

Purpose

Access Community Health | Hauora Tara-Ā-Whare (ACH) is providing care and support in the homes of our tāngata. At times, we will come across behaviour that is inappropriate, and we will actively seek to minimise the risk to and provide support to our kaimahi | staff when faced with this.

This policy's purpose is:

To provide guidelines to kaimahi | staff in relation to reducing likelihood of incidents that may cause harm, recognition and management of persons presenting with behaviours of concern.

To provide guidelines to kaimahi | staff in relation to prevention, recognition, and management of unwanted and or unlawful entry into ACH facilities/buildings.

1. Scope

- a. Applies to all ACH offices and kaimahi | employees.
- b. ACH takes the wellbeing, health and safety of its kaimahi | staff very seriously and takes a strong stance against unlawful or threatening and intimidating behaviour.

2. Context

ACH provides care and support to over 36,000 tāngata | clients across Aotearoa.

We do the vast majority of this work in the homes of our tāngata, however there will be times members of the public will have access to our sites/offices.

Working in an environment we cannot necessarily control can present multiple challenges. The health of our tāngata changes over time, as do their social supports and as a result, we are often faced with behaviour that can be challenging to manage.

3. Definitions

- a. **Intruder** – a person who enters a building, grounds, etc. without permission.
- b. **Challenging Behaviour** – is any behaviour with the potential to physically or psychologically harm another person, self or property. It can be deliberate or unintentional and ranges from verbal abuse through to threats or acts of physical violence.
- c. **Intimidation** – Any behavior that could cause a kaimahi | staff member to doubt themselves, and threaten the judgment and skill execution of their care to a tāngata | client.
- d. **Threatening behaviour** – Making or implying threats: including threatening phone calls. Causing the feeling that one's power, social standing, or self-esteem is in danger of being diminished.

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- e. **Workplace violence** experienced by an employee, is any act or threat of verbal or physical violence, harassment, intimidation, or other threatening disruptive behavior by another person, that occurs at work (including at the home of a tangata | client), with the intention of abusing or injuring an employee.

4. Definition of anti-social behaviour

Anti-social behaviour is defined and includes: “harassment or any other act or omission (whether intentional or not) if the act or omission reasonably causes alarm, distress, or nuisance that is more than minor”. It can include, but is not limited to:

- verbal or physical abuse (actual or threatened) including insulting words/behaviour
- being insulted, pestered or intimidated
- racism in any form
- harassment
- behaviour that interferes with the peace, comfort or convenience of others.

5. Responsibilities

ACH will aim to:

- Provide up to date/document-controlled policies and processes
- Provide best practice guidance and examples of effective and efficient ways of working
- Communicate legislation or regulatory changes
- Provide support and guidance to people leaders
- Seek solutions with relevant leaders.

People Leaders will:

- Regional Managers are to ensure that this policy is embedded in their regional plans, risk registers, operational and clinical procedures
- Ensure all kaimahi | staff are made aware of and understand this policy and procedure, including any associated documents
- Ensure any incident is notified and recorded in HGov
- Ensure a clinical needs assessment is undertaken to determine if the incident was a result of a deterioration in clinical status of the tangata | client
- That all instances of violent and / or threatening behaviour / bullying / harassment exhibited are appropriately addressed
- Ensure that kaimahi | staff who encounter violence or threatening behaviour / bullying / harassment know what to do and how to seek support and counselling
- Engage and build relationships with the local community policing personnel and Māori Wardens where they are available

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- Understand their responsibility in firstly, and always, keeping themselves and others safe
- As and when ‘at risk’ tāngata|clients/whanau/family are identified, the regional leadership team will:
 - Ensure all challenging and unpredictable behaviours exhibited are reported appropriately so they can be addressed by staff and management (if possible, with support from social worker with both a staff safety and tangata|client centric view)
 - Escalate all disclosures that may be a ‘protected disclosure’ in accordance with this Policy
 - Consider whether any complaints of bullying and harassment may constitute a protected disclosure, regardless of whether or not the complaint is made with reference to this Policy
 - Carry out investigations into protected disclosures if delegated responsibility from the National Health and Safety Manager or the National Employee Relations Manager
 - Provide employees with this Policy and the Protected Disclosures guide
 - Maintain confidentiality of those involved
 - Document, in agreement with the person, controls/plan to prevent and minimise exposure
 - Place alerts in patient management system and enter on the “at risk” patient register (where applicable)
 - Communicate plan to appropriate kaimahi|staff
 - Review plan and controls/at risk register in multidisciplinary and/or clinical meetings
 - Ensure all tāngata|clients, who potentially pose a risk to any of our staff are identified and managed to ensure the actual risk is minimised and mitigated.

