

Te Whatu Ora Health New Zealand Hauora a Toi Bay of Plenty	MANAGEMENT OF VIOLENCE TOWARDS WORKERS	Policy 5.4.7 Protocol 1
SAFE AND RESPECTFUL WORKPLACE PROTOCOL		

PURPOSE

It is the Te Whatu Ora – Health New Zealand Hauora a Toi Bay of Plenty aim to maintain health and safety systems to ensure the physical and emotional health and safety of all workers.

The Privacy Commission defines hospitals as public or semi-public places and the laws relating to public places also apply to our hospital setting.

OBJECTIVE

To clarify a process to follow should a worker suffer violence or threatening behaviour from patients or families / friends / fellow employees in the workplace. This includes but is not limited to:

- That such behaviour is not tolerable.
- That the worker's safety and ongoing protection are of paramount consideration.
- That the worker is entitled to emotional, practical and legal support following an event.
- Te Whatu Ora Hauora a Toi Bay of Plenty believes that Police involvement and the bringing of charges should always be a consideration when dealing with this type of behaviour against an alleged offender.

STANDARDS TO BE MET

1. In the Event of an Alleged Threat or Assault

- 1.1 The assaulted worker and any other available employee take steps to ensure the immediate safety of themselves and others by removing themselves from the situation / environment as quickly as possible.
- 1.2 Any employee present will seek support, as quickly as practicable, to ensure the safety of the patient/others from harm if the threat is ongoing.
- 1.3 The worker notifies, as quickly as is practicably possible, their Line Manager / Team Leader, who will take the lead in managing the immediate situation, primarily the safety of the worker, or dials 777, or uses the duress alarm. If danger or threat is still present consider phoning 111.
- 1.4 The Line Manager will assist, if required, the worker to:
 - a) Receive appropriate medical attention, and ensure that an ACC45 form is completed by their treatment provider, and
 - b) to arrange any leave should that be necessary or desired, or
 - c) If the employee elects to continue working, then arrangements will be advocated to avoid any contact between the employee and the alleged offender.
- 1.5 To manage risks and provide support for workers the Line Manager will notify:
 - a) The Business Leader and
 - b) The BOP Senior Leadership Team member
- 1.6 The Line Manager will assist the worker to complete an Incident Management Report (Datix).

Issue Date: Sep 2023 Review Date: Sep 2025	Page 1 of 4 Version No: 6	NOTE: The electronic version of this document is the most current. Any printed copy cannot be assumed to be the current version.
Protocol Steward: Health & Safety Manager	Authorised by: Executive Director, People & Culture	

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- 1.7 In the event the injury to the worker is assessed as a **Notifiable Injury**, the Line Manager will inform the Health and Safety Manager of the incident and notify WorkSafe NZ and complete the Notifiable Injury process (see Appendix 1).
- 1.8 Should rehabilitation of the injured employee be required, the WorkAon Case Manager will do so in accordance with [policy 5.3.1 protocol 6 Health and Safety – Early Intervention of Pain, Discomfort or Injury / Injury Management, Accident Claims, Returns to Work, Complaint and Review Process](#).
- 1.9 As soon as possible following the event, the Line Manager will arrange a debrief meeting with the employee and any other person involved, to address the future recurrence of a similar event, and will ensure all persons in their team are aware of the incident and the controls to manage any reoccurrence.
- 1.10 The worker concerned will be supported (if the worker chooses to do so) by the Line Manager to:
 - a) Lay a complaint with the Police.
 - b) Make a statement to lawyers appointed by Te Whatu Ora Hauora a Toi Bay of Plenty.
 - c) The Line Manager will take the lead in this process, giving the worker ample support and encouragement.
- 1.11 Ongoing support will be provided through any of the further steps of the legal process, for example a hearing. As considered appropriate this support can be led by the Business Leader or by the Senior Advisor, Governance & Quality – refer to [policy 2.4.1 Access to Legal Advice](#) and [2.4.2 External Enquiries / Investigations / Inquests and Hearings](#).
- 1.12 The Line Manager, with assistance from WorkAon and the Occupational Health Department as required, will manage ongoing support through:
 - a) Te Whatu Ora Hauora a Toi Bay of Plenty Employee Assistance Programme
 - b) Re-attendance at in-service safety programmes
 - c) Further training in policy and protocols.
 - d) Alternative options, as relevant.

