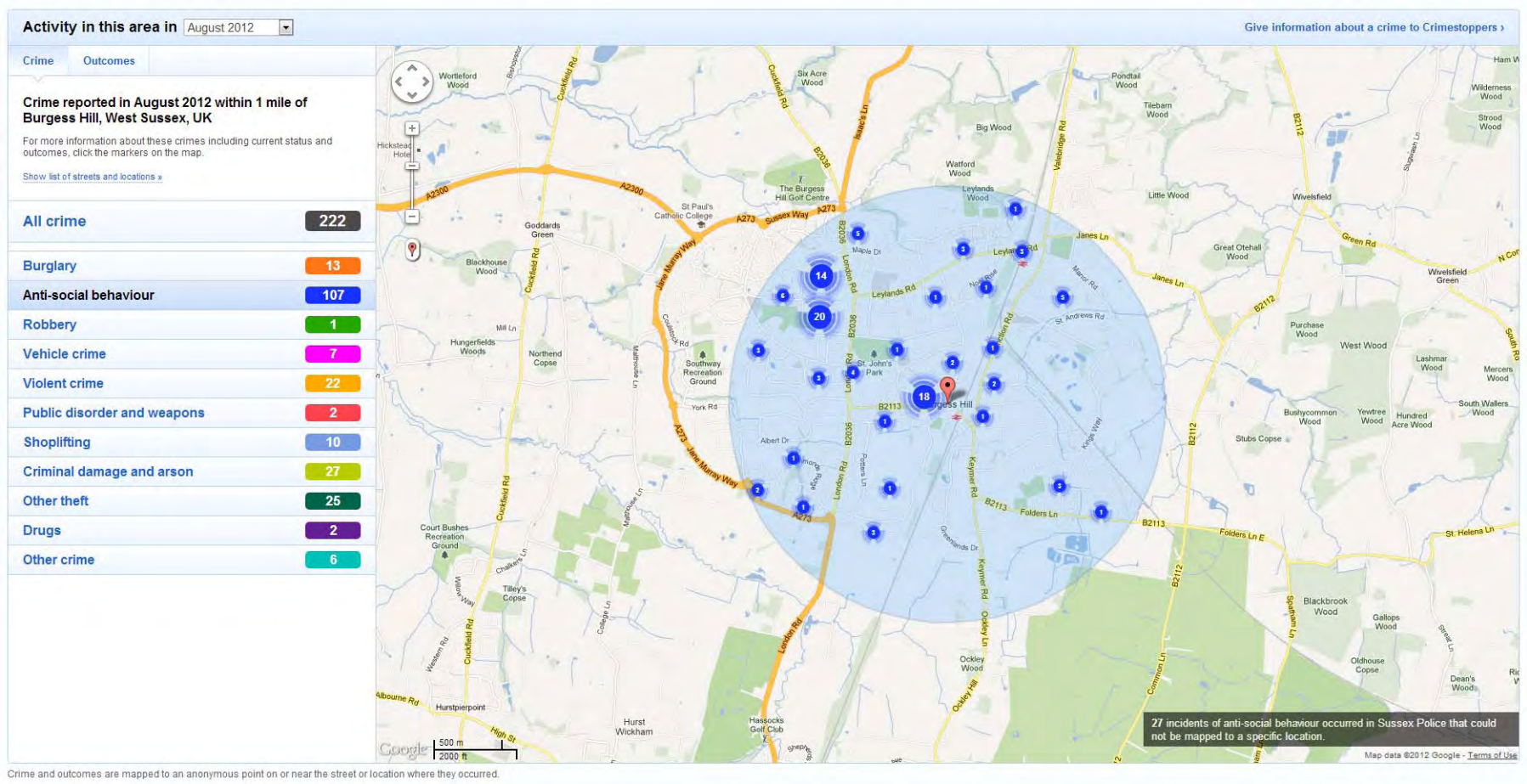

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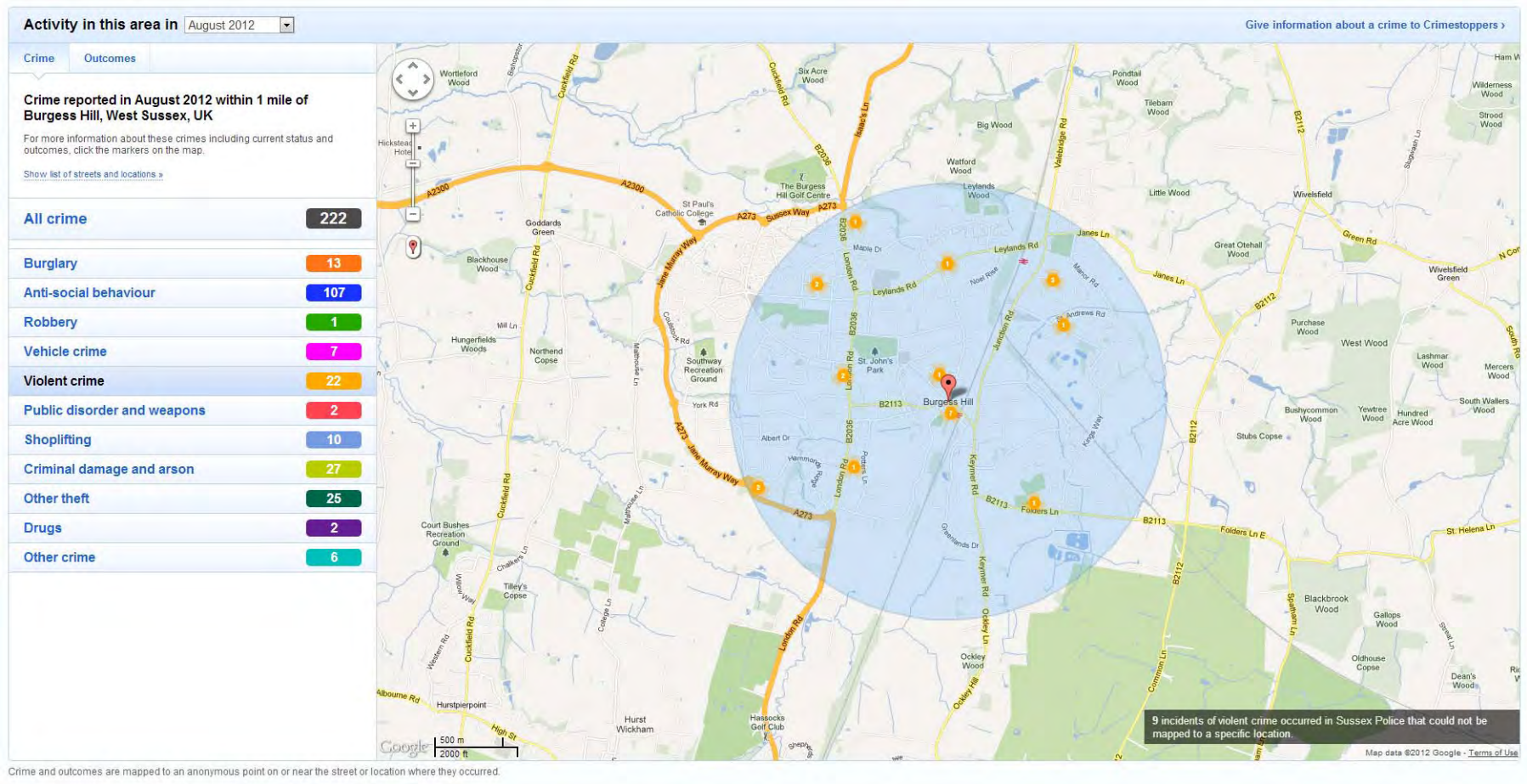

