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Opening statement

I am well aware that some members of staff will, on occasion, be in a position where they may face verbal abuse, threatening behaviour or even be assaulted in some way. This will be distressing for themselves, their families and their colleagues.

Where violence and aggression is anticipated we will operate systems of work that minimise risks but it is important that no one accepts violence as being a routine element of their work – it is not. This policy, therefore, sets out ways in which schools can help prevent such incidents from occurring and help staff in minimising their effect.

We work with a diverse range of children, young people and adults and it may not always be possible to foresee a particular incident. However, the overwhelming majority of situations in which there might be a risk to personal safety can be anticipated, and this document sets out the way in which these potential incidents should be managed.

When incidents do occur, it is important that Headteachers and staff follow the reporting procedure so that relevant information from the incident can be used to adjust school operational, managerial and policy practices.

This policy has drawn on guidance from both the Department of Health and the Department for Education and has been shaped in collaboration with Wiltshire Association of Secondary Headteachers, Wiltshire Primary Heads Forum and Wiltshire Association of Governors.

Violence is unfortunately a difficult part of our work and we must all do everything reasonably practicable to eliminate or reduce the risk that it poses. It is therefore vital that all colleagues support and apply this policy. The application of this policy is a critical element of the day-to-day management and the operational processes of every school.

Lyssy Bolton
Deputy CEO, EquaMead Learning Trust

Our definition of 'Violence and Aggression'

Wiltshire Council defines the term as:
'Any incident in which an employee is abused, threatened or assaulted by another person in circumstances arising out of the course of his or her employment.'

This applies whether the member of staff is on or off duty and is irrespective of the status of the perpetrator.

This definition is based on advice from the Health and Safety Executive. Examples of behaviour classed as 'violence' or 'aggression':

- Kicking
- Biting
- Punching
- Poking or pushing
- Spitting
- Scratching
- Head butting
- Tripping
- Actions that restrict movement
- Unwanted physical contact which results in no injury
- Use of weapons
- Use of missiles
- Swearing
- Other verbal or written abuse which causes personal offence or distress
- Sexual, racial or other harassment
- Bullying
- Intimidation
- Damage to personal property
- Other aggressive behaviour:
    - Shouting
    - Posturing
    - Gestures
    - Insults
    - Innuendo
    - Unreasonable demands or blackmail

This is not an exhaustive list but seeks to provide illustrations of such behaviour. Unacceptable behaviour may result in the Local Authority and the police being informed of the incident.

General policy

All members of our school community have a right to expect that their school is a safe place in which to work and learn. Abuse, threatening behaviour or violence against school staff, or other members of the school community, is unacceptable and will not be tolerated. Any incident will be treated seriously and a disruptive visitor may be banned from entering the school or even prosecuted.

Abuse, threatening behaviour or violence are not considered to be an acceptable part of any job, nor is it part of the duties of any employee to accept such behaviour. Throughout this document where the term 'visitor' is used it covers any abusive parent or visitor to the school and is not confined to adults.

Violence and aggression are unacceptable and no member of staff should be required to endure either as a normal part of their work. However, given the nature of the services we provide it is acknowledged that some staff may, on occasion, encounter violence or aggression. In these circumstances, reasonable measures are to be applied to eliminate or minimise the risks.

These measures go beyond basic compliance with statutory duties because the school and its partners recognise the wider benefits of effective procedures for the prevention of, and response to, incidents of violence and aggression.

A system of risk assessment will be used to determine the best measures to safeguard staff. The range of measures to be applied, including training for staff, is set out later in this document. All incidents of violence and aggression at work must be reported using the procedures referred to later in this document.

When an incident takes place, support will be offered initially by the school and if necessary, by external services. The range of measures to be applied is set out later in this document and should be offered as appropriate to the incident. Individuals are encouraged to identify any additional support they may need.

Staff are expected to take account of their own safety when considering their actions in intervening in violent incidents between children or adults using the school.