Staff

- Report all incidents of anti-social behaviour to a people leader or the National Communication Centre for an HGov notification to be done. Be mindful that these reports are protecting our kaimahi|staff members from being injured
- Depending on the nature of the incident, contact their regional office without delay
- Refer colleagues who wish to make a disclosure to this Policy and the Protected Disclosures guide
- Maintain confidentiality of those involved
- Be familiar with this policy and procedure
- Question content and raise issues if content is not in line with best practice, or safe quality care or practical

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- Understand their responsibility in firstly, and always, keeping themselves and others safe
- Understand how challenging behaviour has potential negative health consequences for the tangata
- **Follow all instructions as outlined in the person’s Support Plan**

6. Scenario Procedures

1. Intruder or Unlawful Entry into a place of work / office:

If you suspect there is an intruder in your work area / office – door open when no one there or the alarm has gone off – DO NOT ENTER until you have called the police and they have arrived!

- a. Prevention and Recognition
 - i. Calmly approach any unknown person found in the place of work / office premises and ask if you can help them.
 - ii. If the explanation is unsatisfactory or you feel unsafe, withdraw to a place of safety and if possible, notify the police immediately.
- b. Management
 - i. When confronted with an intimidating intruder, provide the medications/ equipment etc. demanded by the intruder. Try not to allow yourself to be backed into a corner.
 - ii. Avoid eye contact with the person, if at all possible as this is known to potentially aggravate them further. Don’t make any sudden movements and speak softly.
 - iii. If possible, observe the following which are helpful to police:
 - All articles touched by the intruder
 - Physical details and clothing
 - Particular points that aid description, e.g. unusual physical features, clothing features, brand names etc., mannerisms and weapons
 - The direction in which the intruder left, description of vehicle and registration number.
 - Description of weapon if presented
 - iv. Anyone observing the action from a place of safety should ring the police or Security Company as soon as possible, provided the safety of other people is

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not jeopardised. On receiving a phone call from your place of work, the security firm will despatch a security officer and advise the police.

- v. Consult your regional agreement with the security firm. You may find that in the event of a false alarm you can cancel the security firm’s visit to the place of work / office, but not the police – they are obliged by law to respond to a request for assistance.
- vi. If the police have not already been notified, call them as soon as you can safely do so:
 - Dial 111 if there is immediate risk or there is something occurring now, otherwise, for non-urgent notifications call 105
 - Give the name of the place of work / office, including the name of the town/city
 - State that there has been an intruder on the premises and details of the incident
 - All 111 calls are recorded, so as you think of details, state these at the time of the call. Your immediate recall is usually the most accurate.
- vii. As soon as possible, ensure the safety of tangata, whānau and other staff members in the building or home and reassure as necessary.
- viii. Do not touch anything the intruder may have touched – as it may be used to try and get fingerprints.
- ix. Document all such incidents as soon as possible after the event and enter into HGov as soon as practical.
- x. Do your best to stay calm.
- xi. Provide an opportunity to debrief after the incident has been de-escalated.

2. Challenging or Concerning Behaviours:

a. Mitigation

- i. Recognise that tāngata and whānau members are often vulnerable or emotive because of their health issues, life situations or a situation ACH has placed them in.
- ii. Listening with empathy and trying to find a workable solution to their issue may prevent the situation escalating.
- iii. Don’t tell the person to “calm down” this is likely to inflame them further.
- iv. Provide a quiet place for the person to regain their composure if practical but be careful of finding yourself alone in an office with a very angry person.

b. Recognition and Management

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- i. If a tangata or whanau member becomes openly threatening or abusive, tell them that their behaviour is making you feel uncomfortable /scared/ threatened.

Sometimes giving them this reality check will tone them down. If you see or hear one of your colleagues handling a threatening or abusive situation, give them support.

- ii. Let the person know that if they continue to act in a threatening or abusive manner you will ask them to leave/ you will leave.

If you are talking to them on the phone and they are speaking in a manner that is unhelpful or abusive, and basic de-escalation has not worked advise them that you intend to end the call if the conversation does not change. If you or your supervisor are unable to manage the caller, please politely terminate the call.

- iii. Ask them to leave and if they refuse to do so, call the police or your security firm (see notes 1. b. vi above). If you are in a client’s home you should you leave and contact your care coordinator immediately.
- iv. Document all such incidents as soon as possible after the event by entering them into HGov.
- v. The person responsible for loading the HGov should also immediately notify the responsible Regional Manager, People Leader or OCC if after hours.
- vi. Regional managers should call a debrief/investigation meeting as soon as possible (within next two business days). This may occur directly after the incident or a suitable time shortly thereafter. Part of this meeting should include a risk assessment on the harm caused (potential or actual) to the staff including a referral to EAP where needed.
- vii. Regional manager to ensure a clinical review is undertaken as part of the investigation to capture any degenerative changes in health or cognition of tangata |client whenever there are concerns about a tangata |client’s behaviour. Where indicated/appropriate, consult GP for further referral and/or advice.
- viii. Regional manager should follow up the incident with a meeting with the tangata/client/person and/or next of kin outlining ACH’s concerns, and a plan/pathway forward. A letter should be drafted to the tangata/client/person involved, informing them that threatening or abusive behaviour will not be tolerated in the future (See appendix for example) and any future risk mitigations put in place. The letter should be sent to the tangata |client within 5 working days of the meeting, preferably the same day.
- ix. Regional manager must ensure that the appropriate NASC and/or funder is informed of this occurrence. If done verbally, this must be followed up in writing.

