



## ***Joint EPSU-HOSPEEM-CEMR-UNIEUROPA-EUROCOMMERCE-ETUCE-EFEE-Co.ESS Report on the follow-up and implementation of the multi-sectoral guidelines to tackle work-related third-party violence***

*(FINAL VERSION 21 November 2013)*

### **1. Introduction<sup>1</sup>**

On 16 July 2010, EPSU, UNI EUROPA, ETUCE, HOSPEEM, CEMR, EFEE, EUROCOMMERCE, CO.ESS, representing the social partners of the commerce, private security, local governments, education and hospital sectors reached an agreement on multi-sectoral guidelines aimed to tackle third-party violence and harassment at work.

These Guidelines were developed following two major conferences organised with the support of the Commission in March 2008 and October 2009 at which the outcomes of a research on third-party violence were presented along with case studies and joint conclusions. Therefore, these Guidelines build on these initiatives and complement the cross-sectoral Framework Agreement on Harassment and Violence at Work of 26 April 2007.

The aim of the Guidelines is to ensure that each workplace has a results-oriented policy which addresses the issue of third-party violence. The Guidelines set out the practical steps that can be taken by employers, workers and their representatives/trade unions to reduce, prevent and mitigate problems. The steps reflect the best practices developed in our sectors and they can be complemented by more specific and/or additional measures.

The signatory partners of the agreement took up different actions to follow up on the implementation of the guidelines: A joint questionnaire – available in EN/FR/DE/ES – was circulated to affiliates from EPSU, HOSPEEM and CEMR. The aim of the questionnaire was to gather information on the follow-up to and use of the multi-sectoral guidelines by social partners as well as to learn about possible recommendation for revisions, etc. ETUCE and EFEE carried out a project to further raise awareness on the issue amongst stakeholders in education and set up a joint implementation guide providing concrete and practical steps for the education sector. Thereby this follow-up report covers the sectors: local governments, hospitals, education, private security and commerce.

This report summarizes the answers to the questionnaires received, in those sectors where it was circulated to the affiliates. It is structured along the questions asked. The sectors that did not circulate a questionnaire but did as a follow-up joint social partner European funded projects have included their policies into the report.

A multi-sectoral meeting to discuss the follow-up of the multi-sectoral guidelines to tackle third-party violence and harassment related to work was held on 4 September 2013, where

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<sup>1</sup> For further information on the Project visit the project pages on: <http://www.epsu.org/a/7957>  
<http://www.epsu.org/a/9459>

all sectors signatories to the report were present and formulated joint recommendations to follow-up the implementation of the guidelines

Furthermore, the signatories to the guidelines agreed at this meeting that the document will be discussed at their next Sectoral Social Dialogue Committees meetings of the signatory sectors.

## **2. Key facts and trends of third-party violence**

Third party violence (TPV), as a more specific case of work related violence, is a worrying phenomenon. According to different studies 2% up to 23% of all workers have already become subjected to TPV<sup>2</sup>. This figure can even rise up to 42% when only workers with direct contact with members of the public are surveyed. Due to the concentration of female workers in the sectors most subjected to contact with members from the public, women are often more confronted with TPV than men.

The percentage for third-party violence varies significantly between EU countries and only few countries have an official definition of third-party violence. One of the sectors with the highest risk of third-party violence is education, which is particularly worrying as violent incidents in schools have a malign influence on the working environment of teachers and school staff, and interfere with teaching and the quality of learning for young people.<sup>3</sup>

The example of TPV in education demonstrates that TPV not only undermines an individual's health and dignity, but also has a very real economic impact in term of absences from the workplace, morale and staff turnover. The European Agency for OSH concludes in its recent report: "Although there is a lot of information available, there still is a need for knowledge, higher awareness and recognition of the serious and damaging consequences of verbal and non-verbal violence, threats as well as physical violence, and the possible ways to address them."<sup>4</sup> Because even in countries with well-developed strategies to address workplace violence the phenomena of TPV often lacks recognition and attention.

## **3. Some examples of projects implementing the guidelines on TPV- NATIONAL AND EUROPEAN Projects**

### **3.1 National examples from all sectors signatories to the guidelines**

Based on the response to the questionnaire the following selection of projects can be highlighted:

- Czech Republic (local government): The guidelines will be used during a training project aimed at training employees for a situation involving TPV. The project is done in cooperation with funds from Norway, under the 'Norway Grants' programme 'Decent Work and Tripartite Dialogue'.
- Denmark (local government): In January 2011 Danish Regions and two other social partners in the public sector published a publication "Avoiding harassment and violence

<sup>2</sup> All numbers are taken from EU-OSHA (2010): Workplace violence and harassment: a European Picture, Luxembourg, p. 51-52. <https://osha.europa.eu/en/publications/reports/violence-harassment-TERO09010ENC>

<sup>3</sup> [European Risk Observatory Report, Workplace Violence and Harassment: A European Picture](#), European Agency for Safety and Health at Work, pp. 28-42.

