

# SOLIHULL METROPOLITAN BOROUGH COUNCIL

<b>Report to:</b>	Cabinet Member - Environment, Housing and Regeneration
<b>Meeting date:</b>	13 June 2016
<b>Subject/Report Title:</b>	<b>POLICY ON ABUSE AND AGGRESSIVE BEHAVIOUR TOWARDS STAFF</b>
<b>Report from:</b>	Assistant Director (Highways and Environment)
<b>Report Author/Lead Contact Officer:</b>	Kalen Wood
<b>Wards affected:</b>	<input checked="" type="checkbox"/> All Wards <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Bickenhill  <input type="checkbox"/> Castle Bromwich  <input type="checkbox"/> Dorridge/Hockley Heath  <input type="checkbox"/> Kingshurst/Fordbridge  <input type="checkbox"/> Lyndon  <input type="checkbox"/> Olton  <input type="checkbox"/> Shirley South  <input type="checkbox"/> Silhill  <input type="checkbox"/> St Alphege </div> <div> <input type="checkbox"/> Blythe  <input type="checkbox"/> Chelmsley Wood  <input type="checkbox"/> Elmdon  <input type="checkbox"/> Knowle  <input type="checkbox"/> Meriden  <input type="checkbox"/> Shirley East  <input type="checkbox"/> Shirley West  <input type="checkbox"/> Smith's Wood </div> </div>
<b>Public/Private report:</b>	Public
<b>Exempt by virtue of Paragraph:</b>	N/A

<b>1. Purpose of Report</b>
1.1 The report provides details of the proposed policy to support Front Line staff working for Solihull Council directly and through our Contract Partners when encountering negative behaviour from service users.
<b>2. Decision(s) Recommended</b>
2.1 That the Cabinet Member:

- (a) Supports the implementation of the policy
- (b) Supports the promotion of the policy on the council website
- (c) Supports the promotion of the policy and non-tolerance of negative behaviour when the new collection vehicles are in service, (the vehicles will have cameras to record collection activities).

### **3. Background**

- 3.1 Until recently our frontline staff who carry out waste and recycling collections, street cleansing and grounds maintenance activities and who operate the household waste recycling centre have carried out their daily tasks with an acceptance that experiencing and putting up with regular negative behaviour from service users and members of the public was an accepted part of the job.
- 3.2 Incidents of verbal abuse, threatening behaviour and careless driving were rarely reported as they were considered to be 'the norm'.
- 3.3 In 2014 Amey carried out a survey to find out how often the waste and recycling crews were subjected to negative behaviour. The results were as we expected and showed that the crews experienced negative behaviour on a frequent basis and it had been accepted as part of the job – a copy of the survey results is provided at Appendix A.
- Amey have since instigated a contract wide system of encouraging all operatives to report close calls. The aim of reporting a close call is that where necessary, preventative action can be taken at an early stage to prevent a further incident or accident from occurring. As part of this system, the crews are encouraged to log incidents of negative behaviour while they are carrying out their job, these include incidents of verbal abuse and careless driving.
- 3.4 As a responsible employer, we have a duty to protect our employees and also those working on our behalf to deliver front line services.
- 3.5 It is for these reasons that the Negative Behaviour Policy has been developed. A copy of the Policy is provided at Appendix B.

### **4. Evaluation of Alternative Option(s)**

- 4.1 To support both SMBC staff and Amey staff, a policy regarding the actions that we will take in response to reported incidents of negative behaviour has been developed.
- 4.2 By negative behaviour we mean the following:
- Threatening behaviour
  - Aggressive behaviour
  - Verbal abuse
  - Careless and intimidating driving
- 4.3 Taking action against members of the public is clearly a sensitive issue, therefore as outlined in the Policy. We will not take action unless we have robust evidence to support this. This will take the form of witness statements supported wherever possible by CCTV or camera footage.
- 4.4 The collection fleet will be replaced at end of the year and all new vehicles will be equipped with 360 degree cameras which can be used to provide evidence in incidences of negative behaviour. This also applies to where there have been reports of the collection crews displaying negative behaviour but primarily the

cameras are to act as a safety measure for the crews.

