



VIOLENCE AT WORK POLICY

Cleeve Park School *an academy as part of*
The Kemnal Academies Trust

Policy to be reviewed	Spring 2024
Next review:	Spring 2026
Adopted by Governors:	July 2024
To be reviewed by:	Business Manager

1. Policy Statement

Cleeve Park School recognises that members of the public, other employees, students, school community etc, may expose some employees to the risk of violence. It will, therefore, ensure that steps are taken to identify, take action to control or prevent the risk of violence occurring at work and to institute control measures to provide appropriate support should violence occur.

Cleeve Park School will not tolerate abusive or violent behavior between or by its employees, or to its employees. If violence between or by employees occurs then the disciplinary procedure will be implemented with appropriate action being taken against the perpetrators.

Cleeve Park School is committed to creating a safe working environment, one in which an employee will feel able to report violence against them and have confidence that the violence or risk of violence will be appropriately addressed. This policy considers the risks of violence towards members of staff, from students, parents or other visitors, or to members of the public. Violence or aggression directed at students will be considered within the framework of the Trust's Safeguarding Policy. If a member of staff suffers assault away from their normal workplace, but the assault arises in the course of, and via the performance of, their professional duties, support will be provided via this process.

This could result in the person being escorted off the premises and/or reported to the police, and for legal action to be taken against them. If a person is abusive or offensive to a member of staff going about their duties at any time or in any location again this could result in them being reported to the police or legal action being taken against them.

Further guidance on violence in education is issued by the Department for Education – refer to the DfE website.

Where appropriate, formal action will be taken against offending individuals. Where threats of aggression are made to an employee and the perpetrator can be identified, Cleeve Park School will, in all appropriate cases, consider taking legal action; and will send a formal letter to the person(s) concerned, warning that legal action may be taken if a breach of the law occurs.

2. Persons who have a responsibility to manage violence

Cleeve Park School and its staff have an interest in reducing violence at work. Violence can lead to poor morale and can affect the image of the organisation, making it difficult to recruit and retain staff. It can also mean extra cost, with absenteeism, higher insurance premiums and compensation payments. For staff, violence can cause pain, distress and even disability or death. Physical attacks are obviously dangerous but serious or persistent verbal abuse or threats or bullying can also damage employees' health through anxiety or stress or other psychiatric conditions.

The Head Teacher has a duty to ensure that a threat or hazard analysis is carried out within the establishment and that a suitable and sufficient risk assessment is carried out.

Following risk assessment, risk controls and procedures should be developed to ensure that all possible measures are in place to limit anyone being exposed and/or affected by violence. The Head Teacher is responsible for ensuring adequate procedures are developed and effectively communicated to staff.

The Head Teacher should involve and consult with their senior leadership team, staff, Governors, trade union safety representative and/or representatives of employee safety. To ensure that the risk

assessment is comprehensive and that resulting procedures have ownership by staff, it is a legal requirement to consult with and inform all employees at risk. The risk assessment procedure involves:

- establishing the risk of violence and assault on employees and visitors
- considering the risk of stress and/or secondary trauma which arises from employees working in fear of violence and assault
- taking steps to remove these risks
- where removal of the risk is not possible, reducing the risk by any necessary changes in working practices or by introducing appropriate protective and supportive measures.

Control measures taken to reduce the risk of violence and assault may include, but are not limited to: revision of lone working and/or emergency procedures and changes to the working environment such as improved lighting or room layout, provision of CCTV in higher-risk areas. It should be noted that such equipment is not considered a particularly effective control of the risk of violence and aggression.

Where the behaviour of an individual student presents a demonstrable and ongoing risk to the health, safety and wellbeing to other members of the school community, and implementation of the school's student behaviour policy has had little or no effect, an individual behaviour risk assessment will be considered.

Incidents that will result in a student behaviour risk assessment include, but are not limited to:

- assault, whether in or outside of the school
- a student is found to be carrying a weapon, or threatens to bring a weapon into school

Cleeve Park will also gather information about the causes of violence in schools, and will use this information to inform the risk assessment and prevention process. This process may involve engaging with external bodies and through the provision of training and student assemblies.

3. Definition of Violence

The Health and Safety Executive's (HSE) definition of work-related Violence is:

'Any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work.'

Verbal abuse and threats are the most common types of incident. Physical attacks are comparatively rare.

Violence can include

- verbal abuse
- rude gestures
- innuendo
- physical attack
- bullying

Sexual, racial and other forms of harassment are also included within the definition of violence.