REFERENCES

- Offences Act 1981
- Telecommunications Act 2001

ASSOCIATED DOCUMENTS

- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 5.4.7 Safe and Respectful Workplace](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 5.4.7 P0 Safe and Respectful Workplace Standards](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 2.4.1 Access to Legal Advice](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 2.4.2 External Enquiries / Investigations / Inquests and Hearings](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 2.1.4 Incident Management](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 2.5.2 Health Records Management](#)

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- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 3.50.02 protocol 7 Supporting Employees](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 5.3.1 protocol 6 Health and Safety – Early Intervention of Pain, Discomfort or Injury / Injury Management, Accident Claims, Returns to Work, Complaint and Review Process.](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty Clinical Practice Manual protocol CPM.M5.26 Risk Assessment - MHAS](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty protocol CPM.V5.1 Violence- Management of Potentially Violent Patients or Acute Behavioural Disturbance in Adults.](#)

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APPENDIX 1: WORKSAFE - NOTIFIABLE INJURY NOTIFICATION

1. **Notify WorkSafe NZ of Notifiable Injury or Illness**
Managers must notify WorkSafe NZ **as soon as possible of serious harm accidents** to their employees by **calling 0800 030 040**.
2. **Request Clearance of an Accident Scene**
Request scene clearance when you notify WorkSafe NZ. It is a legal requirement **not to disturb an accident scene** until clearance is authorised by a health and safety inspector except in certain situations, including when persons or property are at risk, as provided for by section 26 of the Health and Safety at Work Act 2015.
3. **Email Risk, Health and Safety Manager**
Emailing the BOPDHB Risk, Health and Safety Manager when you have called WorkSafe NZ and quote the Datix incident number
4. **Provide written notice within 7 Days**
You must provide WorkSafe NZ with written notice of the circumstances of the notifiable injury or illness within 7 days by [completing the online notification form](#).
5. **Confirm you have completed Written Notice**
Also confirm that this has been completed by printing off a copy of the completed online form scanning it and sending it to the Risk, Health and Safety Manager by email and quote the Datix incident number

Meaning of Notifiable Injury or Illness from the Health and Safety at Work Act 2015

The following types of harm are defined as 'notifiable injury or illness' for the purposes of the Act and for reporting to WorkSafe NZ:

1. any of the following injuries or illnesses that require the person to have immediate treatment (other than first aid):
 - a) the amputation of any part of his or her body:
 - b) a serious head injury:
 - c) a serious eye injury:
 - d) a serious burn:
 - e) the separation of his or her skin from an underlying tissue (such as degloving or scalping):
 - f) a spinal injury:
 - g) the loss of a bodily function:
 - h) serious lacerations
2. an injury or illness that requires, or would usually require, the person to be admitted to a hospital for immediate treatment:
3. an injury or illness that requires, or would usually require, the person to have medical treatment within 48 hours of exposure to a substance:
4. any serious infection (including occupational zoonoses) to which the carrying out of work is a significant contributing factor, including any infection that is attributable to carrying out work
 - a) with micro-organisms; or
 - b) that involves providing treatment or care to a person; or
 - c) that involves contact with human blood or bodily substances; or
 - d) that involves handling or contact with animals, animal hides, animal skins, animal wool or hair, animal carcasses, or animal waste products; or
 - e) that involves handling or contact with fish or marine mammals
5. any other injury or illness declared by regulations to be a notifiable injury or illness.

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