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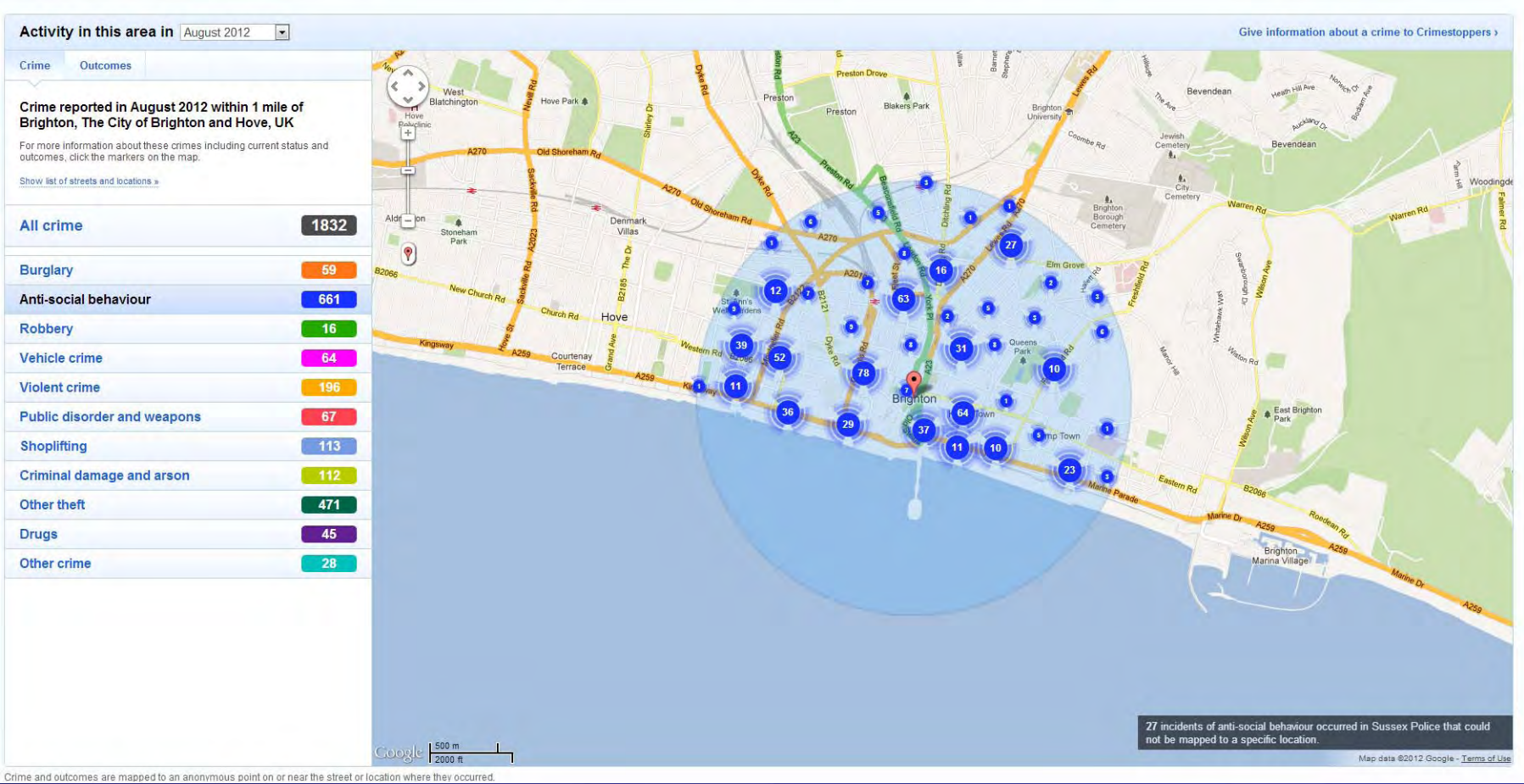

