



HEART OF ENGLAND

Creating Futures

WHOLE-04-VIOLENCE AT WORK

1 INTRODUCTION

- 1.1 This policy is based on the advice produced by the professional organisations ([NEU](#) and [NASUWT](#))
- 1.2 The Health and Safety Executive (HSE) statistics show that teaching and working in education puts employees at higher risk of violence at work compared to most other places of work. (Statistics for 2019 put Teaching and Educational Professionals in the top 5 occupations for violence).
- 1.3 The HSE defines work-related as “any incident in which a person is abused, threatened or assaulted in circumstances relating to their work” and states that it can include verbal abuse and threats as well as physical attacks.
- 1.4 The Heart of England School (the Trust) takes its responsibilities under the Health and Safety etc Act 1974 very seriously and seeks to protect its staff from all forms of abuse.

2 ROLE OF TRUST BOARD AND COMMITTEES

- 2.1 The Trust Board has a duty to protect staff from violence whilst at work. This also extends to circumstances where attendance is away from the normal workplace but is connected with the employee’s job – including off site training sessions, travel on Trust business, Trust social events, educational visits which fall under the auspices of the following UK legislation (this is not an exhaustive list):
 - Equality Act 2010,
 - Health and Safety at Work etc. Act 1974,
 - Protection from Harassment Act 1997,
 - Management of Health and Safety at Work Regulations 1999.
- 2.2 Violence can result in an employee suffering physical or emotional damage to their health. Health and Safety legislation places a duty of care on the employer to provide a safe working environment for all staff. Violence at work will not be tolerated.
- 2.3 The Trust Board’s responsibilities are to ensure the promotion, communication, implementation, and monitoring of this policy.

3 ROLE OF PRINCIPAL AND SENIOR LEADERSHIP TEAM

- 3.1 The role of the Principal and SLT is as follows:
 - Communicating the policy to staff.
 - Investigating any incident of violence, after it has been dealt with, to ensure there is no repetition.
- 3.2 The Principal, SLT and all Managers will support regular reviews of safety. They will ensure that regular and suitable risk assessment are conducted and reviewed in relation to assaults on employees, as necessary.
- 3.3 The Principal and SLT must establish a protocol with the local police for dealing with assaults. This should allow the police to be notified and to respond promptly when incidents of assault occur.



4 DEFINITIONS

- 4.1 “Employee” refers to all members of staff including those employed on fixed term contracts, supply teachers employed via an agency or directly by the school, trainees and student teachers, apprentices, voluntary staff, and contractors employed by the school.
- 4.2 “Assault” refers to any form of violent conduct against an employee. It can be any form of abuse, including, but not limited to:
- Physical,
 - Psychological,
 - Sexual,
 - Verbal.
- 4.2.1 The mechanism of the threat is not important. Face-to-face, at a safe distance, by phone, post, or social media are all examples of possible mechanisms, but are not a definitive list.
- 4.2.2 Behaviours associated with assault, include, but are not limited to:
- Biting,
 - Hitting,
 - Offensive gestures,
 - Pinching,
 - Punching,
 - Pushing/Shoving
 - (Forcible) Restraint,
 - Sexual Assault
 - Spitting,
 - Swearing/Other verbal abuse,
 - Unwanted physical contact.
- 4.3 “Sexual Assault” is 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, no-verbal or physical conduct of a sexual nature and it is unlawful under the Equality Act 2010.
- 4.4 “Secondary Trauma” refers to the potential impact on staff of chronic exposure to working with students who are experiencing unregulated stress. This can lead to a replication in the adult of similar regulatory, processing, and social disorders as those experienced by the student.
- 4.5 “Manager” refers to the Principal, members of the Senior Leadership Team and Line Manager.
- 4.6 “Employer” refers to the Trust Board or Multi-Academy Trust.

5 RISK ASSESSMENT PROCEDURE

- 5.1 The impact of working in fear of assault has significant impact on stress and/or secondary trauma. This must be considered as part of a Workplace Risk Assessment. Staff must be consulted as to their experiences and these experiences must be recorded, wherever possible, using their own words.
- 5.2 The risks of assault on employees must be established.