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- x. Regional manager to review options to retain safe service delivery where possible.
- xi. Regional manager must ensure that a risk assessment is completed for any on-going risk e.g. service must remain in place with another Kaiāwhina |SW attending to cares (all staff involved in the cares must be informed of any H&S/clinical risks incl. behavioural concerns). Depending on the incident, and if circumstances preclude care being withdrawn, then thought must be given to the rostering of two Kaiāwhina |SW until such time as the tangata |client has been managed appropriately.

c. Withdrawal of care/support services

There may be circumstances where management decide that risks to staff or tangata can no longer be appropriately managed or mitigated, and after careful consideration, a decision to withdraw services may be made. In these instances;

- i. Ensure funder (ACC, Whaikaha, Te Whatu Ora) and their Needs Assessment and Service Coordination (NASC) team have received an escalation report.
- ii. ACC escalations must first go via ACH's ACC Manager, and National Operations Manager or TCH Manager.
- iii. Meet with funder and NASC to review request to withdraw of services.
- iv. Generally, ACH must provide 4 weeks written notice to the funder to withdraw care, however the funder must be able to provide ACH the necessary support required to control the risk. The risk cannot be transferred to, or solely owned by ACH. The controls should be aligned with the risk profile.
- v. If there is a misalignment of risk appetite between organisations, this must be escalated to the National Operations Manager and National Health and Safety Manager.
- vi. Blocking of staff by tāngata |clients

1. If a care coordinator receives a notification that a tangata |client wants to block a kaimahi |staff member, they must note this down and escalate to their team leader. The care coordination team leader (CCTL) should investigate the reasonableness/rationale of this request and impact of service delivery and escalate where needed.
2. Where there is concern over the legitimacy of the blocking request, the tāngata |client should be invited to a discussion about the ability for ACH to provide services if support workers are being blocked from providing care.

vii. Blocking of tāngata |clients by kaimahi |staff

1. ACH staff do not automatically have the right to block tāngata |clients from their rosters unless there are Health and Safety concerns. If a

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care coordinator receives a notification that a kaimahi|staff member wants to block a client, they must note this down and escalate to their team leader and the appropriate support worker coordinator (SWC). The SWC and CCTL should investigate the reasonableness/rationale of this request and impact of service delivery and escalate where needed.

3. Armed Holdup

Remember – Don't be a hero, don't resist, don't make any sudden movements, and don't give chase. Rather, try to make a mental note of as many details as possible. This includes any distinguishing characteristics of the offender(s), and how and in which direction the offender(s) fled.

Any place of work that handles cash, drugs, is at significant risk of being an armed robbery target, which is very much a health and safety issue. NZ Police advice is to remember that if in this situation **life and safety are worth more than money or goods!**

In an armed holdup situation:

- Stay calm
- Follow the offenders' instructions
- Consider all firearms as real, and loaded
- Carefully note the offenders' description, if you are able to, without staring, as staring could provoke the offender(s). Try to note distinguishing features, such as "tattoo on leg" or "scar on wrist", rather than generic details such as "male", "20's", "race", as these details do not make it easy for the Police to narrow down a suspect pool, whereas distinguishing features like tattoos and scars, do
- If it is safe, note the direction the offenders' go, and a description of their method of transport, e.g. if it's a vehicle; the vehicle make, model, colour, style, distinguishing features, and ultimately registration number, if possible.

Following the offenders' departure, you can help the situation by:

- Immediately dialling 111 and asking for Police
- Stopping people entering the area used by the offender(s)
- Asking witnesses to wait until Police arrive to speak with them. If they can't, taking down their details for an officer to be in touch would be helpful.

7. Outcome Measures

- This policy and procedure are consistently followed by all staff
- All staff know what to do if an intruder or violent/aggressive patient/person is found in the building.

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- The safety of all staff and patients of the place of work that are uncontrolled homes is maintained to optimum levels at all times.
- Incidents are to be reported to and managed through the HGov reporting system

8. References

Table of Appropriate Authorities and concerns relevant to ACH:

Concern	Authority
Bullying or harassment, including sexual harassment	WorkSafe New Zealand Human Rights Commission
Discrimination	Human Rights Commission
Health	Ministry of Health Health and Disability Commissioner
Health and Safety (work related)	MBIE WorkSafe New Zealand
Privacy of individuals or security of personal information	Privacy Commissioner
Professional trade or conduct	MBIE
Racism	Human Rights Commission
Whistleblowing and Protected Disclosures	Ombudsman

9. Useful Websites

- <http://www.police.govt.nz/advice/personal-community/trespass-notices>
- <http://www.legislation.govt.nz/act/public/1980/0065/latest/DLM36927.html>

10. Associated Documents

- Health and Safety at Work Act 2015 and Regulations 2016
- Trespass Act 1980
- WorkSafe NZ – relevant guidance, codes of practice.
 - [Bullying at work: Advice for small businesses | WorkSafe](#)
 - [Violence at work: customer service areas | WorkSafe](#)
- HR 8.2 Protected Disclosures Policy
- HCS 1.22.1 Changed Behaviour

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