4. Persons who may be at risk

Staff whose job requires them to deal with the public can be at risk from violence. For example:

- Reception staff
- Head teachers & Senior Leadership team
- Teachers
- Teaching/Learning Support Assistants
- Site controllers or caretakers
- Governors

In addition staff can be at risk from violence from interactions with other employees or members of staff. For example:

- bullying
- discrimination or attack
- harassment

5. Victims of Violence

If there is a violent incident involving member(s) of staff then a quick response is required to avoid any long-term distress to the workforce.

The following strategies can be used:

- debriefing - victims will need to talk through their experience as soon as possible after the event. Remember that verbal abuse can be just as upsetting as a physical attack;
- time off work - individuals will react differently and may need differing amounts of time to recover. In some circumstances they might need specialist counselling;
- legal help - in serious cases legal help may be appropriate;
- other staff - may need guidance and/or training to help them to react appropriately.

6. Stalking

Stalking can be described as a series of acts which are intended to, or in fact do, cause harassment to another person. Stalkers can have a devastating effect on the lives of their victims, who are subjected to constant harassment at home, in public places and at work, to the extent that they feel they are no longer in control of their lives. The methods employed by stalkers can take many forms, for example threatening, abusive or obscene phone calls; using abusive and threatening language; or committing acts of violence. But even apparently harmless behaviour, such as following someone down the street or sending them flowers, can be intimidating if it is persistently inflicted on a victim against their will.

Stalking, as stated above, is a form of harassment and as such is seen as a criminal offence. Under English law stalking is covered by the Protection from Harassment Act 1997.

If staff are being harassed by a stalker they are advised to take the following steps:-

- Records should be kept of what happened, where, when every time they were followed, phoned, received post or e-mail.
- The more details the victim obtains the better, how the offender looked or sounded, what they were wearing, the make, and number plate or colour of their car.
- Letters and parcels should be kept as evidence: even if they contain frightening or upsetting messages, they should not be thrown away and handled as little as possible.
- Copies of e-mails should be kept on disk and print out hard copies; the originals should not be deleted.
- Making notes in a diary is a good idea. Information should be written down as soon as possible, when events are still fresh in their mind.
- Telephone conversations should be recorded and kept on tape if possible.
- If the victim recognises the handwriting, letters or parcels can be kept as evidence without having to open them.
- Make sure that any stored messages (including text messages) or telephone numbers that are received on mobile phones and caller ID units are kept.
- Staff should be informed of what is happening, unless requested by the police or the victim.
- Photographic or video evidence of the stalker (especially if the stalker has already been warned by the police not to go near the victim).

7. Responding to violence

Everyone has a right to defend themselves from an attack, using reasonable force. The law however doesn't allow carrying anything that can be described as an offensive weapon. The level of force must be commensurate with the threat.

When it comes to using force there are specific legal constraints placed upon people in a self-defence situation. It is very important to understand that when it comes to using force, individuals will be held accountable, both criminally and civilly for their actions, however, where deemed to have used reasonable force the School will support the individual. Excessive force is liable to result in criminal action against the individual.

It is important that all violent attacks whether verbal or physical should be reported, no matter how trivial they may seem, and that the appropriate follow up steps are taken.

A four stage management process is set out below

- Stage 1 Violence Threat Identification
- Stage 2 Violence Risk Assessment and Evaluation
- Stage 3 Taking action
- Stage 4 Review the actions taken

It must be remembered that the four stages are not a one-off set of actions. If Stage 4 shows there is still a problem then the process needs to be repeated again. Stages 1 and 2 are completed by carrying out a risk assessment.

a. 7.1 Police Liaison

Cleeve Park has a protocol with the local police for dealing with assaults and violent incidents. This allows the police to be notified and to respond promptly when incidents occur. The Headteacher should ensure appropriate review arrangements. Liaison with the police is also required to address violent incidents within the wider community or within the vicinity of the school. For instance, the school may report concerns about potential dangerous activity, such as knife crime, to the police for further investigation even if this is not occurring directly on the school premises but in the wider vicinity of the school. The risk assessment will consider the possibility of such incidents occurring, and whether violent incidents have previously occurred in the community. However, school staff will not be required to monitor public areas outside of the school vicinity, and if there are concerns about criminal or dangerous activity taking place, the police will be contacted. Incidents between students should also be referred to the Safeguarding Policy.

