

Anti-Violence Collaborative Wales

Obligatory Responses to Violence in Healthcare (ORV)
Part 1: Purpose of Document



Partneriaeth
Cydwasaethau
Gwasanaethau Cronfa Risg Cymru
Shared Services
Partnership
Welsh Risk Pool Services



Grŵp Cydweithredol Cymru dros atal Trais
Anti-Violence Collaborative Wales

ORV PART ONE

Purpose of Document

For full guidance please refer to Anti-Violence Collaborative (AVC) agreement 'Obligatory Responses to Violence in Healthcare' (ORV).

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1.1 Intent and Purpose

(i) Statement of Intent

It is widely acknowledged that NHS staff (Hospital, Ambulance, Community, and Primary Care including Dentistry and Optometry along with public sector staff undertaking caring duties) are amongst those most likely to face violence and aggression during the course of their employment.

All NHS organisations recognise their duty to provide a safe and secure environment for all staff, service users and visitors. Within their health and safety obligations and the strategic ambition of *A Healthier Wales* the NHS seeks to become an exemplar employer in respect of the health and wellbeing of its workforce. NHS organisations have local violence and aggression policies outlining their agreed approach to preventing and responding to such instances towards their workforce.

There is a strong public interest in prosecuting those who verbally and physically assault staff who work in the NHS.

All parties to this agreement will work collaboratively to ensure the most appropriate outcome in each case. The partners to this agreement acknowledge the validity of restorative justice and the range of non-custodial disposals, which may be appropriate.

- ➔ The Anti-Violence Collaborative (AVC) supports partners to comply with the direction of the Welsh Health Circular 2024.
- ➔ NHS Wales bodies have responsibility to identify and respond to violent and aggressive incidents in order that this agreement can be effective. Prompt incident reporting is crucial to achieving the right outcome.
- ➔ Effective risk management strategies are essential in reducing the potential for violence and aggression and responding promptly when incidents occur.
- ➔ Criminal justice partners have responsibility to review and respond appropriately to incident reports by NHS bodies.

(ii) Purpose

This document sets out the responsibilities of the partners when dealing with incidents relating to violence or aggression in the NHS. This includes those which are sexual or hate crime related. It enhances the previous agreements in Wales.¹

(iii) Parties

The ORV Agreement is between the four police forces in Wales, CPS Cymru-Wales and the NHS in Wales.

¹ This document replaces previous agreements: one signed on March 2007 between the Welsh Government and CPS Cymru-Wales, a second one on 14th September 2009 between the Welsh Government and Chief Constables of South Wales, North Wales, Dyfed Powys and Gwent Police, and a third one on 21st November 2018 between the Welsh Government, Chief Constable of South Wales, North Wales, Dyfed Powys, Gwent Police and the CPS Cymru-Wales.

The ORV Agreement aims to:

- ➔ Achieve effective and efficient communication across partners, including the exchange of information at all levels.
- ➔ Provide a clear understanding of the respective roles, responsibilities, processes and legal constraints.
- ➔ Improve the understanding and confidence in prosecutions and the criminal justice system for all NHS staff.

(iv) Support for Victims of Violence & Aggression

NHS staff and others who experience incidents of violence and aggression covered by this agreement should receive effective support from AVC partners. This includes all staff working in the varied health care sector.

1.2 Simplified Process

PREVENT

NHS bodies prevent assaults using effective risk management procedures.

CAPTURE

Assault on NHS staff

(Includes Ambulance, Paramedics, Hospital staff, Primary Care i.e. GP staff, Pharmacy, Podiatry, Dentistry, Ophthalmology).

Incident reported to Manager and to police via 999 or 101.

Incident report (Datix Cymru) completed.

Manager or victim contacts NHS V&A Case Manager or equivalent staff.

INVESTIGATE

NHS Wales V&A Case Manager or equivalent staff

- Supports NHS Manager to investigate V&A incidents.
- Liaise between police and the organisation.

Police Investigator

- Investigate promptly.
- Consider restorative justice options and behavioural orders.
- Refer to CPS where appropriate.

PROSECUTE

CPS Cymru-Wales

Consider if there is sufficient evidence for a realistic prospect of conviction and a public interest to commence a prosecution.

NHS Wales V&A Case Manager or equivalent staff

Facilitates information sharing, supports victim throughout

DETER

NHS Wales body provides Service Impact Statements where appropriate.

