

Written evidence submitted by Ms Azra Bloomfield (PCSCB10)

This paper argues that including social workers in the ‘Assaults of Emergency Workers (Offences) Act 2018’ is dangerous and could place social workers lives at increased risk.

- 1) The Police, Crime, Sentencing and Courts Bill currently passing through parliament, with over 300 pages of draft legislation, has caused some controversy. My paper focuses here particularly on clause 2, Part 1. This part of the Bill doubles the maximum sentence for assaulting an emergency worker. The overall focus of the Act is to deal with physical assaults against emergency workers in a more robust manner by way of increased sentences. BASW (British Association of Social Workers) and SWU (Social Workers Union) have submitted a petition to the government with over 13,000 signatures. BASW/SWU petition is asking the Government to submit an amendment to the Police, Crime and Sentencing Bill, to make it an additional offence to assault social workers when on duty. My paper argues why including social workers in the ‘Assaults on Emergency Workers Act 2018’, is potentially dangerous and could actually place social workers lives at increased risk.
- 2) The purpose of the ‘Assaults on Emergency Workers Act 2018’, legislation is to promote the safety of emergency workers. Although social work involves crisis work, this does not necessarily imply to emergency work. Social workers are not expected, as part of their core role, to deal with a medical emergency, be on the frontline of riot policing, or deal with a drunken brawl. Hence, whilst social work does involve risks, a high proportion of the risks can (and *should*) be safely managed and planned for, rather than subsumed under generic legislation.
- 3) I believe any amendment, including social workers in the ‘Assaults on Emergency Workers Act 2018’ legislation, needs careful analysis and consideration of the possible unintended consequences and end results.

It is also important to remember that social workers already have the legal protection of the Health and Safety at Work etc Act 1974. This is the primary piece of legislation covering occupational health and safety in Great Britain. In addition to this, there is legislation covering various types of assault offences.

- 4) I am a social work blogger and receive feedback and comments from social work colleagues from a variety of services, settings and geographical locations. I hear the same stories, again and again, involving employers not implementing safe working policies. This is the reason I think that it is dangerous to include social workers in the '*Assaults on Emergency Workers Act 2018*'. Legislation should not be a replacement for safe working policies and practices. Moreover, legislation should not offer an opportunity for employers to abdicate their responsibility for keeping their staff safe. When staff work in hazardous jobs and inherently unsafe circumstances and situations, it is the employer's responsibility to mitigate and minimize the inevitable risks that come with the role. This involves carrying out workplace risk assessments, individualized risk assessments and ensuring a safety plan in place for each worker. Including social workers on the Assaults on Emergency Workers (Offences) Act 2018, list does not necessarily result in reduced risks. The perpetrators may not, in fact, have any awareness of this law and therefore such legislation is unlikely to act as an effective deterrent for potential assailants. Moreover, some incidents are a result of service users acting on impulse, due high levels of psychosocial stressors, family environments with high expressed emotion, limited emotional regulation, reduced impulse control and/or substance misuse issues. This is the reality of social workers working with people who have complex and multifaceted needs.
- 5) Limitations of resources lead to inevitable lengthiness in the unfolding of legislative processes. This can result in significant delays between the critical incident (such as an assault) and a legal outcome (e.g. a successful prosecution). In this respect, adding social workers to the

emergency workers legislation cannot be considered as effective way of preventing or managing the daily risks social workers are exposed to.

- 6) I have worked as a social worker for over 24 years. I now work for the London Metropolitan Police. My current role involves supporting witnesses and victims of crime, including supporting emergency workers who have been victims of crime. During my years of social work experience I have been spat at, subjected to racial slurs and threatened (including death threats) by clients who have objected to mandatory social services involvement. These clients have sometimes presented with underlying mental health issues and complex needs. Hence, I know what it is like to experience assaults while on duty.
- 7) On a numerous occasion, as a senior social worker I was sent on lone visits. On one occasion I made a lone visit on a Central London estate which had a high rate of drug-related incidents and problems relating to anti-social behaviour and criminality. I had to go up a block of flats, to the 18th floor. When I challenged my employer on lone working safety, I was told there were not enough social workers to carry out visits in pairs. I was further informed by my manager that if refused to carry out the visits alone, I risked being reported to the HCPC (regulator) for failing to comply with a managerial instruction and refusing to carry out my duties. Conversely, these attitudes towards safety and consequent unsafe working practices appeared to have been beyond the remit and influence of the regulatory bodies (e.g. HCPC) at the time. Discussions with my colleagues over the years suggests that this type of attitude has not been uncommon feature in a number of local authorities, including local authorities in London. Newly qualified social workers have also disclosed similar stories. On occasions I had to negotiate my way to safety. On one occasion there was a man hiding in the wardrobe of the home I visited. I later learnt that the man had a history of severe mental health problems, combined with a criminal propensity and a history of violent assaults. My manager at the time had failed to inform me of this history. One colleague informed me that a children's service manager in

a London Borough obstructed the social workers' preference for carrying out home visits in pairs. Their legitimate concerns were dismissed with a peremptory (and offensive) quip: "This *Siamese* way of working must come to an end." The social workers were infantilized and dismissed as childishly wanting to always be "*joined at the hip*", rather having their realistic concerns legitimately, and honestly, acknowledged and managed.