If a violent incident occurs that impacts on the school, such as one involving knife crime, the following steps will be undertaken:

- The Head Teacher will convene a rapid response meeting with the police. This is particularly important if there is a continuing risk, for instance, if the perpetrator is still at large.
- Counselling will be offered in the aftermath of the incident to the whole school community (staff, students and parents).

8. Physical Intervention and Restraint

When restraining someone the same rules apply as when responding to violence i.e. only reasonable force can be used that is commensurate with the level of force being threatened.

The Department for Education have produced guidance in order to clarify the powers of teachers, and other staff who have lawful control or charge of students, to use reasonable force to prevent students committing a crime; causing injury or damage; or causing disruption. Such powers already existed under common law but were often misunderstood. DfE guidance can be accessed on their website.

Neither the Act, nor the Department for Education guidance, authorise the use of corporal punishment in any circumstances. Nor is it intended to encourage the use of inappropriate force. The guidance:

- gives examples of circumstances in which physical intervention might be appropriate, and factors that teachers should bear in mind when deciding whether to intervene;
- discusses the meaning of 'reasonable force';

- advises that schools should have a policy about the use of reasonable force, and the school should tell parents about it; and,
- advises that schools should record incidents in which force is used to control or restrain a student, and tell parents of any such incidents involving their child.

The Department for Education has also issued guidance to schools on dealing with intruders, trespassers or parents in relation to violence and the use of reasonable force. Refer to the Department for Education website.

9. Procedure to follow if an assault occurs

If an employee is assaulted or is threatened with assault, the following action will be taken:

- The employee will be allowed to access a private area for as long as necessary following the incident. This should be enforced (if only for a short period of time) even if they seem unaffected or state they are fine to continue their duties.
- If the threat is given in writing or over the phone then a dynamic risk assessment should be taken about the actual level of risk and protective actions taken accordingly.
- The employee's line manager and the Head Teacher should be informed of the incident as soon as possible. The Head Teacher must inform the Trust (via their Director of Education) of the incident.
- Where required, first aid and/or medical treatment will be sought for the employee. The Academy will pay any reasonable charges (eg from a doctor, dentist or optician) that may be incurred following the assault.
- In the case of physical injuries, if at all possible, photos should be taken. The injured employee has an absolute right to refuse this, and should be advised as such.
- The employee should also be encouraged to seek an appointment from the Academy's occupational health provider. Occupational health assistance should be sought following both physical and verbal assaults, as there may be stress and anxiety arising from an incident.
- Professional counselling services will be offered to the employee by the Academy, with the Academy paying the cost of the counselling.
- The incident will be recorded, as soon as possible after the incident, in line with the procedures set out in this policy.
- The Head Teacher is responsible for ensuring written statements are taken from the employee, any witnesses and the assailant (where applicable) as soon as possible following the incident. A copy of all statements taken in relation to the incident will be held and provided to any investigating authorities, if required.
- The Head Teacher will ensure an investigation into the incident is conducted. A report will be produced following the investigation, and agreed with the employee. A copy will be retained by the Academy, and the individual with responsibility for health and safety. If the assault is being reported to the police, they will also receive a copy of the report.
- Following the incident, the risk assessment will be reviewed. In cases where the assault was carried out by a student, an individual student risk assessment will be undertaken. Reference will need to be made to other policies including those addressing student behaviour, school security and safeguarding.

10. Dealing with weapons

Employees are not expected to, and should not, deal with a student suspected of carrying a weapon on their own.

The Head Teacher will make a decision about whether the student should be searched, with or without their consent, referring to the school's confiscation policy and Department for Education (DfE) guidance (available at: [gov.uk/government/publications/searching-screening-and-confiscation](https://www.gov.uk/government/publications/searching-screening-and-confiscation))

If a weapon is found, or the student refuses to co-operate, the police should be called immediately. If a weapon is found during a search before the police have arrived, it should be seized and kept in a safe, secure place until the police arrive.

If a student is found to be in the possession of a weapon, the behaviour policy will be instigated and an individual student risk assessment will be undertaken. Depending on the circumstances of the incident, sanctions may include suspension or permanent exclusion.

11. Assaults by visitors/intruders

In the case of an assault by a visitor or intruder, the manager dealing with the incident will in the first instance inform the police, requesting their prompt attendance, and ensure that all staff and students are safe and secure, following the procedure in this policy for responding to incidents. Whilst it is accepted that for security reasons employees will challenge unauthorised persons, they must not put themselves at any risk and should inform the Police of potential risk.

