

THE QUEENSWELL FEDERATION

THREATENING BEHAVIOUR, VIOLENCE & ABUSE POLICY

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Rationale:

The Queenswell Federation:

- acknowledges and accepts its legal obligation:
 - to provide and maintain safe systems of work;
 - to provide all necessary information, instruction, training and supervision to enable individuals to be safe;
 - to provide and maintain a safe place of work for schools, pupils and visitors to the school.
- declares its intention to take all reasonable and practicable measures to this end and to support fully those employees who are the victims of violence, threatening behaviour and abuse.
- acknowledges that every employee has the right to be treated with dignity and respect — assaults on staff are not acceptable, whatever form they may take.
- will take measures to deter violence, threatening behaviour or abuse and take action against those responsible.

Equalities

It is the right of all children, staff and visitors to the school, regardless of their gender, gender reassignment, ethnicity, belief, physical disability, ability, linguistic, cultural or home background, to work and have access to a safe and secure school environment. We recognize that certain groups and individuals may be discriminated against and therefore are strongly committed to positive action to ensure the building and grounds are fully accessible to all.

It is recognised that staff also have obligations as follows:

- to take reasonable care of their own health and safety and that of others, including their colleagues and the pupils in their care;
- to co-operate with the school on health and safety matters;
- to carry out activities in accordance with training, instructions, policies and procedures;
- to tell the school of any serious risks or near misses.

This policy sets out the action that will be taken towards reducing the frequency of assaults, monitoring their occurrence, training staff, supporting victims of violence and dealing with incidents when they occur.

The term “assault” encompasses any intentional and violent physical conduct and includes verbal abuse as well as threats of, intimidation and attempted assault.

Support that will be offered by the school, and which is referred to in this policy, includes the following:

1. Maintaining a safe working environment and safe practices;
2. Identifying levels of risk of violence faced by members of staff;
3. Assessing who is exposed to the risk of violence;
4. Reviewing risk assessments at regular intervals or when there is any change to the risk of violence;
5. Providing adequate training for all staff;
6. Ensuring, in the event of an assault, a structured and supportive response from management;
7. Implementing a standard reporting and monitoring system;
8. Considering exclusion or the application of appropriate disciplinary procedures and sanctions in the case of pupil assailants;
9. Reference, if appropriate, to the police;
10. The use of statutory powers;

11. Relief from duty, if appropriate, following assault;
12. Providing medical advice, legal advice and counselling;
13. Co-operating with the trade unions of assaulted members.

Where a member of staff suffers an assault away from her/his workplace, and if the assault arises in the course of or via the performance of her/his professional duties, support under these procedures will be provided.

Prevention

The school will:

- record all assaults on staff and will make statistics based on this information available to staff and trade unions;
- undertake regular, suitable and sufficient **risk assessments**;
- use *Five steps to risk assessment*, the HSE guidance, when carrying out risk assessments.
- follow these steps in the risk assessment process:
 - include the whole of the site, including areas adjacent to the site
 - include staff who visit pupils at home as part of the risk assessment process
 - **identify and assess the risks**: activities and workplaces should be looked at and considered for what could reasonably be expected to cause harm; consideration should be given to everybody at the workplace and everyone using the site
 - **determine appropriate actions to manage those risks**: existing precautions should be examined to establish whether they are adequate and whether more should be done
 - **implement the actions**: this may include measures such as:
 - ✓ training programmes
 - ✓ alterations to school entrances
 - ✓ implementing procedures for visitors to the school site
 - ✓ communications systems
 - ✓ emergency procedures
 - ✓ the provision of alarms or back-up for staff
 - ✓ Taking minutes when taking part in conversations with parents or carers
 - ✓ Ensure two members of staff are present when talking through difficult issues with parents/ carers
 - **monitor the results**
 - **inform all staff who might be affected of the outcome of the risk assessment**
 - keep a record of the findings and consider how they might be used to prevent harm
 - consider risks to the personal safety of staff as part of the risk assessment process
- use its statutory powers to seek to prevent any person entering the school premises without lawful authority who causes or permits nuisance or disturbance to those people lawfully using the premises. Where the name of the intruder is known, warning letters will be sent by the school making it clear that, if the intruder trespasses again and causes a nuisance or disturbance, they risk prosecution and the matter will be reported to the police. In more serious cases the school will consider taking out a prosecution and/or injunction against the offenders.