- 8) It is highly unlikely that the above anecdotal incidents are uncommon or indicative of "*the exception that proves the rule.*" The Health and Safety Executive (HSE) inspector, Neil Fry, has stated: "*Violent and aggressive incidents are the third biggest cause of injuries reported to HSE from the health and social care sector.*" <https://www.mylondon.news/news/west-london-news/brent-council-fined-100000-after-14004283>
- 9) In an informal survey, I carried out, social workers reported that employers not uncommonly tell them that deciding to work as social workers means an implicit acceptance that risk comes with the job. While this is true, it does not follow that one should expect, and not complain about, the risk of assault. In such working environments additional legislation is unlikely to change this type of culture and attitude amongst employers. In whatever job you do you have a right to be free from assaults and from the fear of assaults. It should not simply "*come with the territory.*" The inherent risks that inevitably come with the social worker's role points to the opposite: extra attention and concerted and consistent efforts should be in place to mitigate these same risks. By comparison construction workers or scaffolders carry out work under conditions of significant jeopardy to their physical health and wellbeing. To become complacent and assume a position of "*it comes with the territory*" would be the equivalent of dispensing with helmets, harnesses or safe footwear. It should be equally abhorrent to send social workers into situations with unassessed, unknown and unmitigated risks, such as expecting social workers to attend home visits without an effective safety plan in place (e.g. visiting in pairs).

10) The social work stance and ethos is that the people we work with are not qualitatively different from ourselves as practitioners. We are all equally vulnerable and subject to changes in our social circumstances and the vagaries of adverse life events. We should ensure we do not create class disparities. Social work requires engaging with compassion and a respect for human dignity and an acknowledgment of each individual's unique life situation. This is not always compatible with a culture of enforcement.

11) Social work professionals have the right to be protected when undertaking jobs that can place them at risk. However, adding social workers to the emergency workers legislation is not the answer. It can create a false sense of security. Such legislation could, in theory, enable employers to feel absolved from their responsibilities, assuming that social workers are henceforth covered by such legislation and its focus on directly prosecuting the assailant. Employers have responsibilities under the health and safety laws. Many local authorities will have paper copies/online policies of safe working. My own experience, and feedback from colleagues, suggests that it is however rare for local authorities to prioritize the consistent and careful implementation of risk assessments and instigation of practices to mitigate and minimize risks for individual social work staff. Social work safety risk assessments are not even mentioned in the OFSTED reports or the adults inspectorate reports. During my research on the ADCS (The Association of Directors of Children's Services) and ADASS (The Association of Adult Social Services), I come across limited information relating to the physical/psychological safety of social workers or safety risk assessments guidance when it comes to protecting, promoting and managing the safety of social work staff. ADCS states the following in terms of their purpose: *"ADCS is a membership organisation. Our members hold leadership roles in children's services departments in local authorities in England. They specialise in developing, commissioning and **leading the delivery** of services to children, young*

people and their families, including education, health, youth, early years and social care services. Working in partnership with other agencies our members work to achieve tailored and joined-up services for children, whatever their identified needs.”

12) Every social worker has a right to be free from violence and assaults in their work place. If the safety of social workers' themselves is not overtly and explicitly prioritized (both in writing and in practice) by those who claim to hold leadership roles in children's services, this inevitably leads one to question the quality of the service provided to vulnerable adults, and children. Leadership requires innovation, and action. Guidance on mandatory safety risk assessments for each individual social worker, as part their workplace contract, would provide confidence and reassurance to practitioners. Actions speak louder than words, but when even the words are lacking, then there is reason for concern.

13) Good practice starts with prioritising the employee's safety. If social workers are not provided with a robust framework to carry out their work with safety and confidence, then the quality of their work can only be expected to suffer as a result.

14) I believe BASW, SWU, and ADCS need to campaign for safer working practices and mandatory safety plans for all social workers. ADCS, and OFSTED should demonstrate in policy, and action campaign, for social workers' safety, by regularly monitoring and ensuring that all local authorities have policies in place to ensure every social worker has an individual safety plan when carrying out social work roles.

15) I believe it is important for social workers to think about not what they want but what they actually need. Being added to the Assaults on Emergency Workers (Offences) Act 2018, might, in immediate terms, can give a sense of equality and parity of esteem with other professions. This might help us feel valued as a profession. However, I also believe that we should feel inherently valued because of the importance of our

role and the values that we embody and advocate. This sense of value should exist despite tabloid media's often negative, sometimes destructive and demeaning, portrayal of social workers. As social workers we are privileged and humbled to be in role where every day we make contribution and a positive difference to people's lives. Hence, a false sense of security will emerge if social workers are included in the Assaults on Emergency Workers (Offences) Act 2018, this could be dangerous and could potentially contribute to placing social workers lives at greater risk. If employers **can't or won't** safeguard and protect their own social worker's right to safety, then social workers are, in turn, impeded in their key role in protecting society's most vulnerable. It is a tragedy and travesty that too many social workers either leave the profession (demoralized, disillusioned or burnt out) or experience evidence-based fears personal injury or defamation, whilst doing a complex job that should be about helping and saving lives.

16) The facts speak for themselves. We do not have mandatory reporting systems, mandatory safety plans for social workers. Social workers' safety is never inspected by adult social services inspectors and neither is it inspected by OFSTED inspectorate. Legislation should never be used as a replacement for apathy, complacency and inertia, when known risks (such as assaults on social workers) require earnest, mandatory and explicit prioritising and evidence-based auditing of those risks. This visible and measurable response from employers is what social workers urgently require, in order to assist them in carrying out work duties in a safe manner.

Mrs. Azra Bloomfield – Independent Qualified Social Work Blogger

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