Wiltshire Council has produced this policy for the benefit of all staff in all schools, including Governors and Headteachers. The Trust will support the implementation of the policy within our schools and will monitor its effectiveness. It is the Governors and the Headteacher who have the responsibility to ensure that the policy is applied on a day-to-day basis.

Roles and Responsibilities

The CEO, together with the Executive Leadership Team, is responsible for providing the direction of this policy through consultation with relevant partners and for ensuring that schools are supported in implementing the policy.

All Headteachers, senior leaders, and supervisors in schools should:

- Ensure that risk assessments are carried out across all work activities that they control and that appropriate measures are implemented commensurate to those risks (guidance on risk assessment is given below)

- Ensure that all staff identified through the risk assessment process receive training at appropriate intervals in skills that can be used to minimise risks to personal safety. The range of training to be considered is set out in a later section
- Ensure that all staff are provided with clear instructions in respect of reporting incidents of violence and aggression and that all such reports are thoroughly investigated and responded to
- Offer and provide appropriate post-incident support to staff
- Monitor the effectiveness of this policy
- Ensure that all staff know about their responsibilities and of the measures used within the workplace to counter violence and aggression

Individual members of staff are responsible for:

- Following working procedures and risk assessments
- Reporting likely or actual incidents of violence or aggression
- Taking due regard of their own personal safety and well-being and for withdrawing from a situation where the risk of actual or potential violence or aggression is high. An exception to this would be where any formal plan (e.g. a care plan) relating to a pupil, required an alternative, prescribed course of action to be followed

Procedure to be followed

If a parent / carer or visitor behaves in an unacceptable way towards a member of the school community, the Headteacher or appropriate senior staff will seek to resolve the situation through discussion and mediation, and if the unacceptable behaviour continues, terminate the meeting and ask the visitor to leave the premises.

Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned from the school premises by the Headteacher, CEO / DCE of the Trust or a member of the governance community for a period of time, subject to review as defined in section 547 of the Education Act (1996).

In imposing a ban the following steps will be taken:

- The school may in the first instance warn the parent that they are minded to ban them and seek reassurance about future behaviour. If reassurance is not forthcoming, then the school will proceed as below, including details of how long the ban will last. Depending on the severity of the offence, the school may impose an immediate ban as below
- The parent / carer will be informed, in writing, that she / he is banned from the premises, subject to review, and what will happen if the ban is breached, e.g. that police involvement or an injunction application may follow
- Where an assault has led to a ban, a statement indicating that the matter has been reported to the local authority and the police will be included
- Where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified

If a parent / carer / visitor is intimidating, threatening or aggressive towards any member of the school community any interaction will be terminated immediately and the person will be instructed to leave the premises. Further action may be taken by the school.

The Local Authority may take action where behaviour is unacceptable or there are serious breaches of our Code of Conduct or Health and Safety legislation. In implementing this policy, the school will, as appropriate, seek advice to ensure fairness and consistency.

Written abuse

If a member of staff receives written correspondence, e.g. letter, e-mail or text of a threatening or abusive nature from a parent, carer or member of the public, this shall be reported immediately to a member of the Senior Leadership Team and a copy retained as evidence.

The receiving member of staff will not reply to the correspondence without first agreeing the response with the Leadership Team member or, in preference, the Leadership Team will respond on their behalf.

Whilst the school will make every effort to resolve any issue raised by the complainant, consideration may also be given to involving the police, especially where threats of violence have been made. In accordance with our Acceptable Use Policy, only secure school email will be used for communicating with parents and other staff (on school related matters).

Risk assessment

Risk is defined as "the likelihood of harm". The significance of a risk depends upon the severity of the possible outcome and the number of people who may be affected. All risks are to be managed before harm occurs – that is to say, adopting a proactive approach rather than a reactive one.

Schools must identify staff to carry out risk assessments and ensure that they are adequately trained.

Risk assessments undertaken should not be confused with those made for an individual pupil, through a formal plan such as a behaviour care plan or an EHCP. They are different and should be separate, because the risk of violence or aggression from a pupil may extend beyond the staff that might normally be expected to have access to the agreed plan.

Risk assessments will seek to establish the risk to staff after taking into account:

- Information about children or adults using the school, including the frequency and severity of any previous incidents
- Frequency and nature of the contact
- Experience and training of the member of staff
- Location
- Adequacy of existing precautionary measures

In some cases, this information can only be established through consultation with others who come into contact with or hold relevant information about those using the school. The risk assessor should identify any necessary measures and ensure that named individuals accept the responsibility to act upon them within an agreed timescale commensurate with the risk.

All significant risks should be recorded on a risk assessment form. Both assessors and Headteachers are responsible for ensuring that the outcomes of assessments are made known to all relevant personnel.

All assessments will be reviewed *at least* annually but more frequently if enhanced risks are identified or whenever relevant circumstances change. Assessments should be reviewed after each incident.

Preventative strategies

This section includes:

- General security
- Suitable working environments
- Working practices and patterns
- Physical intervention (control and restraint)

- Self-defence
- Protective equipment
- Behaviour policies in schools
- Suitable learning environments
- Lone working

General security

All schools need to be open to the public at some points, wholly or in part. Uncontrolled access to all areas may expose some staff to unnecessary risk. All buildings, therefore, must be assessed to identify which parts need to have restricted access achievable through security locks.

Keys and door entry combinations should be restricted to authorised personnel only and combinations should be regularly changed.

Systems to register all visitors, including the use of identification lanyards help minimise unauthorised access. Staff should challenge any unauthorised persons. Registered visitors should check out and return their lanyards after use.

A means of summoning emergency assistance should be available in areas where there is a significant possibility of encountering violent or aggressive behaviour. This may include isolated parts of a school such as mobile classrooms. Any such system must be regularly tested including the reaction to the alarm from other staff.

The immediate environment around each premise should be as free as possible from debris or loose materials that could be used as missiles.

Suitable working environments

All public areas should be well signed.

School reception areas should, where practicable, be properly staffed and be kept in a clean, well-lit and comfortable state. They should have adequate space with sufficient seating. A more relaxing environment may be created by the use of subdued wall coverings and some pictures and plants. Pictures, which are fixed to the wall and plants in fixed containers, are more difficult to use as weapons. Tension-building boredom may be relieved by the provision of reading material or play areas for those waiting with small children.

Using waiting areas as thoroughfares should be avoided if possible.

Rooms allocated for meeting with members of the public should be carefully arranged to put people at ease and ensure that the risk of aggression is minimised while maintaining the need for confidentiality. Staff should sit between the interviewee and door to ensure a swift exit. The room should not be lockable from the inside and wherever possible there should be a vision panel to enable checks to be made by other staff when necessary. Other safety measures may include the selection of ornaments that are ineffective as weapons.

A means of summoning emergency assistance should be available in areas where there is a significant likelihood of encountering violent or aggressive behaviour. Any such system must be regularly tested, including the reaction to the alarm from other staff.

All external areas used during hours of darkness must be adequately lit.

Classroom layout will be governed by space and teaching needs but wherever possible staff should base themselves in a position which allows sight of all entrances and immediate access to at least one of them.

Working practices and patterns

The following guidance applies to all school staff although some may be more relevant to particular circumstances. Staff should recognise that their own attitudes and modes of behaviour are likely to be reflected by those using or coming into contact with the school.

Before meeting a visitor, staff should refer to any information available about that person's potential for violence. For this to be an effective precaution, it is essential that all relevant information about previous incidents is recorded and shared with staff. If it is anticipated that a visitor may display aggressive behaviour then staff should consider whether to meet with that person alone and should prepare their responses to any violent or aggressive behaviour in advance of the meeting.

Staff should avoid working in isolation, particularly out of normal hours. After evening functions, staff should consider leaving in groups rather than individually.

If telephone callers become abusive or threatening, staff may issue a caution along the lines of, 'if you continue to be abusive, I shall put the telephone down', and then do so if the caller persists.

Whenever working away from school, staff must always ensure that a colleague has details of their programme and whether or not they are intending to return to the school. Local procedures must be in place to respond to concern about the non-arrival or return of colleagues.(See section on Lone Working).

