

Violent Assaults on Public Service Staff in Scotland **- Follow up Survey 2008**

1. INTRODUCTION

As a follow up to the reports in 2006 and 2007, UNISONScotland carried out a further survey of all health boards and local authorities in Scotland, under the Freedom of Information Act during August and September 2008. This year, however, the survey was also extended to other Public Sector employers in police, universities, Non Departmental Public Bodies (NDPBs), public utilities, etc.

Our analysis of the figures received shows an even higher level of assaults compared with last year's figures for health and local government and this rises considerably when the other services are added. Over 2007/08 the figures in health, have fallen by more than 1,000 over the year to 17,693. However in Local Government, on the figures provided, assaults have increased by nearly 3,000 to 9,121. When figures for the police and other services are added in, the number of assaults rises to 32,263.

The recording of incidents has become tighter in the health service, with Area Health Boards now completely merged following the dissolution of NHS Trusts and a new computer programme appears to have made reporting much easier. Reporting in local authorities, however, has certainly not improved over the year, with many local councils still providing very limited information. This clearly indicates that many local authorities do not collate statistics on violence and cannot, therefore, have a strategy for combating the level of assaults on their workers.

2. EMERGENCY WORKERS ACT (SCOTLAND) ACT, 2006

Since the inception of the Emergency Workers (Scotland) Act, (EWA), UNISON Scotland has continued to campaign for it to be extended to broaden its scope to include other public facing staff, such as social workers, housing staff, traffic wardens, community health and mental health nurses. The latter group was recognised in both of our previous surveys as being the most likely to be assaulted in the course of their employment.

In December 2007, the Scottish Government considered an extension to the 2006 Act, following widespread condemnation of 2 attacks on GPs working in the community. In January 2008 the extension was approved to include GPs, nurses and midwives working in the community.

While UNISONScotland welcomed this extension, we felt that it represented a wasted opportunity. The government could have included many more public sector workers who were at risk of assault in the course of carrying out their duties and created a two-tier level of protection for them. Since January, we have continued to press the Minister for Public Health and latterly the Cabinet Secretary for Justice who now has the responsibility for the Act. A potential solution has been identified

which could result in the EWA being amended in the forthcoming Criminal Justice Bill

The number of people charged under the Emergency Workers' Act from May 2005 to July 2007 had risen to 1,001, with 866 of them having gone to court proceedings. Unfortunately, figures for 2008 are not yet available.

3. FREEDOM OF INFORMATION SURVEY

The 2006 and 2007 surveys were sent to all local authorities and health boards in Scotland, asking for details on the number of assaults on workers during the past year, broken down by job title or department.

In 2008 the survey was extended to cover other public sector areas in which UNISON organises, including police, universities and colleges, NDPBs, public utilities, etc

In response to our survey; we received data from all 32 local authorities and 13 of the 14 area health boards, all police forces and most universities and colleges.

The total number of assaults over the year was 32,263, which is not comparable with last year, due to the widening of the survey. If only the figures for health and local government are taken into account, then assaults have increased by 1,657, from 25,157 to 26,814 over the year.

Local Government

Local government figures had increased by 2,723 from the previous year, from 6,297 to 9,121. Some of the figures were again erratic, although in some councils, clear improvements were noticeable, with some preparing yearly reports for the council to consider and make recommendations. Education continues to have the highest levels of assault, mainly on teachers, but closely followed by support staff, such as classroom assistants, support teachers, instructors, janitors, etc. Some councils were able to separate out their figures into teaching and non-teaching staffs but most were unable to do so. Social care continued to have high figures, especially in residential and home care settings.