Outcome of case shared with media and public.

Update Risk Management Strategy to reduce V&A risk.

1.3 Implementation, Publicity and Review

The parties commit to implementing the agreement widely, and promoting the agreement both internally and externally. The AVC will develop publicity material to promote the ORV.

Any amendments should be agreed in writing by the parties and must be consistent with the nationally agreed protocols and standards. The ORV will be reviewed periodically by the AVC.

1.4 Commencement

This agreement will take effect on **30 April 2024**.

1.5 Communication

Effective communication is pivotal to the success of this Agreement in order to:

- ➔ Promote the reporting of V&A incidents.
- ➔ Strengthen the investigation and prosecution process, by improving the quality and timeliness of shared information.
- ➔ Ensure effective victim and witness care is provided.
- ➔ Enhance confidence in the criminal justice sector.
- ➔ Raise public awareness of the issues of V&A as well as the action that will be taken by all parties.

The AVC partners agree that individuals from their organisations will be nominated to act as a single point of contact (SPOC), to streamline communication, operational implementation, monitoring and reporting of the agreement.

(i) NHS Wales V&A Case Managers

All health bodies in Wales have identified an executive lead for violence and aggression matters. Primary Care have their equivalent leads. NHS bodies will ensure that the responsibilities of the NHS Wales V&A Case Manager are undertaken by appropriate staff.

Responsibilities of an NHS Wales V&A Case Manager includes:

- ➔ Ensuring visibility throughout the organisation.
- ➔ Promoting incident reporting via Datix Cymru.
- ➔ Support and guide victims through the criminal justice system and signpost them to wellbeing support available within the NHS.
- ➔ Promote the ORV agreement within the organisation.
- ➔ Provide reports and data to support awareness and prioritisation on V&A matters.
- ➔ Liaise with partners to the agreement in order to create effective local pathways of communication and understanding.
- ➔ Support in the investigation of incidents with a view to prevention and reduction of V&A.
- ➔ Provide a quarterly report to the AVC for review and reflection in collaboration with the CPS Cymru-Wales and Police. This will include the number of incidents of violence and aggression towards NHS staff compared with the number of patient encounters within environments of both scheduled and unscheduled care, along with a description of the data.

(ii) Police Forces




Chief Constables will ensure that a single point of contact (SPOC) is designated within their service. The SPOC will ensure that the ORV agreement is implemented within their organisation, they promote publicity materials, and liaise with AVC partners.

(iii) Crown Prosecution Service (CPS) Cymru-Wales

The CPS will identify and maintain SPOC contact points to support the AVC.

1.6 Liaison

All partners are committed to encouraging regular, local liaison to:

-  Promote awareness and publicity of the ORV agreement.
-  Ensure effective sharing of relevant information and data.
-  Support staff affected by V&A incidents.

1.7 Escalation

In the event of a dispute or query in connection with the management of a case, the NHS Wales Case Manager or equivalent staff member should seek resolution with the relevant SPOC. If resolution is not achieved contact should be made with a member of the AVC National Team who will attempt to support a resolution. If a resolution cannot be identified then the matter should be referred to the Chief Officers of the respective organisations or presented at an AVC meeting as appropriate.

1.8 Annual Report

The parties commit to provide data as well as any other supporting information to ensure the effectiveness of the collaboration.

The work of the AVC is commissioned by the Welsh Risk Pool Committee and regular reports will be provided on the work of the collaborative.

The AVC will provide an annual update to the Welsh Partnership Forum.

The AVC will provide an annual update to the NHS Wales Chief Executive.

1.9 Signatories to the Agreement

The signatories agree to implement the provisions of this memorandum and any arrangements of understanding.

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Chief Constable Jeremy Vaughan
For and on behalf of South Wales Police



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Chief Constable Amanda Blakeman KPM
For and on behalf of North Wales Police



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Chief Constable Dr Richard Lewis
For and on behalf of Dyfed-Powys Police



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Chief Constable Pam Kelly QPM
For and on behalf of Gwent Police



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Jenny Hopkins
Chief Crown Prosecutor Crown Prosecution Service
Cymru-Wales
For and on behalf of Crown Prosecution Services
Cymru-Wales



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Judith Paget
Director General Health, Social Care & Early Years Group
/NHS Wales Chief Executive
For and on behalf of NHS Wales



Date: