

**UNISON Scotland**  
**Health & Safety Conference**  
**9 October 2009**

**Violent Assaults on Public Service Staff in Scotland**  
**Follow up Survey 2009**

**1. INTRODUCTION**

As a follow up to the reports in 2006 and 2007, and 2008, UNISONScotland carried out a further survey of all UNISON employers in Scotland, under the Freedom of Information Act during August and September 2009, seeking statistics on assaults to workers in their employment.

Our analysis of the figures received shows a decrease of over seven thousand in the level of assaults compared with last year's figures. Over 2008/09 the figures in health have fallen by almost four thousand over the year to 13,702. However in Local Government, on the figures provided, assaults have increased slightly by 336 to 9,462. When figures for the police and other services are added in, the number of assaults rises to 25,046, down from 32,267 in 2007/08. One police force dramatically cut its numbers from 4,547 in 2008 to just 921 for 2009

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, although there is not as much breakdown into job categories or additional information given. Reporting in local authorities has slightly improved over the year, with more councils being able to produce proper information. However, there are still many whose information is very disjointed, e.g. a list of assaults, with no totals. This clearly indicates that whilst we are starting to get our message across, many local authorities still do not collate adequate 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 the Act 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 2 groups were recognised in both of our previous surveys as being the most likely to be assaulted in the course of their employment and were eventually included in the extension to the 2006 Act, in January 2008.

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. Over the past year, we have continued to press the Cabinet Secretary for Justice who now has the responsibility for the Act and following a meeting with Justice Department officials a potential solution was identified to overcome the limitations of the legislation. This solution focused on using the current Criminal Justice and Licensing Bill to amend the EWA in a way that meets the public policy objective of protecting public service workers.

However, the Cabinet Secretary subsequently decided that he was not prepared to make this more radical revision to the EWA but has agreed to extend the scope of the act using the secondary legislation powers in the Act. There will be an informal consultation on the specific groups to be included in the wider scope. It of course remains an option to amend the Criminal Justice and Licensing Bill and we set out the options below. This may be a quicker mechanism than a private members bill.

One of the advantages of the EWA is the clause that provides for hindrance and/or obstruction of the workers specified in it to be included and we believe that any further legislation or amendments should continue this pattern.

The latest figures available show that in 2006/07 there were 200 convictions under the Emergency Workers Act - an increase of 146 from the previous year.

### **3. WORKERS (AGGRAVATED OFFENCES) (SCOTLAND) BILL**

In June, 2009, Hugh Henry, MSP published a Public Consultation on his proposed Private Members Bill, *Workers (Aggravated Offences) (Scotland) Bill* - <http://www.scottish.parliament.uk/s3/bills/MembersBills/documents/20090713FinalConsultationdocumentrevised.pdf> to which UNISON made a response at the end of September <http://www.unison-scotland.org.uk/response/WorkersAggravatedOffencesScotlandBillOc.pdf>. The proposed Bill wants to build on the Emergency Workers Act but to widen it to more public sector workers and to include private sector workers who provide a service to the public, such as shop workers.

### **4. FREEDOM OF INFORMATION SURVEY**

As in our previous surveys, the 2009 survey was sent to all local authorities and health boards in Scotland, as well as to other public sector areas in which UNISON organises, including police, universities and colleges, NDPBs, etc, asking for details on the number of assaults on workers during the past year, broken down by job title or department.

In response to the survey; we received data from 27 local authorities and 10 of the 14 area health boards, and only a few police forces, universities and colleges. A reminder will be sent out to those who did not reply in the required time, and the numbers updated if significant. For comparative

purposes, the figures from last year have been counted for those organisations who did not respond.

The total number of assaults over the year was 25,046, a drop of 7,221 over the previous year's total of 32,267.

If the figures for health and local government are taken into account, then assaults have decreased by 2,560 from 26,814 to 23,164 over the year. The largest single decrease is however, in Strathclyde Police where their numbers of assaults have fallen from 4,547 to 921, the majority of these to police officers.