When travelling by car or cycle, staff should ensure that the vehicle is roadworthy, that the route is planned, that the foot journey at their destination is as short as possible and that vehicles are left in well-lit and secure areas.

Staff should avoid wearing clothing or jewellery that could be grabbed and used to inflict injury on the wearer.

Staff involved in emergency responses should take account of the advice within this section as far as is possible and should not, in any circumstances, place themselves or colleagues at undue risk.

It is essential that a Headteacher, receiving any information indicating that a pupil, parent, or visitor may pose a risk to staff, logs this information appropriately.

Physical intervention (control and restraint)

All members of school staff and those whom the Headteacher has temporarily put in charge of pupils have a legal power to use reasonable force.

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. 'Reasonable in the circumstances' means using no more force than is needed.

As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. However, schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

All instances of physical intervention must be recorded in accordance with policies.

All staff who may be potentially involved in physical intervention must have access to the advice referred to in this document and any other local guidance that has been produced.

More advice on physical interventions is available in the Department of Education's (DfE) guidance on 'Use of reasonable force – Advice for headteachers, staff and governing bodies'

Self defence

Leaving or getting away is often the best defence using any pretext that may work, but individuals do have the legal right to defend themselves, or others, if attacked. The amount and degree of defensive force used must be proportional to the level of risk being faced. This will depend upon the circumstances. You do not have to be hit first if you are in genuine fear of being injured.

Protective equipment

Personal protective equipment may provide a degree of protection or reassurance to staff in some circumstances. Risk assessments should identify when equipment should be issued to staff and it should only be issued once information and training in their use has been provided.

If personal alarms are issued, they need to be carried so that they are easy to reach in an emergency. They may deter an attacker but may also aggravate a situation.

Mobile telephones can be used to summon assistance or to obtain information from colleagues that may help to defuse a situation. They may not operate very well in some parts of the school. Pagers or equivalent may be appropriate in some circumstances.

Behaviour policy

Everyone involved with the school needs to know and understand the boundaries of acceptable behaviour. The school has a behaviour policy and a clearly stated code of conduct.

Our Codes of Conduct for staff, parents, governors and Trustees cover:

- Child protection against abuse and assault
- Staff protection procedures
- Discipline, control and restraint procedures
- Identification and response to racial and sexual harassment, bullying and truancy

Our comprehensive behaviour policy sets the framework for improving the overall climate of behaviour and discipline within the school. The aims of the policy include:

- Encouraging a whole school approach to behaviour and discipline
- Helping staff to manage behaviour more effectively
- Helping the school to promote young people's respect for others
- Promoting firm action against all forms of bullying
- Reducing the level of truancy
- Reducing the numbers of pupils being excluded
- Promoting equal opportunities policies (gender, race and disability)

The precise content of the policy is a matter for each school and its supporting community; it cannot effectively be 'lifted' or prescribed. It may also be useful to refer to the DfE Guidance 'Behaviour and discipline in schools – A guide for head teachers and school staff' and also the 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education settings (2015)'.

Creating suitable learning environments

Creating the best possible learning environment can contribute significantly to encouraging positive pupil behaviour. A wide variety of factors affect behaviour in the learning environment and schools may wish to develop their own checklists to help staff. These checklists may include:

- Physical arrangements
- Social interactions:
    - Pupil / pupil interaction
    - Pupil / teacher / Teaching Assistant interaction
    - Social and academic grouping of pupils
    - Teaching factors

Lone working

The nature of our activities is such that many employees are sometimes required to work alone and / or away from their school and / or out of normal school hours.

The risk of violence and aggression towards staff increases in a lone working situation and therefore all lone working activities will be subject to a risk assessment. Headteachers must assess the situations, either generically or individually, and ensure that reasonable practicable precautions are implemented. N.B. Those assessed at high risk must not be allowed to continue. If the perceived risk warrants it, such precautions might include:

- Cancelling the visit / appointment / meeting
- Re-arranging the venue
- Re-scheduling the time of the visit / appointment / meeting
- Specific selection of staff
- Additional staff being present
- Providing detailed information to colleagues about the intended itinerary
- Training in conflict diffusion techniques for staff

In addition to these higher-risk precautions, all lone workers must log, with an administrative officer, their intended movements throughout any lone working period during school hours. The log should include information which will allow their movements to be traced should they fail to return safely either to the school or their home. Note that the carrying of a mobile phone does not abrogate this requirement, as they may be unable to receive a signal or be incapacitated from using it.

