

# Part 4.

## Management responsibilities and supporting staff

## 4.1. Management roles and responsibilities

### 4.1.1. Understanding the role of supervisors

Supporting and protecting frontline staff should be a key priority for supervisors and senior management. Supervisors need to make it clear to their staff that they have their full support in dealing with unreasonable conduct by people who have made complaints (or for that matter anybody else the staff may interact with) in accordance with the strategies provided in this manual and any policy adopted by the organisation for managing unreasonable conduct. This support enables staff to make clear and confident decisions and take decisive action in the face of such conduct.

When it is clear that unreasonable conduct is a factor in a particular case – and it seems that it will be ongoing, is already or may well use up an unreasonable amount of time and resources, and/or may have an unreasonable impact on the health, safety or wellbeing of the staff concerned – it is essential that you (as a supervisor) discuss it with the officer concerned. You can then work together to:

- make a plan about how the case will be managed
- stick to the plan as closely as possible without being inflexible.

When deciding on a plan, it is important that you do not just look at the conduct of the person acting unreasonably – but also consider whether that conduct is attributable to any deficiencies in the way the person and/or the person's issue was dealt with by the organisation or any of its staff. If so, you should ensure that appropriate steps are taken to rectify the issue with the person concerned.

Also, as a supervisor, you should ensure that – as far as the person who made the complaint is concerned – supervision happens behind the scenes. You should avoid becoming visibly involved in a matter, unless it involves a complaint about your staff or the staff member has asked you to be involved because they think it will help to defuse the situation. Otherwise, complaints should not be escalated to you simply because a person has demanded it. This will only give the person the perception that they can control how their issue is dealt with and by whom. This approach may not be applicable for organisations that operate in a competitive commercial environment where managers are likely to have greater authority to make decisions – for example, offer discounts, waive fees, etc – to retain a customer/client.

### 4.1.2. Responsibilities of senior management

Developing and implementing strategies to manage unreasonable conduct (particularly aggression and violence) by people who interact with the staff of an organisation is a management responsibility. Under workplace health and safety legislation, employers have a duty to take all reasonably practicable steps to protect the health and safety of their employees at work. This duty requires employers to take proactive steps to identify hazards that have the potential to affect the health and safety of their employees and implement measures to eliminate or control those hazards. This includes reducing the risk of exposure to violent and aggressive conduct as well as ensuring that staff have the training and skills they require to deal with such aggression. It also includes having appropriate policies and procedures in place for managing all types of common or likely unreasonable/unacceptable conduct that can significantly affect staff or the resources of the organisation. This includes ensuring that staff are involved in developing and reviewing these policies and procedures, and that appropriate environmental design practices and procedures are in place for preventing relevant hazards.<sup>11</sup>

11. Comcare, 2007, *Bullying in the workplace A guide to prevention for managers and supervisors*, OHS 65, Canberra, p 11.

As a senior manager, to ensure compliance with these obligations – and for the approach in this manual to be effective – you should take steps to ensure that you create a safe and supportive workplace environment and culture and have systems in place for identifying, assessing and managing conduct related risks.

## Safe and supportive workplace culture

A safe and supportive workplace culture is one where:<sup>12</sup>

- Staff safety is a foremost consideration. You need to be able to demonstrate a zero tolerance approach to violence against your staff.
- Both staff and senior managers openly and actively recognise the realities of dealing with unreasonable conduct, in particular the possibility that some people who interact with your staff may be violent and aggressive.
- The stressful nature of dealing with unreasonable conduct and its impacts is recognised and staff are encouraged to learn and practice self-care techniques.

*See 4.4. – Managing Stress.*

- Staff have access to support mechanisms such as Employee Assistance Programs (EAPs), counselling and trauma services and each incident involving unreasonable conduct is treated individually in terms of assessing staff support needs.
- Unreasonable conduct related policies and procedures are implemented and communicated across the organisation, with staff at various levels of the organisation involved in developing and reviewing these policies and procedures.
- All new and existing staff are trained to deal with or otherwise appropriately respond to unreasonable conduct and the strategies that they are authorised to use to manage or respond to it.
- Unreasonable conduct related issues (including security procedures) are regularly discussed and staff feel comfortable raising any doubts, fears, uncertainties or concerns they may have about dealing with unreasonable conduct.
- Incidents involving unreasonable conduct, or inappropriate strategies engaged in by people interacting with your organisation or its staff, are used as learning opportunities that inform your organisation's policies, procedures and practices for dealing with such conduct – as well as identifying new potential risks.
- It is recognised that when one staff member is subjected to unreasonable conduct, it can have an impact on their entire team and possibly even their office – so mechanisms must be in place for debriefing and providing counselling services for all staff who may be affected, if needed.<sup>13</sup>