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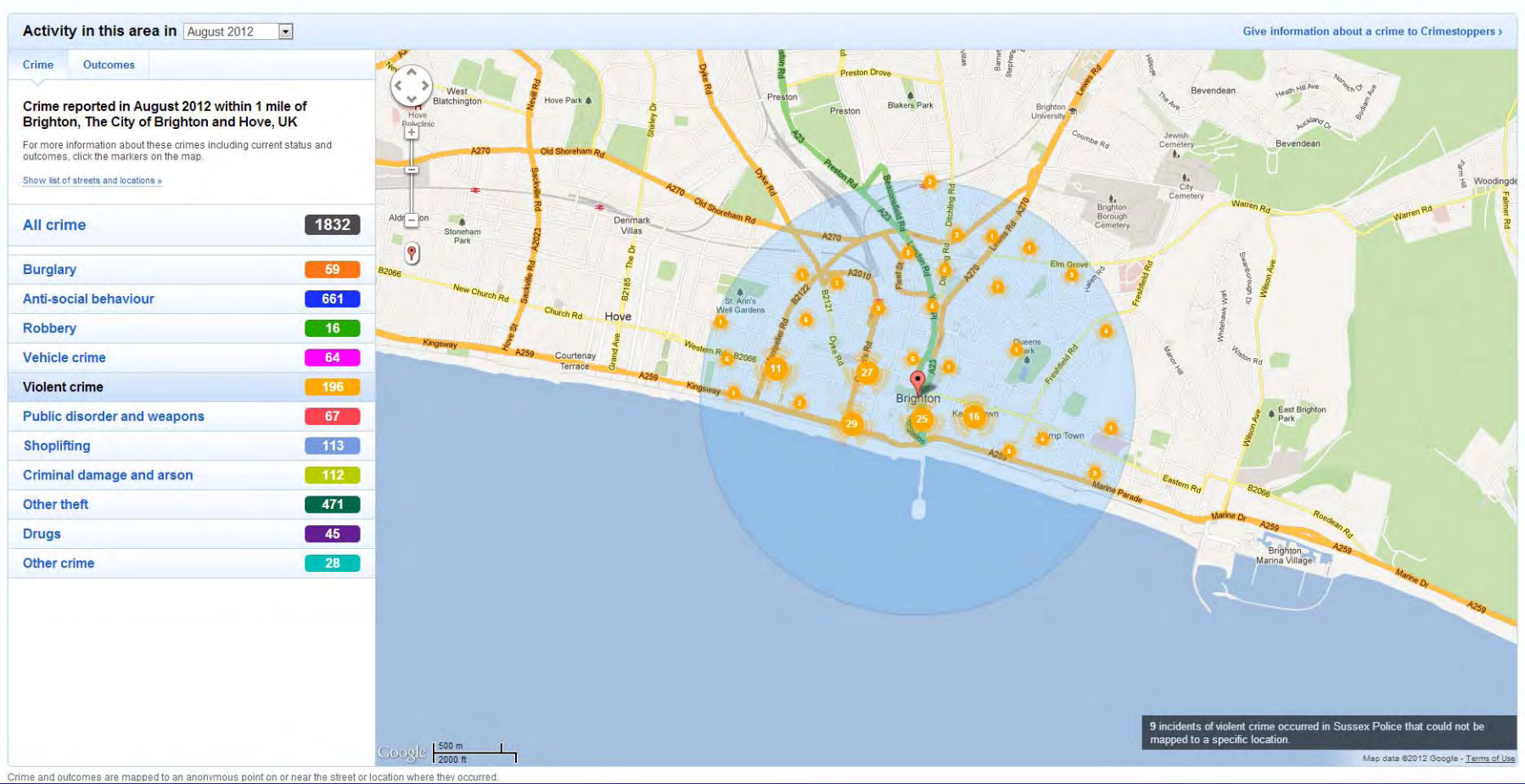