For low-risk lone working periods after normal school hours, then it is sensible to inform someone at home of the itinerary and of the action to take should you fail to arrive home. If there is no suitable person at home, then staff may, for their own reassurance, want to arrange

a system whereby a colleague is primed to alert someone if confirmation of a safe return is not made.

A locally arranged escalating procedure must be in place to alert the Headteacher if any member of staff is unaccounted for at the end of any high-risk lone working period or in any other circumstances giving cause for concern.

Responsive measures

This section includes:

- Short-term debriefing
- Longer-term debriefing
- Counselling
- Change of duties
- Involvement of the police
- Financial recompense
- Legal advice and support

Short-term debriefing

The nature and level of action following an incident will depend on the circumstances of each case. Some 'minor' instances may not require any action but it is important that no incident is dismissed as being too trivial to deal with without first exploring the effect of it with the member of staff involved.

Immediately after an incident, the Headteacher will ensure that all necessary first aid or medical treatment is arranged.

It is probable that the victim will want to talk about the incident but may be feeling distressed or guilty. It is important that sensitive support is given at this point. Headteachers should be aware that other colleagues are likely to be seen as primary emotional supports and this may require some flexibility about the normal work routine continuing. Further opportunities to talk about the incident should be provided after a period for reflection.

All parties involved in the incident should write down their thoughts and recollection of the incident as soon as they feel able to. The staff member should be reminded of the local procedures for accessing a counsellor and that a trade union or professional association representative may be present at any meeting where a discussion of the incident takes place.

All incidents should be formally acknowledged. This may be verbally and/or in writing. Headteachers should recognise that the staff member involved may have a need for a specific type of acknowledgement.

Headteachers should review risk assessments and care and support programmes in the light of the incident. This should include the sharing of information protocol to ensure that all staff and other agencies are made aware of risks.

Longer-term debriefing

Victims of violence or aggression may need time to come to terms with the implications of the incident. Headteachers should be alert to the possibility that the member of staff is underestimating his or her own needs.

Other staff who may have witnessed the incident or are likely to come into contact with the aggressor should be given information about the incident and its implications. It may be useful to arrange a staff meeting to discuss feelings about the incident and assess its impact.

Any staff development needs that are highlighted by the incident should be addressed.

If a member of staff is absent from work for a lengthy period following the incident, the Trust's Human Resources and Occupational Health Service can provide advice.

Counselling

The school's Senior Management Team / Headteacher should refer employees to the Occupational Health Service (OHS), where there are welfare or attendance issues that appear to be related to the violence or aggression incident. The OH Service will provide appropriate recommendations for supporting such employees. When the occupational health professionals consider that an employee could benefit from counselling, this will be made clear in the report supplied to the school. It will however be up to the school management to consider what specific arrangements would be appropriate to offer.

Change of duties

The staff member and Headteacher should agree any need to alter work duties as a result of the incident. This should be done such that the member of staff is not put under duress or made to feel guilty.

Involvement of the Police

The police should be informed of all incidents where a member of staff has been assaulted. In some circumstances, the member of staff may not wish the police to be involved. However, the Headteacher has the final decision and may judge that the wider protection of the community requires that a report be made to the police, notwithstanding the wishes of the individual.

If, during the course of the incident, a child is assaulted or abused, this must be reported in the first instance to the DOfA, who coordinates the local multi-agency response. All schools should be aware of these procedures.

Employer's liability

A member of staff who believes that they have suffered harm as a result of a work related incident should seek independent advice as to any civil claim they may have.

Where employees are covered by the Trust's Employer's Liability insurance further advice can be sought from the Trust's Central Team. Headteachers should redirect any correspondence or query about claims to the Central Team and should not offer an opinion about the outcome.