<sup>4</sup> Cited above, p. 112.

- in Danish municipal and regional workplaces” (available in DK/EN). The publication describes the Danish approach to preventing, identifying and managing harassment and violence in regional and municipal workplaces. Cases in the publication illustrate how the agreements are made by the Danish social partners and put into practice. The regional and municipal workplaces contributed with these cases and were closely involved in the process of the development of the publication. Further in the process the head of the human resources departments in the five regions were given information about the publication and the publication was distributed upon request.
- Denmark (commerce): with the “Retail Councils for Safety and Health at Work” the Danish Chamber of Commerce have created small films, written guidelines to the workplaces and suggestions for politics in the area.
  - Finland (hospitals): In 2011 a campaign was launched, called in Finnish “Älä riko hoitajaasi”, in English “Don’t break your caregiver”<sup>5</sup>. The campaign was evaluated in 2012.
  - France (commerce): Carrefour supermarkets also signed in May 2009 an agreement on health and safety at work where the company commits to fight against moral and sexual harassment stress and to support employee victims of aggressions and violent behaviour. A unit of psychological help has been opened in July 2012. All the employee in France have been informed by a letter received at home.
  - Germany (commerce): HDE has a very good toolkit that was shaped by the social partners in a working group of the trade statutory accident insurance organisation. It offers a check list for the companies, consists of seminars, a video, a distance learning concept, and also assistance for the companies by the staff of the trade statutory accident insurance organisation.
  - Italy (commerce/private security): Confocommercio presented the “Vademecum per la sicurezza delle imprese commerciali”, in 2010 in Milan has been also disseminated in Padova in February 2012 during a press conference with the relevant public authorities and other local structures always in cooperation with the police. Publication is scheduled.
  - Netherlands (hospitals): Social partners had put in place a initiative to promote health and safety at workplace, which as picked up the issue of TPV<sup>6</sup>
  - Poland (education): Case study visits from ETUCE/EFEE to two Polish schools showed that schools can initiate preventive measures by establishing a good contact with parents, social services and psychologists associated with the school. Policy documents tackling violence and harassment with specific measures may help to tackle TPV, too. In one school, workshops on the prevention of cyber harassment had been launched for both students and teaching personnel raising the awareness of the different kinds of violence in school, including third-party violence.<sup>7</sup>
  - Spain (education): According to the government decree on co-existence (convivencia) in schools, Spanish schools are dealing with the issue of TPV in projects at local/school level. An ETUCE/ EFEE case study at a Spanish school found that particular initiatives created by teachers and the educative community may help to prevent violence. In the examined school, teachers, students, and parents work closely together with stakeholders outside the school, such as the parents association, the police and local

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<sup>5</sup> Information about this campaign and the poster can be found online at:

[http://www.tehy.fi/@Bin/23495564/Posteri+Älä+riko+hoitajaasi+eng\\_150x100cm\\_3\\_ENG.pdf](http://www.tehy.fi/@Bin/23495564/Posteri+Älä+riko+hoitajaasi+eng_150x100cm_3_ENG.pdf)

<sup>6</sup> <http://www.veiligezorg.nl/>

<sup>7</sup> Information about the EFEE/ETUCE project:

[http://teachersosh.homestead.com/3rd-Party\\_Violence/thirdpartyviolencedescription.html](http://teachersosh.homestead.com/3rd-Party_Violence/thirdpartyviolencedescription.html)

educational and social authorities. The cooperation between the various stakeholders involved in addressing the issue sends out a strong signal to the school community and its environment that third-party violence is unacceptable. Sweden: a cross-sectoral project of the social partners was put into place<sup>8</sup>. Under the title „better prepared than scared“ the project developed material to help workplaces to prevent and limit violence and intimidation.

- Sweden (commerce): the Union of Commercial Employees together with their counterparts did an interactive e-learning about safety ([www.sakeributik.se](http://www.sakeributik.se)) and a safety certification program with 13 items/demands to make shop more secure in cooperation with the police. Sweden: Local projects at schools have helped to reduce TPV at schools, as was shown in a case study conducted by ETUCE and EFEE. High schools dealing with TPV benefit from improving the teacher-student relationship and from developing best practices to grow a different atmosphere in the school, making it an attractive place to be an employee for the teachers. One school functioned as a youth centre with different cultural, educational and sports programmes to give students the opportunity to experience their teacher outside the classroom, and enable teachers to get to know a student's qualities outside the school context.