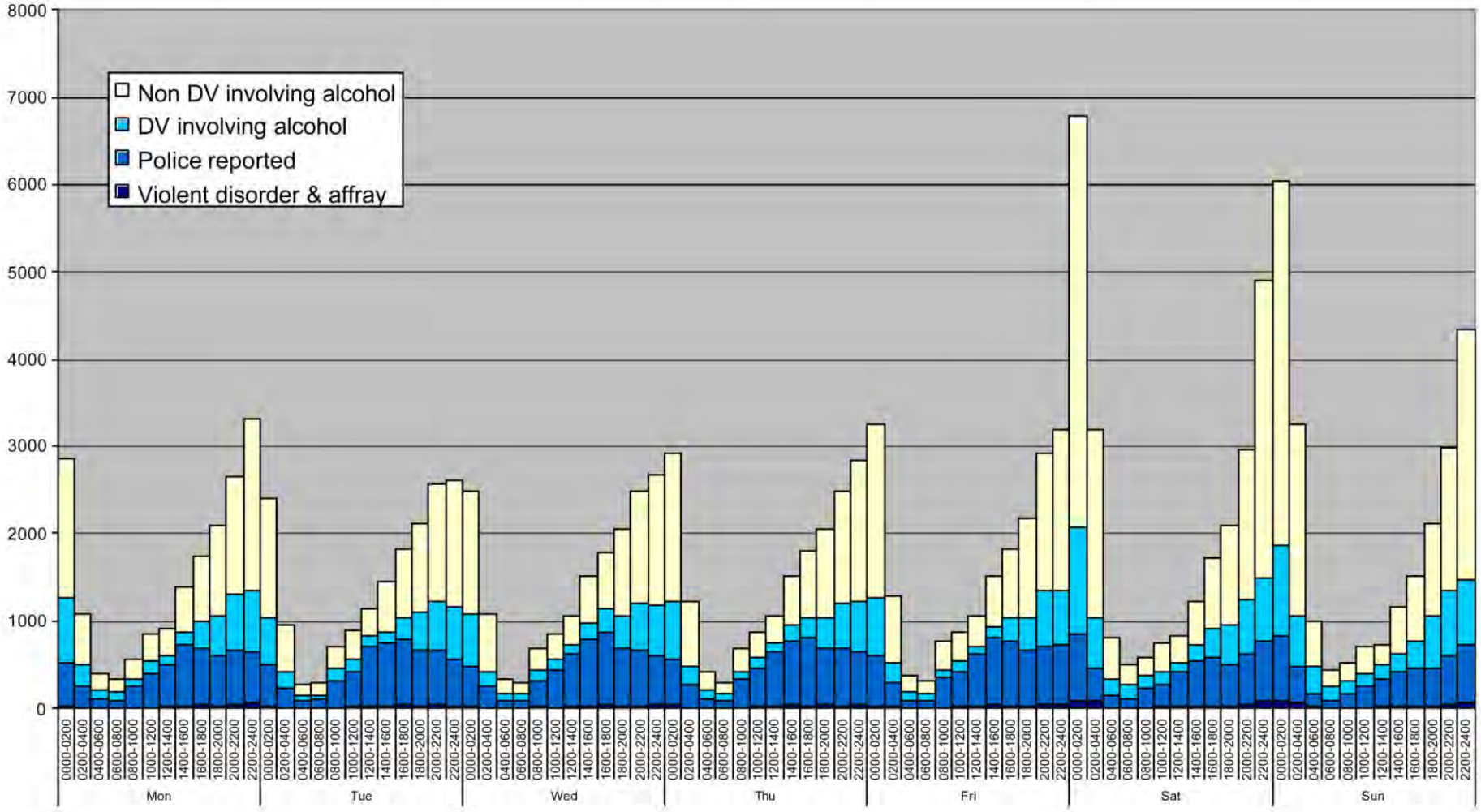
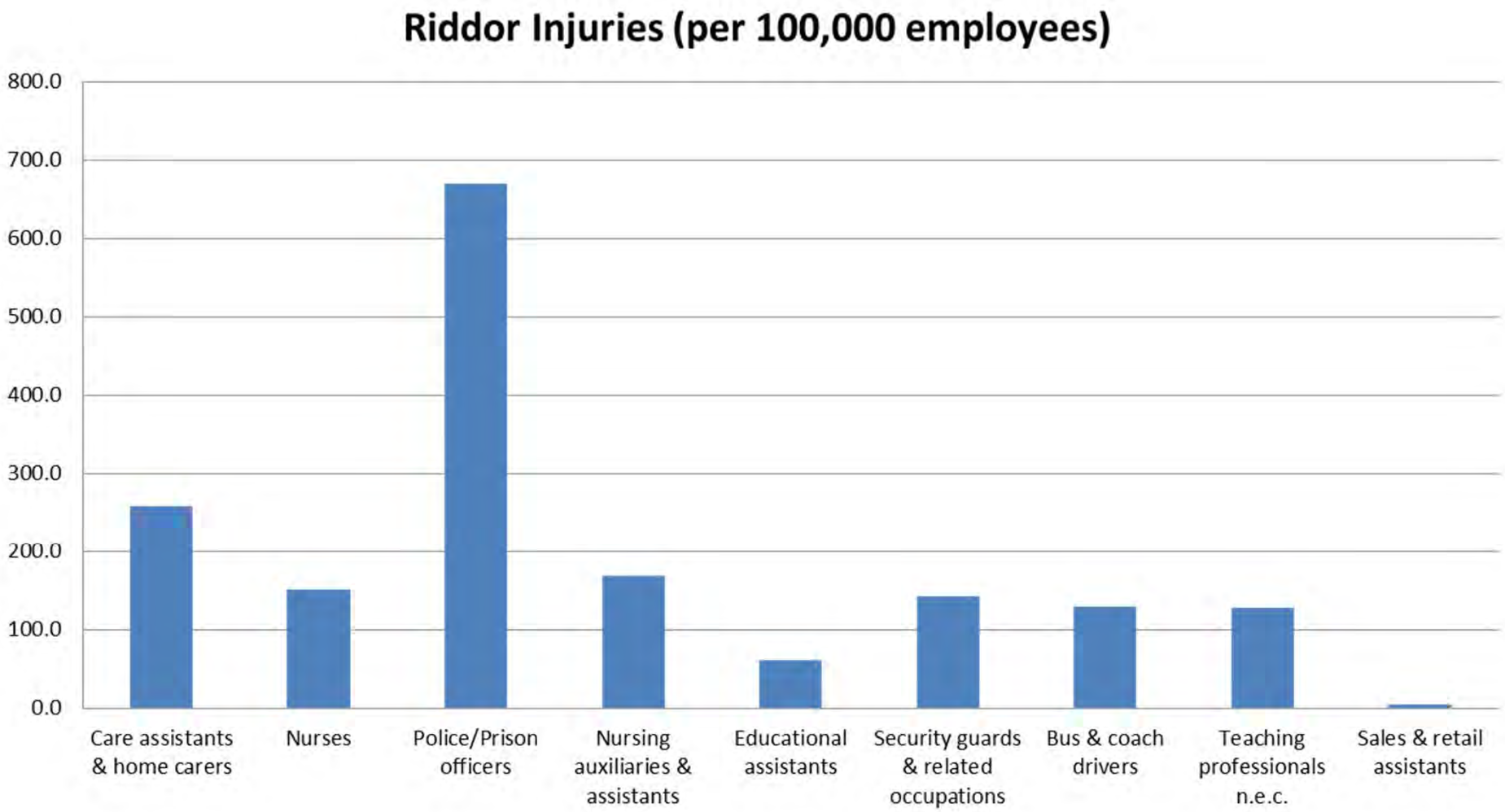