- 4.5 As outlined in each policy, we propose to take a phased approach when dealing with proven incidences of negative behaviour. We have split the policies into three main areas those that cover negative behaviour towards front line staff e.g waste collection crews and streetcare operatives, incidents of careless or inconsiderate driving and incidents at the Household Waste Recycling Centre.
- 4.6 Each policy proposes a phased approach which would be commensurate to the incident, for example, if an operative was physically assaulted this would by-pass this policy and be dealt with directly by the Police.
- 4.7 In most cases we would hope that an initial warning letter from the council would be sufficient for the negative behaviour to cease, however if that is not the case and there are further evidenced incidents of the same nature we would reserve the right with remove access to the service. This could include the removal of a vehicle permit for access to the Household Waste Recycling Centre or temporary withdrawal of the kerbside collection service.
- 4.8 These would be the most drastic actions and it is hoped that we would not need to use these potential sanctions. In such cases we would propose a right of appeal against our decision which would be reviewed by the Cabinet Member responsible for Environmental Services. We would also liaise with colleagues in Legal Services before issuing the sanction.
- As part of the implementation of the Policy we would like to include information on our website regarding the fact that as an employer we do not tolerate negative behaviour towards our staff – however we also want to make it clear that SMBC and Amey have a clear process for investigating and responding to allegations of negative behaviour that is demonstrated by the front line service staff, in essence it would be a behavioural charter that we would expect our service users and staff to adhere to.
- 4.9 Coupled with this, when we receive the new collection vehicles we would like to take the opportunity to promote the safety elements of the new vehicles which includes the cameras – which will help to protect the collection crews and other road users.

## **5. Reasons for Recommending Preferred Option**

- 5.1 The Policy has been developed to support all front line staff from negative behaviour and to demonstrate that Solihull as a responsible employer will not tolerate negative behaviour towards its staff.
- 5.2 The Cabinet Member is therefore asked to:
- 5.3 Support the implementation of the negative behaviour policy
- 5.4 Support the promotion of the policy on the councils website
- 5.5 Support the promotion of the policy and non-tolerance of negative behaviour when the new collection vehicles are in service which will have cameras to record collection activities.

## **6. Scrutiny**

- 6.1 Neighbourhood Services and Stronger Communities Scrutiny Board – this report has not been received by the Scrutiny Board.

## **7. Implications**

### **7.1 Delivery of the Council's Priorities**

The options/proposals in this report will contribute to the delivery of the following Council Priority

- Build Stronger Communities

### **7.2 Policy/Strategy Implications**

This report seeks to establish a policy regarding the actions that we can take to deal with unwanted negative behaviour by service users

### **7.3 Meeting the duty to involve**

No external consultation has been carried out on this proposed policy

### **7.4 Financial Implications**

The application of this Policy should have no financial implications.

### **7.5 Legal implications**

Colleagues in legal have been consulted on the principles within the Policy. There may be some scope for legal challenge from residents who receive letters regarding their negative behaviour, however we will ensure that we have robust evidence before writing to residents and will seek advice from our colleagues in legal where necessary.

We will ensure that we adhere to the requirements of the Data Protection Act when handling CCTV and camera footage.

### **7.6 Risk Implications**

The main risk would be that we implicate the wrong people – however as stated previously we will ensure that we have robust information before we take action.

### **7.7 Statutory Equality Duty**

A Fair Treatment Assessment has been carried out on the delivery of the waste and recycling service, but not specifically on the application of this policy.

### **7.8 Carbon Management/Environmental**

The application of this policy will have no impact on carbon or the environment.

### **7.9 Partner Organisations**

Amey will be the primary partner. We also anticipate that we would be supported by the Police where necessary.

### **7.10 Safeguarding/Corporate Parenting Implications**

The application of this policy will have no impact on safeguarding/corporate parenting

### **7.11 Customer Impact**

There will be minimal impact on customers from the application of this policy. It will only impact on customers who have been proven to have demonstrated negative or unwanted behaviour as outlined in the Policy.

### **7.12 Other implications**

None

<b>8.</b>	<b>List of Appendices Referred to</b>
8.1	Appendix A – Crew Survey Results
8.2	Appendix B – Copy of proposed Policy document -
<b>9.</b>	<b>Background Papers Used to Compile this Report</b>
9.1	None
<b>10.</b>	<b>List of Other Relevant Documents</b>
10.1	