If abusive, aggressive or insulting behaviour or language from a parent presents a risk to staff or students, or makes them feel threatened, schools have common law powers to bar the parent in question from the premises. If a bar on a parent is deemed necessary, this will be put in writing, giving the parent a formal opportunity to put forward their views. Following any representations from the parent, the bar will be confirmed or removed.

Furthermore, it is a criminal offence, under section 547 of the Education Act 1996, for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance. It also allows for the removal and prosecution of any person believed to have committed the offence. Therefore, in cases where the assailant is known (including if they are a parent), a letter will be sent stating that their behaviour is unacceptable, and they are no longer permitted to come onto the premises in the future without an appointment. If they do persist in entering the school premises and displaying unreasonable behaviour they will be treated as a trespasser and will be liable to prosecution.

12. Assaults by Students

Where an employee is assaulted by a student, the student's conduct will be dealt with via the school's student behaviour policy. The student may be removed from lessons and isolated from other students taking age and need into account. Behaviour sanctions, including suspension and permanent exclusion may be required. A suspension may be necessary in order to investigate the circumstances around the assault. As part of this process, an individual student behaviour risk assessment will also be carried out and the outcome shared with all employees that have contact with the student in question. The school's safeguarding lead should also be consulted following an assault by a student as there may be child protection issues to consider.

Where a student has assaulted an employee, and they return to school, the member of staff should not be required to teach or supervise the student in question if they do not feel comfortable doing so.

13. Sexual assaults

The Academy's risk assessment will also specifically consider the risk of sexual assault and harassment against employees. Sexual harassment is defined as "unwanted conduct that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment". It may

take the form of unwanted verbal, non-verbal or physical conduct of a sexual nature and it is unlawful under the Equality Act 2010.

14. Reporting of Incidents

Any incident of violence even if it did not result in physical injury should be reported immediately in accordance with the School procedure for reporting accidents or incidents. The employee will be given as much time as is necessary out of their normal duties to complete the form. Cleeve Park believes that all assaults against employees should be reported, even if they initially appear trivial. The school will record all assaults on employees, monitor this data and make it available to all staff and the recognised trade unions. Additionally, it will ensure all staff are made aware, at regular intervals, of the reporting procedures.

Cleeve Park will monitor the effectiveness of control measures by monitoring incident rates and equality characteristics of staff affected by assaults and through meaningful engagement with the workforce and their trade union representatives. Any violence or abuse in relation to one or more protected characteristic (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation) may constitute illegal harassment under the Equality Act 2010.

Incidents of violence towards visitors will be referred to the Police.

Additionally, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) Cleeve Park are responsible for reporting certain injuries and incidents to the HSE; for full details, refer to the First Aid Policy.

15.

16. Follow up and support

Immediate follow up and debrief by the Head teacher or Department Head is essential in order to take action to avoid recurrence and to provide the support that staff need. Employees that have experienced an assault will be permitted paid time off to meet with the police, legal counsel and to attend court if necessary.

If the employee sustains an injury arising from an assault at work, and it is necessary for them to take sick leave, they will be advised of any entitlements to sick pay for those suffering injury at work. Following an injury, the Academy will also provide the employee with advice on the prospects of obtaining compensation through the Criminal Injuries Compensation Authority, and will offer assistance in making and pursuing an application where appropriate.

Following an assault, the Academy will discuss with the employee whether they feel ready to return to their normal duties and advice may be sought from the Academy's occupational health provider. If the employee is not able to complete their normal duties, arrangements may be made for amended duties.

Cleeve Park will compensate the employee for any damage to their personal property or clothing as a result of the assault. They will also reimburse any prescription charges incurred by the employee as a direct result of the assault, enquiries in regard to this should be directed to the school's insurance provider via the Business Manager.

Cleeve Park acknowledges that employees may experience stress and/or anxiety following an assault or arising out of the threat of assault, therefore will offer counselling following an assault

17. Training

Appropriate training must be made available to staff who may need to restrain potentially violent or aggressive children or young people.

The school will inform all exposed employees of the outcome of the risk assessment (including any relevant student behaviour risk assessments), and ensure that this information is included in the induction for all new members of staff, including supply teachers and staff employed via an agency.

18. Lone Working

See the Lone Working Policy in particular relation to site staff who work alone out of hours.