

**Date: 10 December 2015**

**Item: Progress in tackling Work Related Violence**

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**This paper will be considered in public**

**1 Summary**

1.1 As requested by the Safety, Accessibility and Sustainability Panel, this paper provides an update on the current workplace violence trend within London Underground (LU), reviews progress in tackling the issue and outlines next steps and proposed actions, as requested by the Panel. In addition, to provide a more holistic view of TfL's action on work related violence, the opportunity has been taken to provide an overview on how workplace violence is managed in Surface Transport (ST) together with a number of case studies.

**2 Recommendation**

2.1 **The Panel is asked to note the current trends and contributory causes to work related violence and the approaches adopted in LU and ST to tackle this.**

**3 Progress in Tackling Work Related Violence**

**London Underground**

3.1 London Underground (LU) fully recognises the potentially damaging effects of violence in any form against individuals, work performance and the organisation as a whole and is determined to take action to deal with the issue. LU has a workplace violence standard which outlines the requirements of LU in support of this company policy with the objectives of:

- (a) reducing the risks to employees from violence;
- (b) protecting employees from all forms of violence whenever possible;
- (c) providing appropriate aftercare to employees who have been subjected to violence;
- (d) ensuring that employees are aware of and fulfil their responsibilities to protect themselves against workplace violence, including the avoidance of initiating and / or provoking violent incidents.

3.2 The current workplace violence trend is improving in that there are fewer incidents. Workplace violence figures for the first two quarters of this year compared to the first two quarters of last year are down by 12 per cent. The fall is seen mainly in threatening behaviour, although there is a six per cent drop in physical incidents. The overall fall is more marked in Quarter 2 where this year's figures are 21 per cent lower than those for Quarter 2 last year.

- 3.3 The trend line for all three categories of workplace violence (physical assault, threat and verbal abuse) is also generally downward across recent years.
- 3.4 Attention has been drawn in previous papers to revenue disputes as these have always been the significant cause of violence to staff, whether the violence is verbal, threatening or physical. Again there is good news as the trend in revenue disputes is falling: 44 per cent of the total for the first two quarters of this year compared to almost 51 per cent of the total for the first two quarters of last year; 53 per cent of the total for the whole of 2013-14 and 58 per cent for the whole of 2011-12, (the figures for 2012-13 are skewed by the London 2012 Games). In fact, generally, the average number of revenue related incidents per period is now the lowest it has been for the past six years.

### **What have we been doing?**

- 3.5 Strategic research on workplace violence was undertaken within TfL just over two years ago. Although this work drew heavily on a comprehensive study carried out some years earlier for LU by the University of Nottingham's Institute of Work, Health & Organisations it included consultations with customers, staff and key managers, together with a literature review. The report (published in 2013) drew attention to the broad agreement staff had about what constitutes abuse: (i) extreme abuse - which occurs infrequently and has an instant high impact; and (ii) lower level abuse - which happens more frequently with the impact capable of growing with every incident. The researchers noted that both types of abuse had a negative consequence, although low level abuse had a cumulative effect.

The research highlighted three major concerns of LU front-line operational staff:

- (a) Staff developed their own strategies to defuse conflict which may not necessarily be the most appropriate but in the light of limited guidance and training around at the time were adopted. The researchers noted that many staff would welcome structured, regular conflict-resolution training on the job.
  - (b) Staff perceived difficulties in reporting workplace violence and believed that TfL discouraged the reporting of low level abuse. Many staff cited the impracticality of the process of reporting via the electronic incident reporting form (E-IRF), which they do not have direct access to.
  - (c) Staff felt uncertain towards TfL's commitment to tackle the problem, evidencing this belief by reference to a lack of formal training, difficulties over reporting, lack of consistency in how managers deal with the problem and a feeling that focus on workplace violence is based on how it impacts performance and ability to work rather than a concern for staff welfare.
- 3.6 These areas have provided the focus for the action undertaken over the last few years:
- 3.7 The first finding resulted in refreshed training in conflict management being introduced into the annual training round and to re-starting the local "managing challenging behaviour" workshop programme, spear-headed by the Workplace Violence Unit and focussing on hotspot locations. The opportunity to strengthen

the training provided in this area was also taken when the 5-day Fit for the Future Stations (FftFS) training programme for all station staff was developed.

