Woodley Church of England (Controlled) Primary School

Violence at Work Policy

Responsibility of:	Full Governing Body
Type of Policy:	School Policy
Reviewed:	April 2020
Date of next review:	April 2023

Chair of Governors:

Head Teacher:

Policy Statement

Woodley C of E Primary School recognises that there are no circumstances in which violence towards any employee is acceptable and no employee shall be expected to accept exposure to violent behaviour as part of their role.

1. Introduction

1.1 The Health and Safety Executive (HSE) defines work-related violence as: 'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'.

1.2 This definition is taken to include verbal abuse or threat, threatening behaviour, any assault, any serious or persistent harassment, including racial or sexual harassment and extends from what may be seen to be minor incidents to serious assault and threats against the employee's family.

2 Scope

2.1 This policy is applicable to all employees of Woodley C of E Primary School who suffer physical or verbal abuse during the course of their duties from pupils, parents and members of the public.

3 Legal Requirements

3.1 Health and Safety law applies to risks of violence, just as it does to other risks from work. The main relevant legislation is:

- **The Health and Safety at Work Act 1974 (HSAW Act)**

  Employers have a legal duty under this act to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees while they are at work.

- **The Management of Health and Safety at Work Regulations 1999**

  Employers must consider the risks to employees (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this.

- **The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR)**

  Employers must notify their enforcing authority in the event of an accident/incident at work to any employee resulting in death, major injury or incapacity for normal work for more than three days. This includes any act of non-consensual physical violence against a person at work.

4 Policy

4.1 The governors of Woodley C of E Primary School believe that all violence to employees at Woodley C of E Primary School is unacceptable and is committed to providing full support to any employee who suffers violence in the course of, or arising out of, their official duties.

4.2 Violence is unacceptable and the governors of Woodley C of E Primary School will take legal proceedings if necessary to maintain the safety and well-being of its employees.

4.3 All incidents of verbal abuse or physical violence will be treated seriously and responded to appropriately. On no account will such incidents be treated lightly or dismissed as part of everyday life, nor will a violent incident be viewed as a reflection on an individual employee's ability.

4.4 All incidents of verbal abuse or violence must be reported to the Head Teacher and investigated; and appropriate action taken to minimise the risk of a recurrence. This may include the need to share information with colleagues and across the school to establish any pattern of violence from particular areas. All incidents are recorded.

4.5 Where serious threats are made to an employee in the course of his/her employment, the Head Teacher and/or Chair of Governors will take appropriate and supportive action to prevent any recurrence. This may include sending a formal letter to the person concerned warning that legal action will be taken if a breach of the law occurs (Appendix 1 refers)

4.6 An employee who has been occasioned harm in any way, including threats or psychological damage or who has suffered damage to their property, should be actively encouraged to report the matter to the Police. Every opportunity should be taken to prosecute offenders either by the Police, or in certain circumstances, individuals may wish to initiate legal proceedings themselves. Woodley C of E Primary School will ensure that employees are supported through the prosecution process.

5 Risk Assessment

5.1 By looking at the roles employees undertake, and the context in which they work, it is possible to identify the potential for violence. When undertaking a risk assessment, it is essential to identify individual causes of risk, and equally important to recognise that these risk factors rarely occur in isolation and when combined will have the potential to increase the risk of violence. As such, employees may face a series of combined risk factors such as threatening behaviour from pupils that may be supported and/or influenced by the parent/carer.

5.2 Risk Assessments should be carried out in Woodley C of E Primary School where violence poses a significant risk to employees. Any recommendations arising out of the assessment should seek to eliminate or reduce the risk to the lowest reasonable practicable level.

Further information and guidance on the risk assessment process is available in the Risk Assessment Policy. Further information on the risks of lone working, together with guidance for lone workers is available in the Lone Working Policy.

5.3 It is recognised that the behaviour of some pupils may present particular challenges to employees. Specific information and guidance has been developed relating to pupils with complex needs which can be found in the SEND Policy.

6 Legal position

6.1 Physical restraint used in self-defense is acceptable in law, but only with the minimum force necessary. This means that it is reasonable for employees to use sufficient force to stop or control violent situations, or prevent themselves or other people from being injured. Risk Assessments should be carried out in Woodley C of E Primary School where violence poses a significant risk to employees (see Paragraph 5). Whilst the risk of an employee being in a situation where the only way to protect themselves is to cause harm to the violent person is unlikely, it is accepted in law. In deciding whether the force used was reasonable, the courts will consider all of the circumstances surrounding the violent situation.

6.2 There is no legal definition of when it is reasonable to use force as this will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired outcome. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial will also depend on circumstances.

7 Aftercare and support

7.1 Woodley C of E Primary School is committed to providing full support, including aftercare, to employees who have suffered violence in the course of their duties. Support will include:

- Line management support/debrief to ensure the incident is discussed, recorded appropriately and consideration is given to further action.
- Access to further support provided by the local authority and/or school partners.
- Where appropriate, access to Trades Union Welfare Officers.

7.2 Immediately after reporting a violent incident, the individual who has been attacked should be offered local support to ensure their needs are met. This should include consideration as to whether it is appropriate for the employee to remain at work following the incident. Debriefing should take place as soon as possible after the event to minimise the risk of longer-term trauma and harm. The purpose of the debriefing session is to enable the individual to talk about his/her feelings of distress. It is normal for people to feel vulnerable, helpless or powerless to react, and there may be feelings of guilt, anger and fear of another attack. These feelings may not manifest themselves immediately and may take time to come to terms with. Individuals should be encouraged to talk openly about their experiences; what happened, how they responded and how they felt.

7.3 Even the most sophisticated policies and procedures relating to violence and personal safety cannot guarantee that a violent incident will never occur. It is important therefore, that post incident support is available to anyone subjected to violence in the course of their work. Such services ensure that support, practical help and access to sources of specialist help are provided subject to availability.

7.4 The following policies, which are available from the school office, also provide advice and guidance when dealing with incidents of violence at work:

- Pupil Behaviour policy
- Exclusion policy (if separate from above)
- SEN policy
- Lone Working Policy
- Site Security Policy
- Lock Down Policy