

CORPORATE PROCEDURE

Potentially Violent Persons Register

1.0 Aim of the procedure

Neath Port Talbot County Borough Council (NPTCBC), through Corporate Health and Safety and IT, have developed a Potentially Violent Persons Register (PVP). The database is specifically designed to give all Departments in the Council the opportunity to share information on known violent persons who have the potential to affect the health and safety of an employee during the course of their normal duties. The aim of this procedure is to ensure that employees of NPTCBC are suitably informed of potential hazardous situations involving violence in the workplace. The PVP register has been developed as a platform to provide Managers/Supervisors/Team Leaders/Headteachers with information about members of the public known to the Council as violent and which will therefore require specific controls to be in place to protect employees when visiting / meeting them or carrying out work in premises occupied by them.

The database will be established internally through a stringent vetting process (Ref Flow Chart 1 and 2).

2.0 Responsibilities

2.1 Corporate Directors

Corporate Directors will be responsible for the overall implementation of this Corporate Procedure.

2.2 Heads of Service

Heads of Service will be responsible for the day-to-day implementation of this Corporate Procedure and will ensure the provision of the necessary resources to ensure a safe system of work, comply with the requirements of the procedure and the regulations.

2.3 Governing Bodies of Schools Maintained by Education Authority

There is a shared overall responsibility for health, safety and welfare between the LEA, governing body and Headteacher.

2.4 Managers/Team Leaders/Headteachers

2.4.1 Managers/ Team Leaders/Headteachers are responsible for ensuring the implementation of this Corporate Procedure within their workplaces to comply with management guidance.

2.4.2 Managers are responsible for ensuring that staff report all accidents/incidents on the corporate accident/incident reporting form with employees. The managers will also be responsible for notifying other employees within their team of any concerns within their Department relating to members of the public posing a potential risk to staff, as appropriate.

Managers must ensure that they identify authorised users to the PVP Register and ensure their employees receive the necessary training to access the register.

2.4.3 Relevant Managers may be required to attend the quarterly review meeting if any information or details on an entry into the database are required from them.

2.5 Panel Members (Senior Officers)

2.5.1 The nominated officers shall be required to attend Panel Meetings. The Panel Meeting will decide on whether or not an individual is placed on the PVP register. The Panel will be chaired by a representative of the Health & Safety Unit, and panel members will be drawn from a nominated pool which will include senior managers and senior personnel staff from each directorate and a trade union representative. The quorum will be a minimum of 6, of whom at least 3 must be senior directorate managers and 1 personnel representative, in addition to the Chair. The Chair will co-ordinate attendance and representation at meetings.

2.6 Authorised Users

2.6.1 All employees who have been identified as Authorised Users by their Manager/Team Leader/Headteacher will be trained to use the PVP register. Confidential information must not be left on unattended computer screens and is only to be discussed with relevant staff when essential to do so as part of the risk assessment process.

2.7 Employees

2.7.1 All employees have a responsibility to ensure their own safety and that of others. All employees have a responsibility to ensure that they do not undertake a potentially hazardous operation/task and are responsible for reporting all accidents/ incidents to their Managers.

2.8 PVP Register Controllers

2.8.1 There are nominated officers in NPTCBC (known as PVP Register Controllers) who will hold responsibility for the PVP Register and its application. The PVP Register Controllers will co-ordinate the issuing of user names and passwords for the Authorized Users. It will be their responsibility to manage the PVP Register and add/amend the necessary information to the register. The training for employees in the use of the register will be undertaken by the PVP Register Controllers. It will be the PVP Register Controllers who will co-ordinate the Panel Meetings and ensure the appropriate records are kept in a safe and secure location.

3.0 Scope of PVP Register

3.1 The PVP register if operated and used correctly should ensure so far as is reasonably practicable that employees are not exposed to a situation where there is a potential risk of violence or aggression. This means the element of risk is identified and should be suitably controlled prior to visiting a location or person.

3.2 The PVP register will only provide information on known offenders/assailants and sections are to be aware that there may still be a potential problem at an address or property where no known problems have been reported.

3.3 It is necessary that all Sections ensure that risk assessments have been undertaken in identifying the potential problems an employee may encounter. Suitable and sufficient controls should be in place to ensure the likelihood of harm is reduced to an acceptable level.

3.4 The information held on the PVP Register will be limited to the personal details of the offender / assailant and only a brief summary of the incident will be divulged. The details for each case will be subject to reviews which will take place at intervals no more than 12 months from the date of entry.

3.5 The length of time the information will remain on the PVP register will depend upon the nature / severity of the incident gathered on a case by case basis.

3.6 The information is strictly only to be used for the safety of our employees and for no other purposes unless the release of that information has been authorized by a Head of Service.

