

How to Establish an Effective Threat Assessment Team



The OHS laws require employers to protect workers from safety hazards of which they're aware. And in most jurisdictions, these laws also require employers to protect workers from violence in the workplace. So say someone makes a threat against a worker. Once the employer becomes aware of the threat, it must take appropriate action. But how can an employer properly assess that threat to determine whether it's legitimate and, if so, what steps to take to address it? In some circumstances, the answer may be to establish a threat assessment team to make such determinations. We spoke to Glenn French, President and CEO of the Canadian Initiative on Workplace Violence, about what threat assessment teams are, why you may want one and how they work.

THREAT ASSESSMENT TEAM BASICS

French recently spoke at the OHS Summit 2012 about workplace violence; threat assessment teams were one topic he covered. Here's the basic information you need about them.

What Is a Threat Assessment Team?

French explains that, historically, threat assessment teams are more of a US phenomenon. They've become more common in Canada since workplace violence provisions have been added to the OHS laws in many jurisdictions.

Threat assessment teams are groups of designated employees and sometimes outside consultants who are tasked with assessing specific threats of violence against an individual or individuals within a company, says French. The threats can be made by a co-worker or an outsider, such as a client, customer, contractor or the spouse or companion of a worker, he notes. French adds that threat assessment teams *don't* conduct the general assessments of the overall risk of workplace violence often required by the OHS laws, although many of the same individuals may be involved in both kinds of assessments.

The threat assessment team's purpose is to evaluate any targeted threats of violence to determine:

- The risk level the threat poses; and
- The appropriate steps to take based on that risk level.

Which Workplaces Need One?

Although threat assessment teams can be very useful, French says not every workplace necessarily needs one. For example, a mom-and-pop shop with few employees probably doesn't need a threat assessment team. And because implementing such a team is a serious undertaking that requires commitment and resources, only those workplaces that really need one should create one, he adds.

Whether your workplace could benefit from having such a team will depend on its history of workplace violence as well as its general risk of workplace violence overall. For instance, it's a good idea for workplaces that have had prior incidents involving violence to have a threat assessment team, advises French. And as noted above, many OHS laws require employers to assess the workplace's general risk of violence and, if such a risk is present, take certain steps, such as establishing workplace violence policies and/or programs. Although no OHS law specifically requires the creation of a threat assessment team, establishing one is a reasonable step if your general assessment concludes that there's a risk of violence in the workplace, particularly if that risk is high he says. Workplaces that may have a high risk of violence include those that handle valuables, money or drugs or which involve regular contact with the public.

Who Should Be on the Team?

French says the members of a threat assessment team may vary but typically include someone from the following departments:

- HR;
- Workplace safety, such as the safety director or coordinator;
- Corporate security; and
- Legal.

In addition, some teams include outside consultants when appropriate, such as a representative from the employee assistance program (EAP), an expert in threat assessments, a social worker or mental health professional, notes French. And in some cases, the object of the threat may be a member of the team, he adds.

Regardless of the size and composition of the team, one person should be designated as the lead, explains French. All threats should be brought to the lead, who then assembles the team.

Does the Team Need Special Training?

According to French, the members of the threat assessment team should get special training on their roles on the team, the basic principles of conducting risk assessments of threats and how to address the various levels of risk. He notes that some of the team members, particularly anyone with a workplace safety background, may be experienced in conducting assessments of safety hazards such as pinchpoints and falls. It's important that these members understand the difference between such safety assessments, which are typically proactive, and threat assessments, which by their very nature are reactive, explains French.

It's also important that the workforce as a whole gets some training on the threat assessment team, adds French. Such training should be part of the

company's general workplace violence training and cover what the threat assessment team is, who its members are, its function, who workers should report threats to and the kinds of threats that should be reported.

What Information Does the Team Need to Assess a Threat?

In order to effectively assess any threat of violence, the team will need as much relevant information about the threat and the parties involved as is possible to gather and gather quickly, says French. Based on their roles, the various team members should pull together the needed information. For example, the representative from the HR department could be charged with getting the work and disciplinary history of a worker who allegedly made a threat against a supervisor. Although some of the needed information will be in documents, the team may also need to interview relevant individuals, most notably the target of the threat and any witnesses to it. The types of information the team will need include:

The details of the threat, including exactly what was said or otherwise communicated and under what circumstances, including whether any weapons were mentioned or displayed;

- The names of the parties involved, including the individual who made the threat, the target of the threat and any witnesses;
- The nature of the relationship between the individuals, such as worker/supervisor or husband/wife, and any prior history of violence between them;
- If the person who made the threat is an employee, that person's disciplinary record, if any, and work history;
- Contact information for the individuals involved; and
- Whether the person who made the threat has a history of any mental health issues or substance abuse problems.

Bottom line: You can't have too much information. In fact, French says that when he's been a member of threat assessment teams, he's even run basic Google searches on the individuals involved.

How Is a Threat Assessment Conducted?