- 3.8 The second finding has led to the development of E-IRF lite and the provision of an App which will allow front-line staff to record incidents on their I-PAD and report direct. (This system is currently on trial and will be implemented early next year. It should be noted that this process is likely to lead to a rise in reporting.)
- 3.9 The third finding resulted in the development of a management training programme for Duty Station Managers, which was successfully piloted on the Jubilee line. Roll out across all lines will take place as FftFS is implemented and the new Customer Service Managers are embedded in the new station management structure.
- 3.10 Reassurance to staff that the organisation is concerned over their welfare has found expression over many years in a series of poster campaigns to make it very clear that violence to staff will not be tolerated. Research on the latest campaign revealed not only a significant level of customer recognition but also a significant level of customer comprehension. Furthermore, a wider display of material was achieved through utilisation of vacant commercial advertising sites on trains. Nevertheless, staff remained unconvinced and a more successful means of support has been the monthly newsletter produced by the Workplace Violence Unit (Challenging News) which provides an update on hot topics together with a selection of prosecution results.
- 3.11 Collaboration with the British Transport Police (BTP) led to the inauguration of a joint BTP/LU Aggression and Violence to Staff Working Group (ASWG) and the setting up of regular monthly meetings. This was followed by the introduction of Operation Station, where BTP officers focussed on hot-spot locations and involved both local Neighbourhood Police Team officers and officers from the Workplace Violence Unit visiting these stations to provide advice and guidance to staff. Work was also undertaken with repeat staff victims involving follow up and review. A further initiative piloted on the Jubilee line in 2014 resulted in a series of “meet the manager” events where BTP officers and managers met staff and customers to discuss safety and security. More recently the BTP has introduced an Operation to tackle persistent low level anti-social behaviour towards staff, mainly stemming from repeat fare evaders. Additionally, good news stories regarding arrests and convictions are also relayed to individual line managers by the BTP line inspectors.
- 3.12 Alcohol as a contributory factor of violence to staff has been on a rising trend over recent years (although it is currently holding steady at 28 per cent of reported incidents) and a number of actions have been undertaken which included a half-day workshop organised by the Workplace Violence Unit and the Health, Safety and Environment team and involved a cross-section of station staff from around the network. This led on to the drawing up of training material, guidance and briefings and to further work with Employee Communications. In addition, the subject of intoxication on TfL services is being examined at a strategic level by Enforcement and On Street Services.
- 3.13 The opportunity has also been taken to commission a trial of body-worn video among revenue control staff.

## **What are we doing – next steps?**

- 3.14 Reviewing the strategy. A review of all workplace violence work-streams being undertaken by both LU and BTP is currently underway the outcome of which will be a strategy for going forward over the next couple of years which will be included in the 2016-17 strategic plan.
- 3.15 The terms of reference and attendees of the ASWG are currently being reviewed such that it is now aligned with the new stations management being brought in under FftFS. The agenda for this meeting will focus principally on reduction.
- 3.16 In paragraphs 3.4 and 3.6 of this paper the importance of training for staff was highlighted. Training is provided in newly recruited Customer Service Assistant's initial training packages and as part of the annual training round for station staff. The level of training provided is currently being reviewed to enhance it. This review is strongly endorsed by our British Transport Police colleagues. In consequence work is in progress to develop an on-line workplace aggression and violence technology-based learning solution. This will be available to all operational station staff via a series of regular modules on-line, and will help to keep their knowledge up-to-date and refreshed.
- 3.17 Loose use of terminology in the area of workplace violence in recent years has led to the mislabelling of incidents and the application of the term "assault" to include everything from mild abuse to grievous bodily harm. LU developed its policy on workplace violence in 2001 and has always had a clear standard of definition for abuse, threat and assault in line with what is common across the railway industry. In LU's definition an assault must involve physical contact so the term "verbal assault" cannot exist. In order to make this distinction clearer, a series of myth-busting activities were undertaken. This is now being followed by an amendment to the LU Workplace Violence standard when abuse will become workplace aggression and workplace violence will be limited to physical assault and threatening behaviour. This will be introduced from the start of quarter 4 and will mean the definitions are consistent across LU and Surface Transport. This will bring the organisation more into line with the BTP's and also with the Health and Safety Executive's, the lead government body on violence at work, definition.

## **Emerging issues**

- 3.18 A number of issues are emerging and, as part of the current review of all workplace violence work-streams, these are being investigated and evaluated in order to develop appropriate responses.
- 3.19 The first of these is the growth of platform-based incidents (eight per cent of the total of incidents in 2012-13, 10 per cent of incidents in the following year and up to 14 per cent last year, although dropping back to 12 per cent for the first two quarters of this year). There are a number of reasons for this, among which the increasing congestion due to the continuing rise in customer numbers (on many lines train service frequencies have increased but the sizes of the platforms have not), the deployment of more staff to platform areas and the increase in alcohol related problems (alcohol is a contributory factor in 28 per

cent of incidents of workplace violence overall, but is a contributory factor in 41 per cent of incidents on platforms) all play a part.