### 3.2. European project in the education sector

To tackle TPV in education, the social partners in education have developed an implementation guide that reflects the work of the social partners on the prevention and reduction of third-party violence and harassment in education on which further joint actions at European, national, regional and local level may be developed. The implementation guide is based on the results of the project activities to which representatives of both ETUCE and EFEE actively contributed.

The document gives a definition of third-party violence and harassment for the education sector and provides schools, social partners in education and other stakeholders in education with concrete and practical recommendations of good practices on preventing and reducing third-party violence and harassment in schools and to support them in implementing the Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work.

Most importantly, the guide should be seen as a preventative tool to eliminate and mitigate occurring acts of violence and harassment by third parties as well as to remove the structures that help third-party violence and harassment grow.

The guide lists six steps to take in preventing and mitigating third-party violence and harassment in schools:

Step 1 Taking Stock – Start by understanding the situation

Step 2 Cooperation – Establishing appropriate and well-directed measures

Step 3 Promoting good practices

Step 4 Reporting incidents – knowing how and where to ask for assistance

Step 5 Initial and Continuous Training

Step 6 Monitoring and Follow-up

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<sup>8</sup> <http://www.suntliv.nu/Verktyg/Battre-beredd-an-radd/>

The implementation guide by the social partners in education is available in English, French, German, Spanish and Russian, and can be found at [http://teachersosh.homestead.com/3rd-Party\\_Violence/thirdparty\\_violence\\_summaries.html](http://teachersosh.homestead.com/3rd-Party_Violence/thirdparty_violence_summaries.html).

### 3.3 European project in the private security sector

- Main implementation of the multi-sectoral guidelines to tackle work-related third-party violence by UNI Europa and CoESS has been done through a joint EU OSHA (Occupational Safety and Health Agency) project: the OIRA Tool
- OIRA stands for “Online Interactive Risk Assessment”: the tool allows companies to identify the specific risks related to their business, in our case private security services.
- OIRA aims:
  - To contribute to the “development of simple tools to facilitate Risk Assessment” (Community Strategy 2007-2012)
  - To develop and promote practical tools to help companies to put in place the risk assessment process
  - To help demystify the risk assessment process among companies
  - To build a critical mass of social partners (EU and national), governments, public institutions interested in developing and disseminating RA tools tailored to the specificities and needs of European companies
- At the moment this report is written we are finalizing the OIRA tool for private security services. Once the tool is finished on EU level, our national members will be able to translate it to national level with the help of EU OSHA funding.
- The OIRA Tool for Private Security Services consists of 6 modules:
  - General module: OSH Management
  - Module: Commercial manned guarding
  - Module: Mobile patrolling/intervention after alarm
  - Module: Event security
  - Module: Airport security
  - Module: Maritime security
- The multi-sectoral guidelines to tackle work-related third-party violence are integrated in the Module: Commercial manned guarding. This Modules consist of 5 sub-modules and the assessment of the risk related to violence are integrated in 2 of these sub-modules:
  - Sub-module “Physical and psychological workload
  - Sub-module “Work organization”
- The **risk statements** relating to third-party violence are:
  - **Risks related to violence and aggression are prevented.**  
Description: Violence/aggression against private security guards may come in many guises:
    - verbal violence: insults, threats
    - physical violence: being struck or being injured
    - by weapons or by giving the impression of being armedThese acts of violence may cause physical injuries but have also a negative effect on private security guards' psychological health (such as feelings of fear and post-traumatic stress). Private security guards, being witness to a violent act, may as well suffer from psychological trauma.

Security jobs that involve contact with the public (e.g. surveillance in shopping centres or areas with a high through-flow of people such as railway and metro stations, detection of shoplifting) are more exposed to physical violence.

Check the following issues (in agreement with the client if and when necessary)

- All existing security measures should be considered (coded doors, bolting entries, cameras,...).
- Quick communication should be possible if a problem arises (telephone, radio, alarm buttons, etc.).
- The number of lone working private security guards should be kept to a minimum and, if this proves impossible, it should be ensured that the worker has a means of constant contact with the central office.
- Staff should be trained in handling conflict situations.
- Post-incident care should be provided.

○ **Risks related to bullying and sexual harassment are prevented**

Description: Bullying in the workplace

(<https://osha.europa.eu/en/publications/factsheets/23/>) is taken to mean “abnormal, repeated behaviour directed against a worker or group of private security guards which results in a risk to health and safety. (...) which may manifest itself through verbal as well as physical aggression, but also through more subtle acts, such as underrating an employee’s work or isolating the individual socially.” Examples of bullying could include: spreading malicious rumours, unfair treatment, picking on someone, ... It can happen face-to-face, by letter, by email, by phone.