Legal advice and support

If an employee is the victim:

If an employee is a victim of an assault which gives rise to criminal proceedings, then the Crown Prosecution Service and Victim Support can give information relating to the criminal process. If an injunction is to be sought against the perpetrator, our Solicitors would advise on each case as to whether the circumstances justify such an application or whether alternative action may be more suitable.

Any employee who believes that they have suffered harm as a result of a work-related incident should seek independent advice as to any civil claim they may have. The Employer's Liability insurance will apply where legal liability is established against the Council or any other employee.

Warning letters

The Solicitor to the Trust will, at the request of the CEO and subject to satisfactory evidence, issue a warning letter to any adult who has committed a serious act of violent, abusive or

aggressive behaviour. An example of such a letter is given in Appendix I.

It is not appropriate for similar letters to be sent from the Solicitor in response to incidents involving pupils, as contact with parents in these circumstances should be a function of the school.

When an incident is reported, the victim of the violent or aggressive behaviour should complete an incident form which will be followed up.

Training

Staff within schools who are likely to be at risk from violence will require some level of training. The type and frequency of training will differ according to the nature of the risks faced. The school should identify and provide suitable training in skills that may include de-escalation techniques; breakaway techniques; the use of force to control or restrain.

Reporting procedures

Only by reporting incidents can working practices and procedures be adjusted to provide as much protection for staff as is possible. The accumulative effect of several minor incidents can be just as harmful as that from those of a more serious nature and staff should not overlook these 'lesser' incidents.

The school reporting process has two elements:

- A system for recording details of what individuals perceive to be minor incidents should be available at all schools. These are not of statutory type and can be designed to suit the needs of each particular school. However, it is important to ensure that such a record of minor incidents is kept
- A School Accident / Incident Report Form to be used for incidents that are more serious or to highlight the cumulative effect of a series of minor incidents

Headteachers should use these reports to identify measures that can reduce the likelihood of any recurrence as well as spotting regular or repeated perpetrators and victims. All reports will also be monitored centrally and regular cumulative reports will be compiled to identify trends and areas for further action.

Headteachers should be aware that if a major injury is attributable to an act of non-consensual violence for a work-related incident, then the incident must be reported to the Health and Safety Executive without delay by either telephoning 0845 300 9923 or online by going to www.hse.gov.uk/riddor.

Where an injury results in an absence of more than 7 days from normal work duties then the HSE must also be informed online by going to www.hse.gov.uk/riddor.

Further support and advice

Support and advice in respect of violence to staff is available from a range of sources, including:

- Human Resources Advisor – general advice and report
- Occupational Health Adviser – advice on returning to work and ill health (following a referral)
- Health and Safety Adviser – advice on risk assessment and reporting
- Educational Psychologists – advice and input on critical incidents and preventative work
- Education Welfare Officers - advice and support on attendance and related issues

- Schools Advisor (Child Protection) – advice and support to governors and Headteachers
- Legal Services – advice to governors and headteachers

Appendix I

Example Letter – (from Solicitor)

Dear

Nuisance and disturbance on educational premises (Name of school)

I have had a report that you have been causing a nuisance / disturbance on the school site. [Include details and date of incident]

Please note that the school premises, playgrounds and playing fields are private property and [either] you have no right to be there [or] I hereby notify you the with effect from [insert date] and until further notice you will no longer be allowed on to any part of the school site. I would also emphasise that causing a nuisance or a disturbance anywhere on the premises including the school grounds is a criminal offence for which you could be prosecuted and fined up to £500.

[Unless you first get my express permission, I request you to stay away from the school from now on. This does not prevent you from bringing your child to and from the school gate. I hope that you will appreciate that my/our concern is the safety and welfare of the pupils and staff. I will consider any written representations that you make to me by [insert date] and otherwise propose to review the exclusion in three/six months' time. (delete as appropriate)

I am sending a copy of this letter to Divisional Police Headquarters and to the Headteacher.

Yours sincerely,

for Solicitor to the Trust