Breakdown of violence against the person by time



Occupational Risks – 2010/11 BCS & FIT3 Survey

- 341,000 threats & 313,000 assaults by public on British workers
- 43% were repeat victims – 24% had 3 or more
- Strangers were offenders in 63% of cases
- 41% of assaults resulted in injury
- The risk of experiencing at least one violent incident (threat or assault) was estimated at 1,500 per 100,000 workers for the year (1.5%)


Riddor Injuries (per 100,000 employees)
800.0
700.0
600.0
500.0
400.0
300.0
200.0
100.0
0.0
Care assistants & home carers
Nurses
Police/Prison officers
Nursing auxiliaries & assistants
Educational assistants
Security guards & related occupations
Bus & coach drivers
Teaching professionals n.e.c.
Sales & retail assistants

Control Measures for Violence & Aggression

Likelihood or Consequence?

Some Generic Control Measures

Lone Working Policy & Procedures
PPE
Logging out/in procedures
Individual record sheets
At risk premises/persons information
Monitoring centres
Trackers
Alarms & other LW devices
Awareness training
Supervisory visits/checks

Control Measures

Likelihood

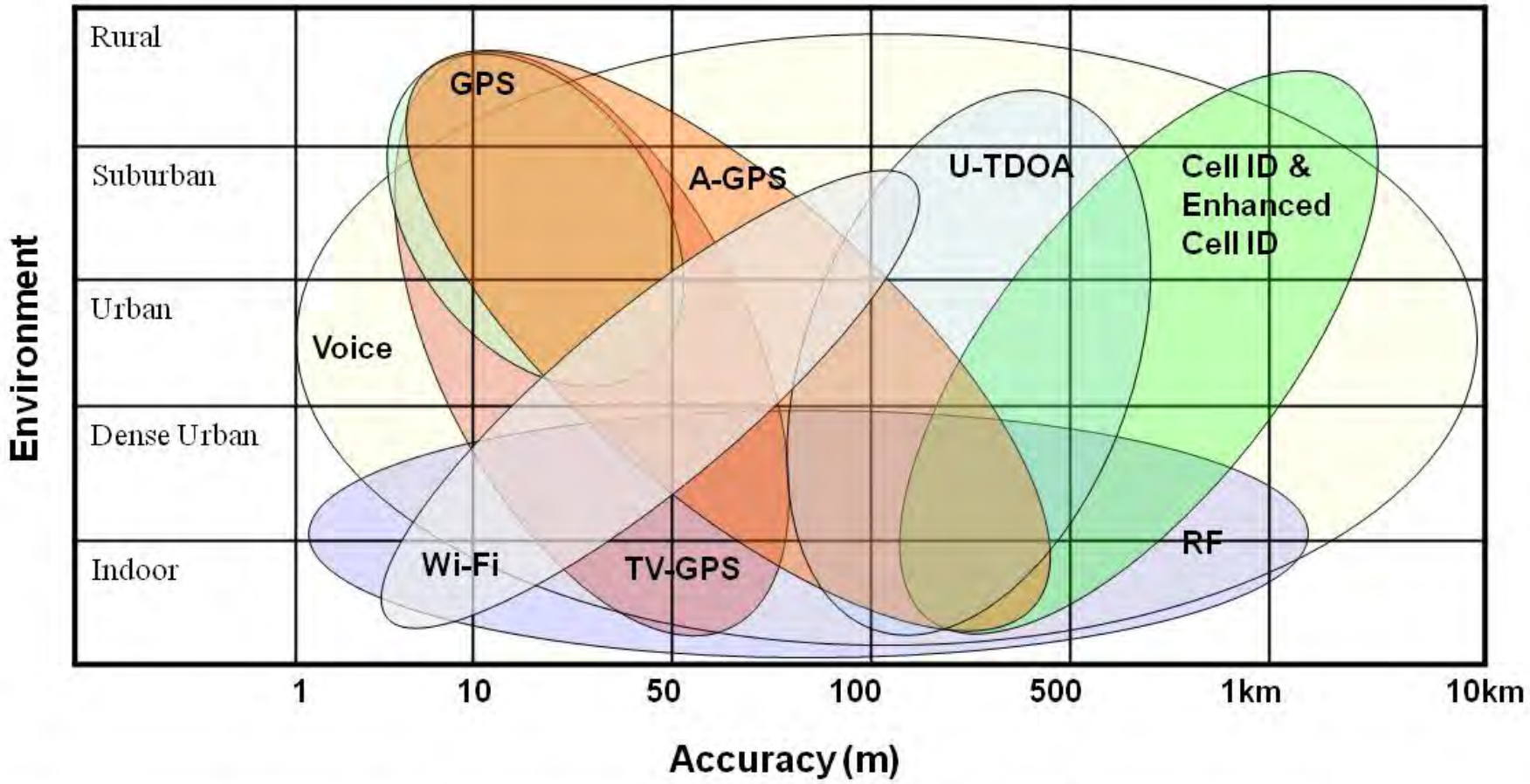
- Policy & Procedures
- Training
- At risk premises/ persons information

Consequence

- PPE
- Trackers, Alarms & other LW devices
- Logging out/in procedures
- Individual record sheets
- Monitoring centres
- Supervisory visits/checks
- Post event management

Technology Solutions

Location Technologies



Sources: company websites; carrier E911 compliance filings; Nokia, Intel PlaceLab, Ekahau, Rosum, TrackaPhone

Tracking Technology

Monitoring Centres

Some Cases

St Nicholas Hospital in Gosforth

- Nurse left alone with patient who became violent
- Alarms were pressed, but failed to work
- She suffered facial scarring and hair loss
- The NHS trust admitted liability and settled out of court

Leicestershire County Council

- Kitchen worker left unsupervised serving teas at a hatch
- She received verbal assaults and threats from a service user