You can strengthen your organisation's compliance with health and safety obligations by:

- setting up a centralised case management system for recording information about unreasonable conduct affecting your organisation or its staff, and the people engaging in such conduct
- having appropriate risk management processes for identifying, assessing, controlling and reviewing actual and potential risks associated with unreasonable conduct
- drafting clear ground rules and making them available to people who have made a complaint

12. Comcare, *Prevention and management of customer aggression*, OHS 33, Canberra, p 9.

13. Department of Human Services, *Staff safety in the workplace*, p 23.

- contacting the police in appropriate cases and having frontline staff complete formal reporting requirements, such as critical incident reporting and keeping appropriate records
- monitoring staff use of the strategies in this manual and the associated model code, and reviewing them to ensure they do not conflict with your internal protocols and procedures
- promoting a consistent approach to how unreasonable conduct is dealt with by the staff in your organisation.

## Systems for identifying, assessing and managing unreasonable conduct related risks

When the approach in this manual and associated model policy is systematically applied, it should provide a robust risk management approach that helps to ensure that you meet your workplace health and safety obligations towards your staff.

However, you should also make sure that your organisation continually identifies, assesses, controls and reviews current and potentially new related risks.

### Identify the nature of the potential risks

This includes assessing the workplace environment for any physical hazards that a person can use to cause harm to themselves or others. It also includes going through any records you have of incidents of unreasonable conduct or workplace violence. This might reveal whether there are problem areas that need to be addressed or if any patterns are emerging.

#### *Assess the risks*

This includes making a judgement about the seriousness of each hazard, and deciding which hazard requires the most urgent attention. Develop a list and rank the hazards from highest to lowest priority based on the level of risk, and regularly review and update the list as needed.

#### *Control the risks*

This includes addressing the hazards and potential risks that have been identified. The primary goal will be to remove the risks, where this is at all practicable, or otherwise to mitigate the risks or their consequences. For example, if the risk involves a person throwing things like staplers around the interview room, then staplers should be removed from all interview rooms.

If it is not possible to completely remove a risk, you may be able to manage it as well as possible. For example, you might consider the design layout of your office to make interview rooms more visible to all staff members in the immediate vicinity – for example, installing large or floor-to-ceiling windows in the internal walls of interview rooms. Alternatively, you might consider changing the ways certain jobs are done or have face-to-face interviews conducted by at least two staff members at a time.

Whatever the available resources, you will find that there is usually a wide range of options for addressing many risks – with little or no expense in some cases.

*See – 4.3. Dealing with internal hazards through environmental design.*

#### *Regularly review the risks*

This includes continually monitoring your workplace environment and assessing off-site visits to make sure that any potential new hazards are immediately identified. Staff participation will be important with this. If necessary, safety procedures may need to be changed and systems evolved to ensure they are still effective.

## 4.2. Recording and reporting incidents

### 4.2.1. Recording incidents of unreasonable conduct

Managing unreasonable conduct will only be effective if you keep accurate and contemporaneous records of such interactions. Good record keeping will ensure that all incidents of unreasonable conduct – as well as any trends – are identified and dealt with. It can also help to ensure transparency and accountability in any actions taken or decisions made to modify or restrict a person’s contact as a result of unreasonable conduct.

Records should accurately reflect what has happened and should include the following details:

- the name of the person whose conduct was unreasonable
- the name of the person making the record
- the location of the interaction and details of who was present
- the start and finish time and date of the interaction
- a summary of the nature of the unreasonable conduct, and where applicable any questions asked, advice given, and verbatim records of any threats or abusive words
- any other relevant details.

These records should never include statements of opinion about the mental health of the person involved or speculation about what their motivation may be. The records should only include statements of fact about what was said, what has been written and/or what was observed about the conduct of the person in question.

Correspondence (letters or email) containing inappropriate or offensive content should be added to the relevant case file (paper and/or electronic) and reported to the relevant security officer or senior manager. Depending on the circumstances, such correspondence could be returned to the author with advice that the content will not be dealt with until the inappropriate or offensive content is removed, and that any further correspondence containing similar content will be read and filed without acknowledgement.

If possible – and if it will not lead to conflict with the person concerned – it may be appropriate to try to get the person to sign and attest to the accuracy of your records. This could be, for example, after a face-to-face interview where an agreement was reached with the person about future conduct.

### 4.2.2. Reporting incidents of unreasonable conduct

Ensuring that staff report all incidents of unreasonable conduct to appropriate managers and supervisors is also important to effectively manage such situations – both individually and across the board. Reporting ensures that incidents are dealt with appropriately and in a timely manner to minimise any actual or potential risks for your staff, third parties and the person concerned.