When the team leader is made aware of a threat, he should call the team together as soon as possible and certainly within 24 hours, recommends French. The team should begin by amassing the information discussed above. Once it has the necessary information, it can begin the actual threat assessment.

French uses an assessment tool called HCR-20, which is used widely by police services throughout Canada. The HCR-20 is a clinical guide to be used by a qualified and trained practitioner to establish the presence of 20 elements known to be important factors in establishing risk. French emphasizes that there's no tool that can "predict" violence and any tool, such as the HCR-20, should be used only in combination with the sound clinical judgement of a trained individual.

The 20 factors of the HCR-20 are clustered into three groups:

- Ten related to **historical** information, such as whether the individual has made threats in the past, committed acts of violence or has a drug problem;

- Five related to clinical information, such as the individual's mental state; and
- Five related to risk management concerns, such as whether the individual is under a lot of stress or lacks personal support.

Each factor is given a score, which, when added up, result in an assessment that the threat is low, moderate or high risk. (An updated version of HCR-20 (HCR: V3) is expected to be released in April 2013.)

There are other threat assessment tools available, adds French. For example, he also uses Mosaic, an online tool developed in the US to assess targeted threats by potentially armed individuals. And SAM is an assessment tool specifically designed for situations involving stalkers, he says.

What Should the Team Do after the Assessment?

Despite the name, the most important thing a threat assessment team does is not assess threats but develop plans for appropriately responding to threats based on the results of a thorough assessment, emphasizes French. The goal of such plans is to protect the threatened individual as well as their co-workers, he says.

The actions recommended in a threat response plan will range depending on the risk level of the threat. It's generally better to overreact than under-react, says French. On the other hand, he notes, you don't want to cause a panic in the workplace.

For the lowest risk threats, French says you may need to simply engage in "watchful waiting," that is, monitoring the workplace and the individuals involved. An example of such a situation might be a worker seeing a co-worker doodling a picture of a gun during a long meeting. If the co-worker has no history of violence, isn't known to own a gun, didn't show the doodle to anyone, didn't make any verbal threats of using a gun and didn't exhibit any other risk factors, there may be no actions to take at this point except to monitor the individual for any changes. To paraphrase Freud, sometimes a doodle of a gun is just a doodle of a gun.

For other low risk situations, all that may be required is a structured conversation with the individual, says French. For example, say a worker gets into a disagreement with his supervisor and leaves the room muttering, "Now I know why people bring guns to work." If the team's assessment has determined that the worker was likely just venting and didn't actually intend to bring a gun to the workplace, the plan should *not* be do nothing. Instead, someone from HR should sit the worker down and explain why making such comments are considered threats and are unacceptable in the workplace, he explains.

At the other end of the spectrum, high risk threats will likely involve more complex plans involving multiple individuals, including possibly the police. *Example:* A female worker has a restraining order against her estranged husband, who has physically attacked her before, that bars him from being within 100 feet of her. Obviously, the husband knows where she works. But you might consider relocating the worker to another facility or changing her shift, her work phone number and even her parking space, says French. The plan may also include giving the husband's picture to security and the receptionist and informing them that he isn't permitted in the building. To avoid panic while still protecting the

worker and her co-workers, you might issue a general reminder of the company's security protocols, such as not letting non-employees into the building without them going through security, he adds. But French warns against violating the worker's privacy and revealing confidential information. So be careful about what details you release and to whom, he advises.

Another factor that will impact the response plan is whether the individual who made the threat is a company employee, says French. You obviously can't discipline a non-employee. But if the team determines that a worker made a credible threat to someone else, it should impose appropriate discipline, up to and including termination.

Insider Says: Terminating an employee can also be a high risk situation, adds French, especially if the worker is being fired for engaging in workplace violence or similar conduct. In such circumstances, you may want to have protocols in place in the event he responds violently, including having him escorted out of the building by security and having the police on site, he says.

Should the Team Keeps Records?

Whenever the threat assessment team gets a threat, it should create a report that includes the threat and its surrounding circumstances, the information gathered about the threat and the individuals involved, the results of the assessment and the recommended plan for responding to it, says French. Having such a report is important from a liability prospective, he explains. If something should happen despite your efforts, you may need to be able to prove "due diligence," that is, show you took all reasonable steps in response to the threat. In addition, if you end up firing an individual based on a threat assessment, you may need the report to prove you had just cause for imposing such discipline.

BOTTOM LINE

Given the clear mandate in the OHS laws to protect workers from violence on the job, companies should seriously consider whether having a threat assessment team makes sense for them. French stresses that you can't predict what people will do—you can only assess the risk that they'll take certain actions by weighing various variables. Having a team in place whose members are trained in assessing threats of violence will go a long way toward ensuring that your company responds appropriately when someone threatens one of its employees.