As would be expected, Scotland's largest cities had the largest number of assaults. However, both Glasgow and Edinburgh said that they could not break down the incidents into nature of assault or types of worker, with Glasgow saying this would breach the Data Protection Act and Edinburgh stating that there was "no corporate reporting requirement that necessitates the aggregation of specific details of the type of incident or category of employee involved". They continued by advising that each incident was held in an individual manual file and it would have been too expensive to extract the information and categorise it. This begs the question of whether either council would be in a position to assess their levels of assaults and put in place remedies to address them. Some councils were assiduous in itemising each assault and showing the action that had been taken to prevent any repetition, whilst others had clearly not taken any trouble to assess the assaults properly, prior to sending them to us. For example, bearing in mind that the highest levels of assault are shown to be in education and social care, one council who last year advised of 135 assaults, all in social work and education, reported only 11 this year, 5 from housing and 6 from their library service.

Particularly in local government much is made of the fact that most of the assaults are caused by children with special needs, or elderly people with dementia. There appears to be an assumption that because these people have a reduced capacity, it is therefore, part of the job. UNISON does not accept this premise, as there are many precautions and safeguards that can be implemented by employers to protect their staff. This was highlighted in a recent court case where a teacher sued her former employers, Highland Council, after she was forced to give up her job, after being severely attacked four times, by a pupil with autism. She claimed that her employers did not protect her from these attacks, despite being aware of the nature of the pupil, who had earlier attacked other pupils and a classroom assistant.

To address many of these concerns in local government a task group has been established by the Centre for Healthy working lives to develop best practice guidelines for local government. This includes representatives from local authorities, STUC and UNISON Scotland.

Health Service

The Health service continued to have the largest number of assaults, despite a fall of 1,167 on the previous year, from 18,860 to 17,693. Most boards are now recording centrally, following the amalgamation of the NHS trusts into Area Health Boards, but broken down into divisions. One or two boards now have a centralised computer system, DATIX which records assaults electronically. Glasgow started using this system from April 2008 and say they will be able to separate Accident and Emergency statistics from their Acute Division from next year. Again, the majority of assaults were on nurses and nursing assistants, particularly in primary care. Previously, in the NHS, employers had been reluctant to encourage staff to report incidents, particularly in mental health, but the message is slowly getting through that assaults are not part of the job and that measures must be implemented to ensure that staff are protected.

Police

There were 5,421 assaults on staff across the police forces. Most forces did not differentiate between police officers and police staff, and given the nature of their jobs, it is likely that more assaults are inflicted on police officers. However, there were several assaults recorded on special constables, police custody support officers, community wardens and traffic wardens where these are police staff, as opposed to being employed by the local authority.

Universities and Colleges

Very few assaults recorded, with the exception of one students union, which had 12 incidents, 2 serious, recorded on security staff in student bars.

NDPBs

No incidents recorded.

Utilities

Scottish Water recorded one incident where two employees were attending to works in Port Glasgow, when they were attacked with bricks by two youths, one carrying a machete. The men managed to get into their vehicle and escape, but clearly had a narrow escape in what was an horrific incident.

4. CONCLUSIONS

The main conclusion to be drawn from this report is that the level of assaults on public sector workers continues to be unacceptably high. As in previous years, especially in local government, the figures are erratic and lacking in credibility, meaning it is still impossible to make a proper assessment of the situation in Scotland and we would say again that the Scottish Government must put pressure on local authorities to introduce robust guidelines to allow accurate monitoring of assaults across Scotland. "Until this happens, there is no possibility that comprehensive action can be put into effect to reduce these figures."

However, as was said last year, whatever the figures, and however they are collated, it is still clear that there is an unacceptable level of violence being perpetrated against public facing staff in Scotland.

5. NEXT STEPS

UNISON Scotland will continue to press the Scottish Government for further extensions to the Emergency Workers Act – details outlining the Amendment Proposals are attached to this paper.

UNISON is also continuing to campaign for better reporting of assault statistics, particularly in local government.

A message needs to be sent from this Conference, that such levels of violence are unacceptable to our members and must be tackled.

Safety Reps must continue to put pressure on their employers to introduce preventative measures to reduce violence in the workplace, by insisting upon risk assessments for all tasks carried out by our members, particularly where there is a potential for violence. They must also press their employers to encourage reporting of all assaults, and ensure that they collate the relevant statistics which should be monitored in Health & Safety Committees.

Further information

UNISON Scotland Health & Safety pages

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

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