Liaison with the police

The school will establish and maintain close liaison with the local police. It will draw up a procedure enabling the police to be called and to respond promptly when incidents occur. The school will work with the local police to confirm the circumstances in which they will pursue a prosecution against an assailant.

The school will seek to agree with the police that they will obtain evidence and initiate a prosecution when a member of staff at the school is assaulted, even if the assault is minor.

Dealing with weapons

As soon as a member of staff is aware either that any person on the premises is in possession of a weapon or that there has been an incident involving a weapon:

- the staff member should immediately inform the relevant senior member of staff
- staff should not try to deal with the situation alone
- the Head Of School must decide whether it is necessary to contact the police
- the school should consider whether to deal with the matter as a disciplinary issue.

Searching a pupil is a step that should only be undertaken in exceptional circumstances. The searching of a pupil should be witnessed by a colleague or adult witness. It is preferable for a child's parent to attend if a search is being undertaken.

If the pupil refuses to co-operate, the police should be called. No further action should be taken until the police arrive.

In some exceptional circumstances, action may have to be taken immediately. If this is the case, the pupil should be isolated from other pupils if possible. A colleague or adult witness should be present.

When a weapon or knife is confiscated by a member of staff it is important to:

- ensure that the weapon is secure and given to the police immediately on their arrival, or
- arrange for the weapon to be removed by a parent.

Pending the arrival of the police or a parent, the item should be stored in a secure place. The school should keep a record where weapons have been confiscated and returned.

In the event that a pupil has been found in possession of a weapon, the application of the school's discipline and behaviour policy must be considered. Depending on the particular circumstances, the school may wish to invoke disciplinary sanctions which might include detention or exclusion, whether on a temporary or permanent basis.

Assaults by adults

In the case of an assault by a parent, visitor or intruder, the Head Of School will:

immediately

- inform the police, requesting their immediate attendance
- ensure that all staff and pupils are safe and secure
- take appropriate steps to isolate the assailant without putting him/herself or others at risk
- if a parent assaults a child, please also refer to the Safeguarding Policy

and subsequently

- liaise with the police
- if the assailant is known, send her/him a letter stating that her/his behaviour is unacceptable and that s/he is not permitted to come onto the school premises in future without an appointment. If s/he does so, and causes a nuisance or disturbance, s/he will be regarded as a trespasser and will be liable to prosecution for causing a nuisance or disturbance as a trespasser on educational premises
- take action to prosecute her/him either directly or via the police.

Where such episodes are a recurrent problem, the school should consider putting a formal notice on the entrance or entrances to the school informing intruders that they may face prosecution.

Assaults by pupils

In the event of an assault on a member of staff by a pupil, the assailant should normally be removed from school immediately. In cases where it is impractical to remove her/him from the premises (e.g. where attempts to contact parents have been unsuccessful), the pupil concerned should be isolated from other pupils. Exclusion from the beginning of the next day should be considered.

The removal of the pupil, as a fixed-term exclusion, will allow for an investigation of the circumstances of the assault. Permanent exclusion procedures may then follow.

If/when the pupil returns to school, the Head Of School (in discussion with the Executive Headteacher) will consult the assaulted member of staff about appropriate ongoing arrangements.

Action when an assault occurs

If a member of staff is assaulted, the following action should be taken. Some of the below is not appropriate if the assault has been undertaken by a child.