Reporting can be verbal or in writing, and staff should consult your organisation’s relevant protocols on this issue.

See *Unreasonable Conduct by a Complainant: A model policy and procedure for organisations* – available at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

### 4.2.3. Monitoring further incidents

Once a person's contact with the organisation and its staff has been modified or restricted, all staff are responsible for observing and monitoring their conduct during further contact between the person concerned and the organisation. This includes noting any attempts by that person to circumvent the restrictions that have been imposed on their access. Any unauthorised behaviour should be acted on by immediately enforcing the restriction and notifying the appropriate senior officer. They will decide on the appropriate course of action – which may include placing further restrictions on the person's access or withdrawing access all together, provided your organisation has the discretion to do so.

### 4.3. Dealing with internal hazards through environmental design

One way of minimising the risks posed by violent and aggressive conduct is to consider the environmental design or layout of your premises. The concept of Crime Prevention Through Environmental Design (CPTED) suggests that certain building design features can discourage violent or criminal activity. It is based on the idea that if you enhance certain design features within your office you can discourage violence – particularly by considering space, layout and psychology concepts such as the behaviour of people in relation to colour, lighting, temperature and queuing. Some examples of CPTED strategies that might discourage unreasonable conduct include:

- Using building security if available or station employed security guards at entry points that are visible to complainants. This can be full or part-time, with the guards only present when particular people attend the office.
- Increasing the number of staff around the office at high-risk times.
- Separating the access points to the building, different floors of the building or lifts for staff and the public.
- Clearly differentiating between public and employee space by using different carpet, tiles, etc.
- Requiring visitors to identify themselves and sign in and out of the workplace.
- Having closed circuit television – this has been proven to have a deterrent effect, particularly when there are obvious monitors so people can see themselves being recorded.
- Prominently posting signs that you are video monitoring.
- Prominently posting signs setting out expected behaviours of visitors.
- Having wider and/or higher front counters that make it more difficult for a person to reach across, jump over etc.
- Making sure that objects are fixed and cannot be used as projectiles.
- Having designated safe rooms where staff can gather if a threat arises.
- Installing double exit doors in interview rooms.
- Having shatterproof glass in interview rooms and public areas of the office.
- Controlling public access to interview rooms and non-public areas of the office – for example, needing key card access to enter.
- Having minimal furniture in public areas and furniture that is large enough that it cannot be easily picked up and thrown.
- Minimising the number of entrances to the workplace, while maintaining fire code regulations.
- Installing metal detectors at building entrances – depending on the nature of the services provided.
- Fitting duress alarms to walls or desks or having staff wear them during interviews – these alarms can be silent internally but with a link to computers that raise automatic emergency responses.

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- Having a planned approach to queuing – such as taking a number or setting out a clearly defined queuing area.
- Making sure waiting rooms are comfortable and spacious and there is adequate seating – to minimise discomfort.
- Making sure that there are proper ventilation and temperature controls.
- If complainants will be waiting for extended periods of time, having televisions and/ or reading materials in the waiting area that are suitable for them – but do try to minimise waiting.
- Make sure that there is adequate lighting in car parks surrounding the workplace.
- Using relaxing music and calm colours in paintwork to reduce potential violence.
- Ensuring that all or certain visitors are escorted when in non-public areas.
- Installing airphones to allow what is happening in a public area throughout the office.

The suitability of these strategies will depend on the type of services your office or organisation provides.



## 4.4. Managing stress

Dealing with people who are upset, particularly those whose conduct is unreasonable, can be extremely stressful – and at times distressing or frightening. It is perfectly normal to get upset or experience stress when dealing with difficult situations, particularly after a critical incident. The approach advocated in this manual, when systematically applied, goes a long way towards reducing this stress and fear.

However, critical incidents can occur. In complaint handling, your staff are more likely to experience minor difficult incidents – such as abusive phone calls – although more extreme situations can sometimes occur.

A critical incident is an event that disrupts your office's normal functions and that you, your colleagues or staff perceive as being a significant personal or professional danger or risk. Some examples of critical incidents are:

- threats of harm to self or others
- serious injury
- actual or threatened death
- deprivation of liberty
- severe verbal aggression
- bomb or hostage threats.

Some common myths about critical incident stress are:

- If staff members are experiencing critical incident stress, they are not competent or not suited for the job.
- Experiencing critical incident stress is a sign of psychological weakness.
- Talking about the incident will only make the stress worse.

### 4.4.1. Recognising the signs of stress

Everyone reacts to stressful situations differently. Some are more susceptible to critical incident stress than others. This could be due to events in their personal lives, their personality type or their perception of an incident with a complainant. Some people also react immediately after a stressful incident, while others will react much later on. Also, for some people stress can be cumulative – often resulting in a strong reaction to a series of minor events. Others can be affected by a critical incident even if they did not experience it firsthand because of how they perceive the incident.

