

<b>ZERO TOLERANCE - FREQUENTLY ASKED QUESTIONS</b>
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This section answers some of the more frequently asked questions with broad answers and reference points within the document or other Trust policies.

**1. What should happen if a member of staff or patient is racially abused?**

Racial abuse is a criminal offence and a Hate Crime, but more importantly the impact on staff can be equal to or worse than any physical assault. The same principle as any other physical or verbal assault should therefore be followed.

**2. What about sexual harassment?**

If this is reported by a member of staff, it should be managed in the same way as any other form of incident within this procedure.

**3. How will the reports be used?**

Initially the reporting of an incident will be used to manage the patient within their care plan. If a serious incident or repeated behaviour, the documents will be used as supporting evidence for possible prosecution.

**4. Can we discharge an in-patient if they return to the ward drunk?**

Whether or not a patient/patient is detained under the Mental Health Act 1983, the following risks should be considered before a decision is made to discharge:

- Risk of harm to the individual
- CPA status (Care Programme Approach – Mental Health and Learning Disabilities services)
- Threat to others – patient(s) or others
- Mental health needs
- Pattern of behavior
- Do they have somewhere safe to go?
- How vulnerable will the individual be?
- How vulnerable will others be (e.g. children, partner)?

**5. What if we suspect a patient is dealing drugs (in Mental Health & Learning Disability Services only)?**

The team should discuss the issue with the patient/patient in the first instance. Staff have the power to search a patient with their consent or if there is a serious risk of harm to that patient or others. Police may be informed if there is strong evidence to support the suspicion. The Police will advise of their actions. Drug detection dogs are available. Contact your service manager or LSMS for advice.

**6. What if a member of staff is bullying or threatening me?**

This policy procedure covers patient behaviour only.  
You should speak to line your manager, refer to Dignity, Respect and Grievance Policy (HR2) and complete a Datix.

**7. What can we expect from the Police?**

The level of involvement by the Police will depend on a number of variables and will depend heavily on the exact circumstances of each reported incident.

The Police will not be likely to proceed with a criminal investigation if the patient is experiencing symptoms of mental ill health and did not know right from wrong at the time of the incident.

The Police will need some information regarding the patient's mental health in order to investigate and supporting witness statements from witnesses.

The LSMS will work in liaison with the Police and EPUT in criminal investigation.

**8. How is an incident followed up?**

Depending on the incident the follow up should include multi-disciplinary review, CPA review, and possible investigation by the LSMS. Staff should also receive the opportunity for debriefing and/or additional support from the Workforce Wellbeing Service.

**9. What if I'm not happy with the outcome?**

The outcome should be discussed with your line manager. If you are unsatisfied with the response, the concern should be put in writing for further formal consideration.

Any individual has the right to pursue a complaint with the police or seek legal advice from their professional body or staff side representative.

**10. What happens if a patient is abusive or violent to another patient?**

If a patient makes a complaint they should be supported through making a formal complaint directly to the police if they wish to do so. The incident must be reported on Datix and investigated appropriately.

**11. What about incidents of domestic violence/What do I do if I suspect another staff member or patient/patient is the victim of domestic violence?**

There is a guidance leaflet available for all staff and links to national support and guidance online. HR do have a domestic violence lead and can be contacted through HR or the safeguarding team.

SAMPLE ONLY