Sexual harassment refers to “the situation in which unwanted behaviour with a sexual connotation, expressed physically, verbally or non-verbally, occurs with an aim or effect which is harmful to the personal dignity of an individual and, more specifically, creates an intimidating, hostile, degrading, humiliating or insulting environment.” Sexual harassment predominantly affects women, but men can also be victims of this kind of harassment.

Workplace bullying and sexual harassment can have a wide range of negative health effects: stress, depression, anxiety, sleep and eating disorders, ... They should thus be avoided and not be tolerated on the workplace.

Check the following issues (in agreement with the client if and when necessary)

- A clear message should be sent to potential perpetrators and victims: violence, in whatever form, will not be accepted or tolerated.
- The obligations and tasks in terms of hierarchic responsibilities should be made clear.
- The facts should be investigated quickly and impartially.
- Complaints may not lead to reprisals. The anonymity of both victims and perpetrators should be maintained.
- One or more trustworthy people (persons of trust) should be appointed to provide “front line” contact in dealing with, and providing support for, the victims.
- Private security guards should be informed and trained regarding the risks and preventive measures to be adopted (reporting procedures, persons of trust, ...).

○ **Health and safety related dangers of lone work are controlled.**

Description: Lone working private security guards are those who work alone without any direct or close supervision, generally on small sites which require the work of a single person.

Risks associated with lone working are: being harassed/attacked, accident or sickness requiring immediate intervention, having difficulty to deal correctly with emergencies or unforeseen situations

Although lone working is not prohibited under the European Directives, it should in principle be subject to a prior analysis of the related dangers.

If in the course of this analysis, serious health and safety dangers are identified, lone working should be minimised.

If conversely, the analysis reveals that it is possible, the security guard must be given all the necessary tools in order to be able to do the job in safety and without health problems.

In the OIRA-tool several solutions are offered to the user of the tool in order to tackle these risks and guidelines are generated.

#### 4. Summary and overview of received responses of the local governments, hospital and commerce sectors

##### Who responded?

Until the deadline, 18 July 2013, 38 responses were handed in for the sectors of local and regional government, health and social services and commerce.

Joint replies by employers and trade unions	1	Sweden (LRG+HSS),
Replies by EPSU-affiliates	14	LRG+HSS: Austria, LRG: Denmark, Estonia, France, Germany, Turkey, HSS: Belgium, Bulgaria, Czech Republic, Finland, Ireland, Latvia, Netherlands, UK
Replies by HOSPEEM-affiliates	3	France, Latvia, Netherlands
Replies by CEMR-affiliates	7	Belgium, Denmark, Estonia, Finland, Germany, Norway, UK-Scotland
Replies by Euro-Commerce-affiliates	9	Austria, Denmark, Estonia, France (Carrefour), Germany, Italy, Malta, Portugal, Spain
Replies by UNI Europa-affiliates	4	Austria, Czech Republic, Finland, Sweden

Coverage: geographically the responses cover well the Scandinavian and Baltic countries. Western and Central Europe are also mostly covered. Only some responses came from Central Eastern countries and from the Mediterranean countries.

##### Who participated in the European Project on the dissemination of the multi-sectoral guidelines? Where these events found useful by participants?

From the 38 organisations that responded, 22 did participate in at least one of the three regional workshops (held in Rome, London, Prague) or the final conference (Warsaw). Most of those who participated explicitly mentioned the usefulness of the events.

##### Was the information on the initiative disseminated within the organisation?

Mostly all of the responding organisations said that they disseminated the information on the initiative and the guidelines within their organisation. This happened mostly through communications like newsletters, mailings or special publications.

In several countries the responders reported further going activities to disseminate the information within the organisation:

- Training, conferences, seminars (Finland, Germany, Sweden)

In one case the dissemination of the guidelines was not done because they were judged to be "incomplete" (Belgium).

### **How did the implementation of guidelines impact relations between social partners?**

The implementation of the guidelines has helped to put Third-Party Violence on the agenda of social partners in both sectors and to promote this particular issue of work-related violence.

Based on the replies, in many countries relations with the social partners were and continue to be good, and in two countries (Bulgaria and the Czech Republic) the implementation of these guidelines has had a particular positive impact on the relations between social partners.