- 3.20 Secondly, BTP figures show an upturn in the number of common assaults on LU staff this year compared to last year, although the rise is confined to the Central, Circle & Hammersmith, Northern and Piccadilly lines.
- 3.21 Thirdly there are the changing behaviours of both staff and customers. One example has been an increase in incidents of abuse resulting from customers being asked to wait to be dealt with because the member of staff is already dealing with somebody else. The Customer Services Strategy team is currently undertaking analysis of some of these areas.
- 3.22 As part of the development of the LU strategy to tackle workplace violence, the following topics are also being reviewed:
- (a) the need to embed awareness of strategies and tactics to defuse aggression and violence into FfFS and the full roll-out of the new stations model;
  - (b) the need to embed awareness of strategies and tactics to defuse aggression and violence into implementation of Night Tube for those staff who are not normally customer facing;
  - (c) the changing role of Neighbourhood Police Teams;
  - (d) the availability of BTP resources;
  - (e) the need to ensure new managers are aware of strategies and tactics to defuse aggression and violence;
  - (f) the further reduction in the number of Courts and the move to resolve lower level crime incidents through restorative justice; and
  - (g) the need to continue myth-busting.

## **Surface Transport**

### **Background to the Workplace Violence Unit**

- 3.23 The Workplace Violence Unit (WVU) was set up in January 2009 to work in partnership with the Metropolitan Police Service (MPS) to provide an enhanced investigative capability in relation to offences against TfL Surface front-line staff.
- 3.24 In common with LU, the primary purpose of the TfL WVU is to support staff when they are the victims of violence. The rationale for the WVU was to create a dedicated investigative unit dealing exclusively with crimes of violence against those working on the front line across the bus network (primarily Bus Drivers, Revenue Protection Inspectors and Bus Station Controllers).
- 3.25 The WVU is made up of two Investigators and a Team leader. The TfL funded MPS Roads and Transport Police Command (RTPC) engages and assists MPS Borough Investigation Units in the investigation of violent offences committed

against frontline staff. The MPS RTPC is working in partnership with TfL tackling crime and anti-social behaviour on the surface transport network. TfL is committed to providing a safer working environment for all employees working on the surface transport network and the RTPC is committed to providing the resources to achieve this.

3.26 Prior to the creation of the WVU and the partnership with the RTPC, the 32 separate Police Boroughs dealt with all cases involving violence against frontline staff. Since the creation of the partnership, Police Boroughs are offered support by the WVU in driving forward their investigations. In many cases the RTPC/WVU takes exclusive ownership of the crime and its case management from the Borough Police.

#### **MPS RTPC Figures for frontline staff Assaults: 2015 (April to end Oct):**

- Bus Driver assaults dealt with by the RTPC = 328
- Revenue Protection Inspector assaults dealt with by the RTPC = 29

Most common offences:

- Common Assault (this includes spitting offences) = 161
- Public Order Act (POA sections 4 and 5) = 94
- Racial language offences = 39

#### **Bus Garage Forums and Revenue Protection Inspector (RPI) Extended Checkpoints**

3.27 The team attend all RPI team meetings (know as 'checkpoints'). This gives us the opportunity to speak with front line operational staff about any problems on the road, any issues with repeat offenders, best practice for requesting CCTV, using spit kits and generally reviewing their safety at work.

- No. of RPI extended checkpoints attended in 2015 = 15

3.28 The team also endeavour to attend as many Bus Operator driver forums at bus garages across London. Again, this would be to talk to staff about on the road issues, reporting assaults, using spit kits and conflict management advice and guidance.

- No. of Bus Operator driver forums attended in 2015 = 21

#### **Recent WVU / RTPC Case examples:**

##### **Case 1**

At the end of a route, the bus driver tried to wake a sleeping passenger. He was met by verbal abuse and as the suspect was leaving the bus, he spat twice on the bus driver.

In June 2015 the suspect was identified by a DNA sample that the bus driver had taken and arrest enquiries were carried out. The suspect pleaded guilty and was sentenced to:

- (1) Community Order 05/10/15, (2) Curfew Requirement six weeks, (3) Compensation £75.00.

## **Case 2**

Female suspect was found guilty at court for an assault on a TfL RPI and subsequently two RTPC officers. She was sentenced to:

- six weeks imprisonment for the assault on the police officers; and
- six weeks imprisonment for the assault on the RPI.

## **Case 3**

The defendant overtook a line of stationary traffic and then tried to cut in front of the bus. The defendant then got out of his car, approached the front doors of the bus and kicked them. He then activated the emergency door release, boarded the bus and spat towards the bus driver, with spittle landing on the driver's assault screen. Shortly afterwards the defendant approached the bus driver's side window and spat on the driver's clothing. He then threw two punches at the driver, which failed to connect and he later threw a can of coke at the bus driver. Following a detailed investigation by the RTPC, the defendant was identified and pleaded guilty to charges of Threatening Behaviour under Section 4 of the Public Order Act and to Common Assault. He was sentenced to:

- 20 weeks custodial sentence, suspended for two years;
- six month driving ban (as the case was deemed to be a "road rage" incident);
- 24 month Supervision Order; and
- fines and compensation totalling £280.

## **List of appendices to this report:**

None

## **List of Background Papers:**

None

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