- She spent time off work as a result
- She argued that council had failed assess the risk to her
- She was awarded £40,000 compensation

Roadchef Motorway Services

- Female night time forecourt attendant
- Premises were robbed by three hooded youths
- In scuffle she received injuries to her knee and subsequently retired
- She took legal action alleging failure to ensure her safety
- She won the case and received £35,000 compensation

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Page last updated at 17:47 GMT, Monday, 7 April 2008 18:47 UK

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Care worker dies in stab attack

A social care worker and father-of-three has been stabbed to death while visiting a house.

Care worker Philip Ellison was married with three sons

Philip Ellison, 47, who worked for Lancashire County Council, died from multiple stab wounds in the attack in the Fulwood area of Preston.

A 51-year-old man was arrested on suspicion of murder and is being questioned by officers in Preston.

Union Unison said the death was "a tragedy" and "illustrates the dangers of this type of job".

Mr Ellison, of Penwortham, was married with three sons and worked as part of the adult and community services department.

County councillor Chris Cheetham, cabinet member for adult and community services, said: "It is with sadness we can confirm that one of our social care workers has died.

"We are assisting the police in their investigation. We will also be carrying out our own thorough internal investigation alongside our health partners, the Lancashire Care NHS Trust.

"This is a tragic incident. My first thoughts are for his family and friends.

"On behalf of the authority I would like to offer our sincere condolences. It is a dreadful loss."

The social care worker was stabbed several times

Police were called to Glebe Close at about 1130 BST, after reports that a man was attacking someone, a spokesman said.

They found the victim with several stab wounds and a man in an "agitated state".