3.7 Only Authorised Users will have access to the PVP Register. The authorised users will be employees of NPTCBC who will need to gather information on potentially violent persons/locations. Users will be identified and nominated by their manager. Each Manager will need to identify their authorised users. In order for Authorised Users to gain access to the PVP

register the section manager will need to complete a PVP authorisation form (Appendix 1) [CF/18/01](#). The original authorisation form must be forwarded to the Corporate Health and Safety Section for the attention of Mrs. Charlotte Bickerstaff (Health & Safety Officer) or Mrs. Helen Owen (Administration Officer).

3.8 On agreement to the request for access to the PVP register, a copy of the completed form will then be forwarded PVP Register Controllers. A user name and password will be issued at the time of installation.

3.9 The authorised user will need to attend a training session in the use of the system in order to be able to access the PVP register efficiently and effectively.

4. Application of PVP Register

4.1 The PVP Register will be used as part of the risk assessment process adopted by each Section to ensure all hazards at work are identified and controlled where necessary.

4.2 It is important to ensure that the information is used in a lawful and fair way ensuring there are no breaches of the Data Protection Act and Human Rights Act.

4.3 The data contained on the PVP Register will not necessarily cover all work activities or areas, as details contained on the register will only be of known or potentially violent persons.

4.4 To ensure that the register is holding the latest or most current information it is necessary that any updated information (e.g. existing offenders that have moved address and/or are known to reside at other locations), then this must be passed on to the PVP Register Controllers.

4.5 The reporting of new cases of threats or violence should be carried out following the guidance contained in Flow Chart 1 (attached).

4.6 It is important to distinguish between a situation where an individual has assaulted or threatened an employee and a situation where there is a rumour that a person is violent. The PVP Register will only be used for factual information to avoid any possible claims of defamation. The Panel Members will use set criteria to determine whether a person should be entered onto the PVP Register (Flow Chart 3), and will record their decisions/findings.

4.7 In order to comply with The Data Protection Principles, the information that is held on an individual must not only be relevant and not excessive, but it must also be adequate, accurate and kept up to date. All Panel meetings, whether they are regarding existing or new offenders, will be minuted and the records kept in a secure, confidential location. These records will be of assistance if there is any dispute as to the accuracy of the data.

4.8 It will be necessary in most cases to inform individuals (who have been identified as a potential hazard) of the reason why they are being entered on to the PVP Register. A standard letter [CF/19/01](#) (Appendix 2) will be generated and the Head of Service or Accountable Manager of the employee who has been threatened or attacked will complete the details and send the letter on behalf of the Council. This is necessary to ensure compliance with the Data Protection Act relating to the way the information is being stored and processed by the Authority.

4.9 In some circumstances it may not be advisable, owing to the nature or situation of the person who has been aggressive or shown potential aggression to an employee, to inform them of their inclusion onto the PVP Register as this may make the situation worse. This will be assessed for each case on an individual basis. In these circumstances reasons for not sending a letter will be recorded. Every six to twelve months there will be a review of records in order to ensure that any information held on the PVP Register is kept up-to-date in accordance with The Data Protection Principles.

5 Other Relevant Information

5.1 Panel meetings

Details of those who are required to attend this meeting are given in the Responsibilities section. Attendees must ensure that the information stored on the database is accurate, kept up to date and not kept for longer than is necessary. The panel will also discuss the use and effectiveness of the PVP Register to ensure it meets the Councils requirements.

The Panel will consist of a chairperson (Health and Safety Officer) and two nominated senior officers from each of the five Directorates. A meeting can only take place if there is a minimum of six panel members plus the Chairperson. This will ensure a majority decision can be reached on all cases.

5.2 Subject Access Request

Individuals have a right to make a 'subject access request' to the council for disclosure of what information about them is being held and processed by the Authority. Any such requests will be dealt with under normal council procedures under the Data Protection Act 1998.

As a general rule information should not be passed onto other agencies unless justification can be given. Each request for information should be judged on its own merits and if information is to be passed on this has to be fully recorded. Decisions in such cases must be taken by a Head of Service.

NPTCBC own legal department would be consulted.

PVP Request Authorised User Form

Section A (to be completed by Manager)

Date	<input type="text"/>	Department	<input type="text"/>
		Department Manager	<input type="text"/>
		Managers Telephone No.	<input type="text"/>
Name of user	<input type="text"/>		
Employee No.	<input type="text"/>		
Reason for access request	<input type="text"/>		

Section B (to completed by H&S Section)

Accepted Y/N

Manager notification : Telephoned/ E-mailed/ Faxed / other

Notes

The above named person has been accepted as an Authorised User of the Councils' PVP Register

User name	<input type="text"/>
Surname & first initial	<input type="text"/>
Signed	<input type="text"/>
Date	<input type="text"/>

On completion please forward this form to the Corporate Health & Safety Section, Penllergaer Civic Centre, Swansea SA4 9GH

Appendix 2

Dear

I have been informed that the following incident took place at

..... on

I must advise you that the incident has been recorded. Abuse of members of staff is a matter that the Council will not tolerate and treats very seriously.

It is the policy of the Council to inform all employees who are likely to come into contact with you that an incident has occurred, by placing your name and personal details into a staff safety database. This information may be shared with other Departments and their agents, and is likely to be kept for a minimum of 12 months.