- S/he should be allowed access to a private area for as long as necessary where s/he can sit with a friend, representative or colleague.
- S/he should be allowed to leave the school and go home if s/he wishes and the school will make appropriate arrangements which may include arranging transport for her/him.
- S/he may have to attend a hospital, accompanied by a friend, representative or colleague.
- Similarly, s/he may have to attend her/his GP's surgery and may wish to be accompanied.
- S/he may also wish to seek an appointment with the school's occupational health advisor. Professional counselling services will also be made available free of charge. The staff member will be made aware of the availability of these facilities.
- In addition, staff who have been assaulted will be provided with other appropriate support, including legal advice.
- A medical assessment of any injury should be made as soon as practicable, for example at hospital or by her/his GP.
- In cases of visible injuries, it is helpful to obtain photographs.
- If the assault has occurred away from the premises, the school should be formally notified.
- A written record covering the circumstances leading up to the assault, the assault itself and any injury should be made as soon as possible.
- As soon as practicable after the assault, the member of staff should prepare a written statement on the incident and should be given the opportunity to consult her/his trade union before submitting it.
- Written statements should be obtained as soon as practicable from all witnesses. Wherever possible, they should be prepared on the day of the incident or as soon as possible thereafter.
- The member of staff who has been assaulted should be provided with a copy.
- The incident must be reported to the police. The Head Of School, acting on behalf of and with the consent of the member of staff, will normally inform the police of any assault on school premises. If the member of staff concerned does not wish the police to be informed, those views will be taken into consideration. In all cases, the member of staff has the right to report the incident personally to the police.
- The incident must be reported to the Executive Headteacher.
- The Executive Headteacher must pass on information about the assault to the Local Authority. The Executive Headteacher must confirm this in writing to the member of staff.

- The member of staff should be advised to contact their trade union representative. In any discussions about the incident, the staff member may be accompanied by a representative of her/his trade union who will be accorded facilities time to support and advise the member of staff.
- The Head Of School will undertake an investigation and prepare a formal written report as soon as practicable. This report will be agreed with the employee concerned. The report will be given to the police by the Executive Headteacher of her/his representative and to those with overall responsibility for health and safety.

Further support for the victim of assault

The school will permit the assaulted member of staff to take reasonable paid time off to consult her/his trade union, the police or legal advisors and to attend court if a prosecution is initiated, or for the purposes of any other form of litigation.

Where the member of staff is injured and is obliged to take sick leave, the school will advise her/him of her/his sick pay rights, including the additional entitlements to sick pay for those suffering injury at work (in accordance with section 4, paragraph 9 of the Burgundy Book for teachers in maintained schools).

The school, on request, will provide legal advice to assist and prepare the assaulted member of staff for any appearance in court if the matter leads to a criminal prosecution.

If the assaulted member of staff decides to bring a private prosecution, the school will, on request, offer legal advice and assistance without cost to the employee.

Employees who have been assaulted are encouraged, but should not be obliged, to co-operate with the police to ensure that criminal proceedings are brought. The Executive Headteacher with Heads Of School should encourage witnesses (including employees and pupils) to come forward with evidence whenever possible.

If the assailant is prosecuted, the employee and other employees who are witnesses may be required to give evidence in court. Paid leave of absence will be granted for this purpose and appropriate cover will be provided.

In cases where the assaulted member of staff suffers injury, the school will provide her/him with advice on the prospects of obtaining compensation through the Criminal Injuries Compensation Authority (CICA) and will offer assistance in making and pursuing an application where appropriate.

Where the injuries arising from the assault cause temporary or permanent disablement, the school will advise the member of staff of any insurance scheme (in accordance with section 8, paragraph 1 and appendix V of the Burgundy Book for teachers in maintained schools).

The school will compensate the employee for any damage to her/his personal property or clothing as a result of the assault. The school will also reimburse any prescription charges incurred by the employee as a direct result of the assault.

In cases where the Executive Headteacher or Chair of Governors is alleged to be the perpetrator of violence, abuse or threatening behaviour, the procedures set out in the complaints policy should be followed.

THE QUEENSWELL FEDERATION THREATENING BEHAVIOUR REPORT (BLUE)

This should only be used when a child or member of staff has been threatened by an adult.

Date:	Time:	Person completing report
Name /s of person/s involved:		
Name of staff member(s) involved:		
Witnesses: (attach statements)		
Details on incident / concern		
Action taken (by SLT)		
REPORTED TO LA (if necessary)		