Det Supt Steve Brunskill, leading the inquiry, said a post-mortem examination would be carried out on Tuesday.

"This was a tragic incident and my condolences go to the family," said Mr Brunskill.

"We are not looking for anyone else in connection with this incident, which was confined to the address at Glebe Close."

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The scene of the incident in Fulwood, near Preston.
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Charity worker Ashleigh Ewing was unlawfully killed

A charity worker who was stabbed to death by a mentally-ill man was unlawfully killed, an inquest ruled.

Psychology graduate Ms Ewing suffered 39 stab wounds

Ashleigh Ewing died in a "frenzied" knife attack when she visited the home of Ronald Dixon in Newcastle in 2006.

Dixon, who had paranoid schizophrenia, was detained indefinitely in 2007 after admitting manslaughter on the grounds of diminished responsibility.

At the inquest into the 22-year-old's death, the coroner criticised her employers, Mental Health Matters.

David Mitford said that there was a lack of assessment of risk.

Dixon, then aged 35, had recently been released from a secure hospital after making threats to kill the Queen.

'Deeply regret'

The inquest heard that at the time psychology graduate Ms Ewing was killed he had stopped taking his anti-psychotic medication and was having money worries and trouble with alcohol.

However, Mental Health Matters had not carried out a risk assessment on him for three years, and sent Ms Ewing alone to his home to deliver a letter.

After his trial, the Sunderland-based charity was ordered to pay £50,000 for failing to properly protect her.

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'Community care' schizophrenics have killed 60

ROSIE WATERHOUSE, Social Services Correspondent

Sunday, 21 August 1994

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A SURVEY of schizophrenics who kill while supposedly being cared for in the community has traced 47 killers convicted in English courts over the last three years, responsible for 60 deaths.

The continuing research by the National Schizophrenia Fellowship will be published next year, when the charity will also highlight the number of suicides. So far it has traced 266 suicides over three years but the researchers believe there are many more - between 300 and 500 a year - because many inquests record alternative verdicts such as misadventure and accidental death.

These figures come days after the Royal College of Psychiatrists published a report which revealed there had been 34 killings by seriously mentally ill patients in contact with psychiatric services in the 12 months before the killing.

The NSF had originally decided not to publish its research into killings by schizophrenics, because it feared creating the impression that all schizophrenia sufferers are potential killers. The NSF estimates there are about 200,000 schizophrenics in England.

But the charity now feels the public is becoming more concerned about the plight of people with serious mental illness and more fearful that the Government's 'care in the community' policy fails to treat patients adequately and protect the public.

This policy came under renewed attack last week after the Royal College of Psychiatrists published its report, which blamed lack of support co-ordination for attacks carried out by schizophrenics.

Last week the NSF also published a report calling for an extra pounds 500m a year from the Government to provide more beds and psychiatrists, psychiatric nurses and social workers.

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Care worker's killer is sentenced

A man who was found to be unfit to enter a plea after killing a care worker has been sentenced to indefinite custody in a mental health unit.

Kathleen Bainbridge told her husband she was scared of Stephen Flatt

Kathleen Bainbridge, 58, of Luton, died on 24 August 2007 after being stabbed at the Abacus Nursing Home, Dunstable.

Stephen Flatt, 55, a resident of the home, was charged with her murder but was ruled unfit to enter a plea.

At a trial of issue at Luton Crown Court on Tuesday, jurors ruled Flatt did kill her.

On Wednesday, Flatt, who is being held at Rampton Hospital, was sentenced to indefinite detention at a mental health unit and will be returned to the hospital.

Three investigations

Three investigations have started into the case including a Central Bedfordshire Council inquiry into the care home.

The Health and Safety Executive is investigating Hertfordshire Partnership NHS Trust - which placed Flatt in the care home - and the Trust has also started an internal investigation.

As well as killing Ms Bainbridge, of North Drift Way, Luton, Flatt also tried to kill her colleague, Barbara Hill.

On Tuesday, Judge John Bevan QC raised questions about how a mentally ill man came to be placed in a residential care home.

He said: "There are questions here which cry out for an answer, for example, what on earth Stephen Flatt was doing in plainly wholly unsuitable premises?"

Stephen Flatt was charged with murder but was ruled unfit to plea

The evidence revealed that Flatt had a long history of mental illness and had been cared for in hospitals and institutions mainly in the St Albans area.

He was diagnosed with a bipolar disorder and was unable to care for himself.

But in July 2007, it was decided that he was well enough to be

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Remand over care worker stabbing

A teenager has been remanded in custody charged in connection with a stabbing a care worker at a residential home.

The incident happened early on Sunday morning

David Dando, 19, of Trealaw, Tonypandy, appeared at Rhondda magistrates court charged with grievous bodily harm.

The worker at Clydach Court home in Trealaw was injured as she investigated a break-in early on Saturday morning.

The care worker suffered a puncture wound to her lung in the incident and is in a stable condition at the Royal Glamorgan Hospital in Llantrisant.

A South Wales Police spokeswoman said the woman was likely to remain in hospital until at least next week.

Mr Dando was remanded in custody until 30 September, when he is due to appear before Merthyr magistrates for committal to crown court.