Because the possible responses to stress vary so considerably, it can be difficult to identify whether a colleague or a member of your staff is suffering from stress or will experience stress after a critical incident. The following list of common signs of stress will help you recognise stress within yourself, your colleagues or your staff so that appropriate action can be taken to manage that stress.

### Physical signs

- shock
- nausea
- fainting immediately after the event
- chest pains
- headaches
- muscle soreness
- fatigue
- gastrointestinal problems
- elevated heart rate
- elevated blood pressure

### Emotional responses

- anger
- fear
- depression
- feelings of isolation
- crying or feeling tearful
- feeling powerless

### Intellectual signs

- difficulty thinking clearly
- difficulty making decisions
- difficulty concentrating on the job

### Behavioural changes

- increased irritability
- withdrawing from people
- insomnia
- nightmares
- resorting to alcohol, cigarettes or prescription/non-prescription drugs more frequently or in greater quantities
- interpersonal problems
- social withdrawal
- anxiety
- depression

#### 4.4.2. Effects of critical incident stress on the organisation

Critical incidents can significantly affect team dynamics and functioning as well as the wider work environment. Work effectiveness and productivity can become impaired and there may be a higher than usual rate of absenteeism or a sudden rise in staff turnover rates. Levels of morale may fall and group problem-solving abilities may become compromised. Mistrust towards complainants may also take hold.

Supervisors and senior managers should therefore check for signs of stress in their staff and ensure that appropriate support services – like debriefing and counselling – are available to them. This will also be important for meeting duty of care and work health and safety obligations.

#### 4.4.3. Debriefing

Many of us ‘debrief’ after a difficult interaction with a person without realising that we are doing it. For example, after an abusive phone call many of us immediately turn to a colleague to tell them about the horrible things that the person said to us and seek reassurance that they – not us – were being unreasonable. Doing this helps us to off-load the stress (and sometimes the anger) that we were feeling during our interaction. It also gives us an opportunity to say things that we could not say to the person on the phone.

Debriefing is an important part of managing stress. As the example before suggests, it is usually a voluntary process – with the exception of operational debriefs. These can occur in a number of different ways:

- Professional debrief – an external professional service is used to provide the service on an as-needs basis (such as EAPs).
- Internal management debrief – provided by a supervisor or senior manager. Any supervisors or senior managers who provide debriefing to staff should be trained in debriefing techniques.
- Informal peer debrief – debriefing after a minor incident can be provided by peers. It is an immediate opportunity to express your thoughts and feelings and receive appropriate support from your peers, for example, over a drink or a walk. If this method is used, management needs to make it clear that it is a legitimate component of the work of each staff member to help a colleague to debrief if they are asked for this assistance.
- Informal group debrief – frontline staff meet together to discuss recent or particular difficult incidents of UCC.
- Operational debrief – this is to review operational issues after an incident. It is intended to deal with people’s personal issues and usually occurs after people have worked through those issues via alternative means. What happened and whether things could have happened differently, or better, should be considered.

#### Key components of debriefing

Some key components of debriefing include the following:

- It aims to assist recovery from critical incident stress and avoid future problems such as post-traumatic stress syndrome.
- It generally needs to occur 24 to 72 hours after an incident, depending on the readiness of the affected staff member(s).

- As some people can display a delayed reaction, debriefing may occur weeks or even months after the event.
- Formal and operational sessions are always private and discussions are confidential.
- Participation is voluntary, though staff should be encouraged to attend.
- Follow-up sessions may be necessary.
- An educational component about stress-related symptoms that may be experienced and how to manage them should be included.

The affected staff members may need support for a period beyond debriefing – such as a lighter workload for a while, changed duties, part-time work or leave.

A debriefing report should be prepared at the end of each session. This should be a confidential document that relates to the organisation's operations and should be kept separate from the affected staff member's personnel file.

#### 4.4.4. Employee assistance programs and counselling services

Sometimes you may feel more comfortable talking to a person outside the office – to someone other than a colleague or senior manager. You may just want time to work through an incident, particularly if you are experiencing other stressful life events or may need ongoing or additional support through a confidential counselling service like the EAPs. EAPs are work-based intervention programs designed to improve the emotional, mental and general psychological wellbeing of all employees and their immediate family members. It aims to provide preventive and proactive interventions for the early detection, identification and/or resolution of both work and personal problems that may adversely affect performance and wellbeing. These problems and issues may include health, trauma, substance abuse, depression, anxiety and psychiatric disorders, communication problems and coping with change.

Most public sector organisations will have information about EAPs readily available. If not, you should consider asking your supervisor or senior manager about the availability of these services.