### **Cooperation with other involved sectors during implementation?**

In some countries the implementation took place in cooperation with:

- Social partners from other sectors (Austria, Belgium, Finland, France, Norway, UK-Scotland, Sweden, UK, Denmark, Italy, Malta)
- Bipartite agency for OHS (Finland)
- Tripartite agency for OHS (Ireland)

### **What were major difficulties linked to the implementation?**

When it came to implementing the guidelines the following problems were reported:

- Missing translation (Belgium: Flanders)
- Underdeveloped social dialogue, weak unions (Estonia)
- Lacking willingness to invest in needed measures, e.g. adaptation of the interior of job centres (Germany)
- Lack of resources (Malta).

### **How where the guidelines implemented?**

The guidelines were implemented through:

- Conferences, seminars (Austria, Belgium, Germany)
- Training projects (Czech Republic, Germany, France)
- Inter-sectoral agreement (Denmark)
- Planned project by social partners (Estonia, Poland, Bulgaria, Lithuania, Italy)
- Joint seminars/projects by social partners (Finland, Latvia, Netherlands, UK)
- Campaign (Finland)

In Scotland projects in line with the guidelines were already in place before the multi-sectoral guidelines.

### **What difficulties arose when addressing the question of TPV?**

Following problems/difficulties were raised in the responses:

- Constant reforms of public health services made it difficult to address the issue of TPV (Bulgaria)
- TPV is still perceived as something “normal” in the sector of HSS (Czech Republic, Latvia)
- Actions by social partners not concrete enough to address issue of TPV (Finland)
- Cuts in public spending make it difficult to address TPV as an important issue (Ireland, Latvia).
- Insufficient funding for OSH (Latvia).
- Problems of identifying social partners in the non-public sector (Sweden).
- Guidelines remain too generic and a more specific agreement would be needed (UK)

### **Should social partners go beyond agreeing guidelines and conclude an agreement?**

This question was only addressed to the sector of Local and Regional Government.

- EPSU affiliates that replied to this question would welcome further actions (Austria, Belgium, Denmark, Germany, Turkey.)



- The CEMR affiliates that replied that in their cases agreements and national legislation was sufficient; and that emphasis should be placed on implementation. ( Belgium, Estonia, Germany, Norway )
- In their joint response, social partners from Sweden underlined the clear statement given by the guidelines but don't exclude the possibility to move further.

## 5. Recommendations for further steps

As the answers to the last questions show, there is no clear cut picture emerging from the questionnaires on how to move forward. Research reports (namely the above cited report by EU-OSHA) and several answers to the questionnaire stress the need for further action in order to tackle TPV. Whether these should be undertaken at workplace level or be accompanied by national or EU-level possible legal initiatives remains to be decided upon.

The social partners from the multi-sectoral initiative that met on 4 September discussed the following challenges and recommendations for further steps to take beyond 2013:

### Challenges

- Third-party violence is clearly defined in the multi-sectoral initiative to tackle third-party violence, it may however occur that the concept is not well understood and mixed up with workplace violence between employers and employees. It therefore sometimes remains difficult to communicate the concept in some languages, and this may vary across sectors
- Therefore the lack of awareness of third-party violence in society needs to be appropriately addressed through the provision of concrete information on the issue.
- The low reporting of incidences remains one of the biggest challenges and is linked amongst others to both the lack of awareness and the understanding of third-party violence.
- Austerity measures tend to facilitate the likelihood of public service workers to be exposed to third party violence because of reduced staff and restructuring. Therefore more preventative measures can be developed instead of putting in place re-active measures once incidents have taken place
- The current European Commission infrastructure does for the time being not accommodate financing for multi-sectoral initiatives.

### Joint Social Partner Recommendations

- To add a European dimension to the current national observations, a research body such as the ETUI (European Trade Union Institute) could be charged with conducting a further implementation report.
- A more focussed approach in the EU 13 where, in most cases, this issue is rather new and pertinent; taking also the regional context into consideration, in order to implement protection from third party violence.
- Other sectors could be approached and invited to extend workplace coverage as e.g. transport, central administration or other interested sectors

- A social partner agreement on preventing third-party violence could be a further step to a more stringent implementation of the guidelines if there is consensus between the social partners to start any negotiations.<sup>9</sup>
- Further projects, conferences, and training for the social partners' affiliates at local, regional and national level should be considered to implement the guidelines, with financial support of the European Commission.
- National projects could receive financial support from the European Social Fund.
- The implementation of the multi-sectoral guidelines should become an integral part of the Sectoral Social Dialogue Work programmes of the respective social dialogue committees who signed the guidelines. A follow-up report should be conducted by 2015 to evaluate progress on the implementation of the guidelines and identify the potential need for further action.

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<sup>9</sup> EFEE representing the education employers does not support this recommendation