INSIDER SOURCE

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KNOW THE LAWS OF YOUR PROVINCE		
General workplace violence risk assessment requirements under the OHS laws		
		RELEVANT LAWS

FED	<p>1) Employers must identify all factors that contribute to workplace violence, by taking into account, at a minimum, the following:</p> <ul style="list-style-type: none"> a) their experience in dealing with those factors and with workplace violence; b) the experience of employers in dealing with those factors and with violence in similar workplaces; c) the location and circumstances in which the work activities take place; d) workers' reports of workplace violence or the risk of workplace violence; e) their investigation of workplace violence or the risk of workplace violence; and f) the measures that are already in place to prevent and protect against workplace violence [Sec. 20.4]. <p>2) Employers must assess the potential for workplace violence, using the above factors, by taking into account, at a minimum, the following:</p> <ul style="list-style-type: none"> a) the nature of the work activities; b) the working conditions; c) the design of the work activities and surrounding environment; d) the frequency of situations that present a risk of workplace violence; e) the severity of the adverse consequences to a worker exposed to a risk of workplace violence; f) the observations and recommendations of the policy committee or, if there's no policy committee, the JHSC or the health and safety representative, and of the workers; and g) the measures that are already in place to prevent and protect against work place violence [Sec. 20.5]. 	<i>Canada OHS Regs.</i>
AB	Workplace violence is considered a hazard for purposes of Part 2, which requires employer to assess a work site and identify existing and potential hazards before work begins at the work site or prior to the construction of a new work site [Sec. 389].	<i>OHS Code 2009</i>
BC	<p>1) A risk assessment must be performed in any workplace in which a risk of injury to workers from violence arising out of their employment may be present [Sec. 4.28(1)]; and</p> <p>2) The risk assessment must include the consideration of:</p> <ul style="list-style-type: none"> a) previous experience in that workplace; b) occupational experience in similar workplaces; and c) the location and circumstances in which work will take place [Sec. 4.28(2)]. 	<i>OHS Regs.</i>
MB	<p>1) Employers at a workplace that isn't described in Sec. 11.1 must assess the risk of violence to a worker at the workplace. The assessment must be carried out in consultation with:</p> <ul style="list-style-type: none"> a) the committee at the workplace; b) the representative at the workplace; or c) when there's no committee or representative, the workers at the workplace. <p>A workplace is subject to Part 11 if a risk of violence to a worker is identified as a result of the assessment [Sec. 11.2].</p>	<i>Workplace Safety & Health Regs.</i>
NB	OHS regulations don't have workplace violence risk assessment requirements.	

NL	<p>1) Employers must perform a risk assessment in a workplace in which a risk of injury to workers from violence arising out of their employment may be present [Sec. 22(2)].</p> <p>2) The risk assessment must include the consideration of:</p> <ul style="list-style-type: none"> a) previous experience in the workplace; b) occupational experience in similar workplaces; and c) the location and circumstances in which work may take place [Sec. 22(3)]. 	<i>OHS Regs. 2012</i>
NT/NU	OHS regulations don't have workplace violence risk assessment requirements.	
NS	<p>1) Employers must conduct a violence risk assessment for each of their workplaces if there's a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment [Sec. 5(1)].</p> <p>2) In conducting a violence risk assessment, employers must take all of the following into consideration:</p> <ul style="list-style-type: none"> a) violence that has occurred in the workplace in the past; b) violence that's known to occur in similar workplaces; c) the circumstances in which work takes place; d) the interactions that occur in the course of performing work; and e) the physical location and layout of the workplace [Sec. 5(2)]. <p>3) Employers must consult with any JHSC at the workplace when conducting a violence risk assessment and must provide the committee with a copy of the written report of the assessment [Sec. 5(3)].</p> <p>4) Employers must consult with any representative selected at the workplace when conducting a violence risk assessment and must provide the representative with a copy of the written report of the assessment [Sec. 5(4)].</p> 	<i>Violence in the Workplace Regs.</i>
ON	<p>1) Employers must assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work [Sec. 32.0.3(1)].</p> <p>2) The assessment must take into account:</p> <ul style="list-style-type: none"> a) circumstances that would be common to similar workplaces; b) circumstances specific to the workplace; and c) any other prescribed elements [Sec. 32.0.3(2)]. <p>3) Employers must:</p> <ul style="list-style-type: none"> a) advise the JHSC or a health and safety representative, if any, of the results of the assessment and provide a copy if the assessment is in writing; and b) if there is no JHSC or health and safety representative, advise the workers of the results of the assessment and, if the assessment is in writing, provide copies on request or advise the workers how to obtain copies [Sec. 32.0.3(3)]. 	<i>OHS Act</i>
PE	<p>1) Employers must conduct a risk assessment of the workplace to determine whether or not a risk of injury to workers from violence arising out of their employment may be present [Sec. 52.2(1)].</p> <p>2) The above risk assessment must include a consideration of:</p> <ul style="list-style-type: none"> a) previous experience of violence in that workplace; b) occupational experience of violence in similar workplaces; and c) the location and circumstances in which the work will take place [Sec. 52.2(2)]. 	<i>OHS Regs.</i>

QC	OHS regulations don't have workplace violence risk assessment requirements.	
SK	OHS regulations don't have workplace violence risk assessment requirements.	
YT	OHS regulations don't have workplace violence risk assessment requirements.	