

## Improvement Notice

Name **States Employment Board**

Address **Cyril Le Marquand House, St Helier, JE4 8QT**

Trading as\* **Department of Health and Social Security**

Inspector's  
Full Name.

I,

of the Social Security Department, Health and Safety Inspectorate, being an Inspector appointed under Article 12 of the Law and empowered to issue this Notice, hereby give you notice that I am of the opinion that at

Location of  
Premises or  
Place of Activity.

**Greenfields Centre, La Grande Route de St Martin, St Saviour, JE2 7GS**

You, as an employer/ ~~a self-employed person/ a person wholly or partly in control of the premises/ other\*~~,

are contravening/ ~~have contravened in circumstances that make it likely that the contravention will continue or be repeated\*~~, the following statutory provisions:

**Health and Safety at Work (Jersey) Law, 1989: Article 3(1)**

The reasons for my said opinion are:

**you have failed to ensure, so far as is reasonably practicable, that adequate arrangements are in place to identify and manage the preventative and protective measures required to control the risk of violence and aggression demonstrated by service users to employees**

and I hereby require you to remedy the said contraventions or, as the case may be, the matters occasioning them by **31 January 2018**

(and I direct that the measures specified in the Schedule which forms part of this Notice shall be taken to remedy the said contravention or matters)\*.

Signature

Date 24/11/17 Time 13.15.

An Improvement Notice is also being served on  
of  
related to the matters contained in this Notice.

**FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE AS PROVIDED BY ARTICLE 21 OF THE LAW.**

## Health and Safety at Work (Jersey) Law 1989

### Articles 13, 15, 16, 17

#### Notes

1. Failure to comply with an Improvement Notice is an offence as provided by Article 21 of the Law and renders the offender liable to an unlimited fine and a further fine if the offence is continued.
2. An Inspector has power to withdraw a Notice or to extend the period specified in the Notice, before the end of the period specified in it. You should apply to the Inspector who has issued the Notice if you wish this to be considered but you must do so before the end of the period given in it. Such an application is not an appeal against this Notice.
3. The issue of this Notice does not relieve you of any legal liability for failing to comply with any statutory or customary law duty resting on you.
4. Your attention is drawn to the provision for appeal against this Notice to an Appeal Tribunal. The Notice of Appeal should be sent to:

Registrar of Appeals and Tribunals, Health and Safety Appeal Tribunal, The Tribunal Service, 1<sup>st</sup> Floor, International House, 41 The Parade, St Helier JE2 3QQ

The appeal must be commenced by sending in writing to the Registrar of Appeals and Tribunals, Health and Safety Appeal Tribunal, a notice containing the following particulars:

- a. name of the appellant and the address for the service of documents;
- b. date of the Notice, or Notices, appealed against and the address of the premises or place concerned;
- c. name and address, as shown on this Notice, of the respondent;
- d. particulars of the requirements or directions appealed against; and
- e. the grounds of the appeal.

A Notice of Appeal form which may be used for the appeal is available from the Inspector.

#### Time limit for appeal

A Notice of Appeal must be sent to the Registrar of Appeals and Tribunals, Health and Safety Appeal Tribunal, within 21 days from the date of service on the appellant of the Notice, or Notices, appealed against, or within such further period as the Tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the notice of appeal to be presented within the period of 21 days. If posted, the appeal should be sent by recorded delivery.

The entering of an appeal suspends the Improvement Notice until the appeal has been determined, but does not automatically alter the date given in this Notice by which the matters contained in it must be remedied.

An application for suspension of the Notice must be in writing and must set out:

- a. the case number of the appeal, if known, or particulars sufficient to identify it; and
- b. the grounds on which the application is made (it may accompany the appeal).

The rules for the hearing of an appeal are given in the Health and Safety at Work (Improvement and Prohibition Notices Appeals) (Jersey) Regulations, 1989.

Health and Safety at Work Inspectorate  
Social Security Department

PO Box 55, Philip Le Feuvre House, La Motte Street, St. Helier, Jersey JE4 8PE

tel. No. 01534 - 447300

**Health and Safety at Work (Jersey) Law 1989**

REFERENCE IN/TF/VA/11/17

**SCHEDULE**

In order to comply with this Notice you must

Prepare a policy which sets out:-

- a) the framework for identifying, assessing, controlling and managing the risks of violence and aggression in Greenfields centre
- b) the specific arrangements for the provision of training (including refresher training) needed by all staff working at Greenfields centre to enable them to minimise the risks when confronted with potentially violent and/or aggressive behaviours demonstrated by service users. This should include the specific types of training required, and under what circumstances these would be considered appropriate to use
- c) the arrangements for recording the provision of training delivered to staff
- d) the arrangements for senior management to monitor and review administration of the policy

or

Take equally effective steps to remedy the said contravention