### **Local Government**

Local government figures had increased by 336 from the previous year, from 9,121 to 9467. Whilst the figures indicate a small increase, there were several councils who had dramatically cut their assault levels, but these were matched by others who had shown big increases. Some of the figures were again inconsistent, although in many councils, clear improvements were noticeable, with some preparing yearly reports for the council to consider and make recommendations. One authority in particular produced clear evidence of risk assessments, training and monitoring procedures that had been introduced and it will be interesting to see if their figures next year reflect this strategy. 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. In those councils whose figures had dropped, this was nearly all in schools. Social care continued to have high figures, especially in residential and home care settings.

As in previous years, Glasgow had the highest number and had seen the biggest increase. In addition, the Council did make the point that as some departments have now left their direct employment, they will not be counted for next year's survey. Unfortunately, no response was received from the City of Edinburgh.

In many councils the standard of reporting had improved, but this unfortunately had taken away some of the more detailed information seen in previous surveys where it was often possible to follow progress in dealing with individual assaults and get a flavour of the types of assaults which had occurred.

In local government much continues to be made of the fact that many 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, assaults are 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, which some have done, as is reflected in their figures

The task group established by the Centre for Healthy working lives to develop best practice guidelines for local government has continued its work during the year and hopes to produce its report soon. The working group includes representatives from COSLA, some individual local authorities, STUC and UNISON Scotland.

### **Health Service**

The Health service continued to have the largest number of assaults, despite the fall of 3,991 on the previous year, down from 17,693 to 13,702. Most boards are now recording centrally, following the amalgamation of the NHS trusts into Area Health Boards but most did not break down into divisions as they had previously done. Again, the majority of assaults were on nurses and nursing assistants.

### **Police**

The figures available show that during 2009 there were 1,809 assaults on police officers and police staff, down from 5,421 in 2008. It is likely that more assaults are inflicted on police officers however, there were several assaults recorded on police staff, such as special constables, police custody support officers, community wardens and traffic wardens many of whom are categorised as police staff, although some do work for smaller local authorities.

### **Universities and Colleges**

There were very few incidents in Universities and Colleges and of those who did report incidents, these were mainly to security staff. Several establishments did insist, however, that they encouraged robust reporting by staff.

### **NDPBs**

There were 28 incidents recorded during 2009 in the Care Commission, Scottish Environmental Protection Agency (SEPA), and the Scottish Children's Reporters Authority (SCRA). Those in the Care Commission were all verbal, with 3 during phone calls and those in the SCRA were a mixture of verbal aggression on the telephone and aggressive behaviour associated with the Children's Hearing System.

### **Utilities**

Scottish Water recorded one incident where an employee was attacked by a member of the public in Inverness. The other utilities are not covered by the Freedom of Information Act as they are private companies.

## **5. CONCLUSIONS**

The main conclusion to be drawn from this report is that despite this year's decrease in the level of assaults on public sector workers which we very much welcome, the number continues to be unacceptably high. As in previous years, especially in local government, the figures are not always well recorded, which still results in them lacking credibility, but we can see

improvements. We must continue to make representations to the Scottish Government to insist on strict monitoring and interventions in all workplaces, so that the level of assaults can continue to fall across Scotland

As we continue to stress, however, 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**

UNISONScotland will continue to press the Scottish Government for further extensions to the Emergency Workers Act, and will work closely with Hugh Henry to gain sufficient support for his Bill to be successful and be debated in Parliament.

UNISON will also continue to campaign for better reporting of assault statistics in local government and once the report of the Centre for Health Working Lives is complete, this will be circulated to local government branches and safety representatives so that negotiations can take place in each authority on how the proposals are to be implemented'

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.

And a message must be sent from this Conference, that these levels of violence are unacceptable to our members and must be stopped.

## **Further information**

UNISON Scotland Health & Safety pages

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

UNISON Health & Safety Site – Anti -Violence Campaign

[http://www.unison.org.uk/safety/pages\\_view.asp?did=6077](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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