However, the information about you will be reviewed every 6 months and may be removed. If you object with the inclusion of this information about you on our system, you can request that this matter be reviewed in accordance with our procedures.

I would finally advise you that employees have the right to refuse to deal with you, if you behave towards them in such a manner that they may feel threatened by you in any way.

Yours sincerely

.....

Safety database Administrator.

Appendix 3

Dear Mr/Mrs/Miss

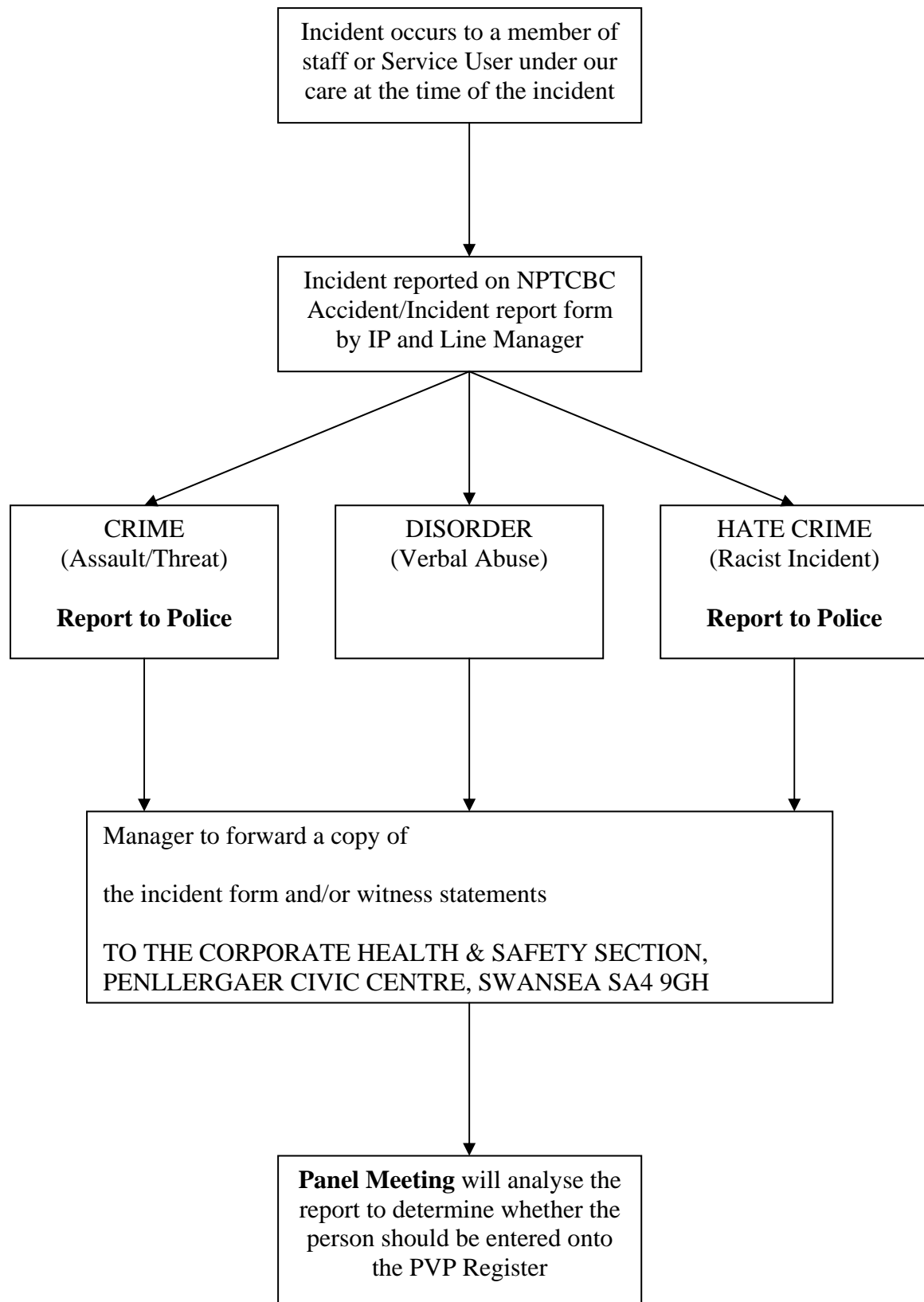
I refer to my letter of, in which you were informed of this authority's intention to include your name in safety database as a consequence of the violent and/or aggressive behaviour you displayed towards a member of staff on

I am writing to advise you that this safety database was reviewed on and in view of the fact that no further unacceptable incidents of this kind have reoccurred during your subsequent contacts with the Councils staff, it has been decided to remove your name from the system. I must make clear however, that in the event of any repetition of this behaviour, the Council will reinstate your details onto the safety database.

Yours sincerely

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Safety database Administrator.

Flow Chart 1



Flow Chart 2

Assessment for the inclusion of offenders onto PVP Register

