**Recording violent or aggressive incidents**

How to report all types of abusive behaviour

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In some sectors or organisations reporting can be seen as unnecessary or stigmatising. For this reason, it is important to ensure that managers and employees understand why reporting of all types of abusive behaviour is necessary.

1. [Why you need to record violent or aggressive incidents](https://www.healthyworkinglives.scot/workplace-guidance/violence%20and%20aggression/recording-violent%20or-aggressive-incidents/Pages/Recording-violent-or-aggressive-incidents.aspx)
2. [Reporting violent or aggressive incidents to the police](https://www.healthyworkinglives.scot/workplace-guidance/violence%20and%20aggression/recording-violent%20or-aggressive-incidents/Pages/reporting-violent-or-aggressive-incidents-to-the-police.aspx)
3. [Sharing personal information with other organisations](https://www.healthyworkinglives.scot/workplace-guidance/violence%20and%20aggression/recording-violent%20or-aggressive-incidents/Pages/sharing-personal-information-with-other-organisations.aspx)

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**1. Why you need to record violent or aggressive incidents**

A robust reporting system is crucial for preventing violence at work. It will help establish measures that will protect employees in the future. While carrying out, or reviewing risk assessments you should review past incidents. Risk assessments will only reflect an accurate picture when regular reporting is taking place. It will also help you identify trends, and plan for specific times of the year, days of the week, or common operational situations where violence and aggression to members of staff are more likely to occur.

**Keeping reporting simple**

Violence and aggressive behaviours can be caused by many factors. The system should encourage employees to report all incidents. You need to create a simple reporting system that allows you to understand the factors that caused the incident. It is important to remember that when you implement, or improve, your reporting system there might be an initial increase in the number of incidents being reported. Higher reported incident rates mean that employees are involved in the process, are aware of the dangers and are participating in protecting themselves and their colleagues at work. Low incident rates do not necessarily mean that good practice is being followed. It could mean that reporting is not happening regularly enough.

To encourage employees to report incidents you should clearly explain

* the reporting system itself
* the reasons for reporting
* the steps you are going to take to prevent reoccurrence of similar incidents
* statistics of incidents per team or department and what it means for them
* resulting changes to risk assessments
* resulting changes to procedures or methods of working
* what help and support is available.

**Information you should gather**

The Health and Safety Executive (HSE) suggests you gather the following information in a reporting form as a minimum.

* An account of what happened.
* The circumstances in which the incident took place.
* Details of the victim, the customer and anyone else involved.
* The outcome, including working time lost to the employee and organisation.

You can use the [near miss investigation form](https://www.healthyworkinglives.scot/resources/forms-and-records/Pages/Accident-and-near-miss-investigation-record.aspx) developed by Healthy Working Lives to record incidents.

## **2. Reporting violent or aggressive incidents to the police**

All employees have the legal right to report any incident they have been involved in to the police. They should get positive support and backing of their management if they want to exercise this right. All managers and supervisors should clearly understand their responsibility to assist in reporting the matter. If requested, they should report the incident on behalf of the employee affected.

You can read more information about how to report an incident to the police at -

<https://www.scotland.police.uk/contact-us/>

**3. Sharing personal information with other organisations**

Every organisation has a legal responsibility to ensure that their risk assessments are suitable and sufficient. To identify significant risks you need to have all the relevant information available. When you need to share information between organisations, you need to make sure that you adhere to General Data Protection Regulation (GDPR) guidance. The General Data Protection Regulation and the Data Protection Act 2018 set the rules and basis for data management.

* It is legal to share information if the purpose is to protect the health and safety of employees.
* It is necessary for organisations to have arrangements in place to ensure that this is done only when necessary, and adheres to GDPR guidance.
* It is important that the information kept is accurate and fair.

Prior to sharing information, the organisation holding it must consider carefully how any recipient organisation or department is going to use it, and what the effect on people is likely to be. Your policy needs to be very explicit about this. It is good practice to get a data sharing agreement with the recipient organisation.

You can find more information about sharing information on the [Information Commissioner’s Office website.](https://ico.org.uk/)

**Processing data**

Article 6 of the GDPR explains when you are able to share information with other organisations. You need to have a clear case to allow you to do this, and it’s very important that you keep a record of your decision and the reasons behind it.

You need to be able to demonstrate that you have a lawful reason to share information under

* consent – the individual gave  you permission
* contract – you have a contract with the individual and the processing of data is necessary
* legal obligation – you share data to comply with legislation
* vital interest – you share data to save someone’s life
* public task – you do this to complete a task in the public interest
* legitimate interest – you can process data in your legitimate interest, however this can’t override a duty that you may have to protect people’s data.

You can use a questionnaire from the Information Commission’s office (ICO) to help you decide if you have a legal reason to process information.

<https://ico.org.uk/for-organisations/gdpr-resources/lawful-basis-interactive-guidance-tool/>

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| **Acknowledgement**  The preceding advice and guidance on the importance of recording incidents of violent or aggressive behaviour is an extract from documents developed by the Health Working Lives team, part of Public Health Scotland. More detailed information on the various resources and support available is available on the following website - <https://www.healthyworkinglives.scot/Pages/default.aspx> |