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The Role of Training

HSE Guidance on Lone Working:

Why is training particularly important for lone workers?

- This is particularly important where there is limited supervision to control, guide and help in situations of uncertainty. Training may be critical to avoid people panicking in unusual situations.
- Lone workers need to be sufficiently experienced and fully understand the risks and precautions. Employers should set the limits to what can and cannot be done while working alone. They should ensure employees are competent to deal with circumstances that are new, unusual or beyond the scope of training, for example when to stop work and seek advice from a supervisor or how to handle aggression.

Dynamic Risk Assessments

Assessing & responding to risk as it happens

Dynamic Risk Assessment

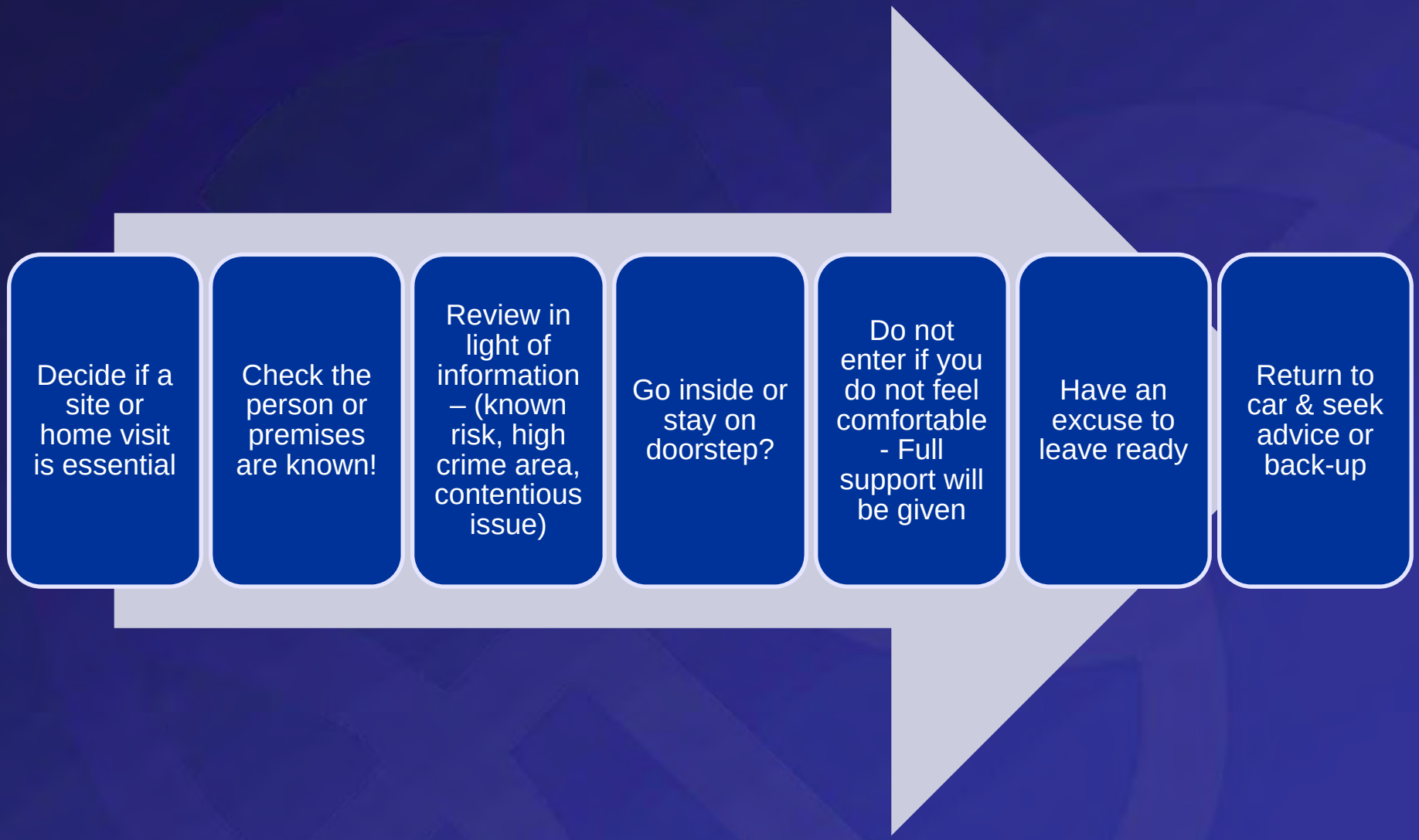
Step back *Don't rush in. Stop & think*

Threat Assessment *Identify potential danger*

Options *Need help? Is it safe? What alternatives?*

Proceed *With caution - Implement safest option*

Community Visits



Community Visits

- In the premises – check your escape route
- Check customer credentials
- Always carry & display your I.D. and letters of authority where appropriate
- Try to conduct visits in daylight if possible
- Limit night time and weekend working where possible
- Avoid carrying valuables
- If in doubt – seek advice

Summary

Five Key Points:

- Think laterally when assessing risks
- Involve lone workers in looking for solutions
- If unsure – get some advice
- Follow up and check that procedures are being followed
- Keep reviewing!

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