- 5.3 Steps to remove the risks must be taken as much as is possible. If the risk cannot be removed, it must be reduced by
- Changing working practices,
 - Introducing appropriate protective and/or supportive measures, such as the following examples:
 - Providing alarms for staff,
 - Revision of lone working procedures,
 - Revision of emergency procedures,
 - Changes to the working environment e.g., room layout, improved lighting.
- 5.4 Where the behaviour of an individual student presents a demonstrable and ongoing risk to the health, safety and well-being of the Trust's community, and implementation of the behaviour policy has had negligible or no effect, a Student's Risk Assessment must be considered, and Staff Safety Plans must be offered to those staff who have been significantly impacted.
- Incidents that will lead to a Student Risk Assessment include, but are not limited to:
 - A student carrying out, or threatening to carry out, any form of physical or sexual assault, regardless of location (inside or outside the Trust's site),
 - A student carrying, or threatening to carry, any form of weapon, regardless of location (inside or outside the Trust's site).
 - The student needs to be informed of the contents of the Student Risk Assessment. This must be in a manner in which the student can understand (it may be necessary to read the risk assessment to the student; the language must be kept appropriate to the student's level of understanding).
 - The student must have an opportunity to ask questions and to have them answered (these must be recorded on the Risk Assessment document).
 - The student must sign the risk assessment so that it is clear that all the information has been communicated and the student knows their own responsibilities.
- 5.5 The employer must inform all employees of the details of the Workplace Risk Assessment and, if appropriate, the Student Risk Assessment. This information must be included in new staff induction, including supply teachers and staff employed via an agency.
- 5.6 The employer must monitor the effectiveness of the control measures listed on the Workplace Risk Assessment and, if appropriate, the Student Risk Assessment. Methods of monitoring include, but are not limited to:
- Behaviour logs – noting incident rates and interrogating the data to elicit information relating to issues such as homophobia, misogyny, misandry, racism, of the staff affected by assaults,
 - Meaningful engagement with employees,
 - Meaningful engagement with professional organisations.
- 5.7 The employer will consider the available information on the causes of violence in schools and will use this information to inform the risk assessment and prevention process. This may involve engaging with external bodies, providing training to staff and students and the education of students, possibly through assemblies.



6 LIAISON WITH THE POLICE

- 6.1 Liaison with the police may be required to address assaults within the wider community as well as those in the vicinity of the Trust's site. Examples include, but are not limited to reporting of potential activities of a dangerous nature (e.g. knife crime) for further investigation.

7 REPORTING INCIDENTS

- 7.1 All assaults against employees by students of the Trust, must be reported to the Trust, even if they appear trivial, even if they arise of the Trust's premises.

- 7.2 The first people to be informed must be the employee's Line Manager and the Principal. The Principal must be notified as soon as possible. The Line Manager/Principal may delegate a responsible person to complete the following tasks, but these must be undertaken with due care and consideration. The responsible person must:

- Determine the fitness of the employee to complete the following **two tasks**, ensuring that, if fit enough to do them, time is given to this process immediately and their normal duties are suspended so that this completion can take place with no distractions,
- Support the employee appropriately,
 - The employee may need time in a private area. They may need encouragement to take this time. There must be no rushing the care of the employee,
 - The employee must be advised to access whatever support they find helpful, including the support of their professional organisation,
 - If appropriate the employee must be medically assessed. Many employees will try to refuse a check by the Trust's First Aider, but this check should be encouraged so that there is a full trail of checks, care, and support.
 - If there are physical injuries, it is recommended that photos are taken, and all treatment/records maintained on the AccidentBook First Aid system.
 - The employee must be advised by the employer about their additional entitlements to sick pay as they have suffered an injury at work (Section 4, paragraph 9, Burgundy Book),
 - There may also be compensation available through the Criminal Injuries Compensation Authority. The employer must advise and offer support with such an application, if appropriate.
 - Further medical/dental/optician treatment and assessment may be required,
 - Occupational Health/Counselling Services/Employee Assistance Programs may be required. If these are during normal working hours, the employee will receive paid time off to attend. The employee may need a period of adjusted work duty before returning to normal duties; this must not impact on their salary,
 - The employer will pay reasonable charges incurred as a result of the assault, this includes, but is not limited to, damage to their personal property and clothing, and prescription charges which arise as a direct result of the assault.



- Ensure that these **two tasks** also take place, as soon as possible. All statements must be made available to the employee and their professional organisation representative and must be processed in line with the [Advisory, Conciliation and Arbitration Service \(ACAS\) Guidelines](#) :
 - The behaviour of the student concerned must be reported using the Trust's behaviour policy and systems (PARS Connect),
 - A statement from the assailant, where applicable, must be taken,
 - If appropriate, statements from witnesses must also be taken,
 - If appropriate and possible, CCTV footage of the event must also be downloaded and saved in a secure area,
 - The employee, or their Line Manager, must also report the incident using the Citation Safety Cloud (Staff Safety Observations),
 - If the Line Manager has completed the report, the employee must be contacted, as soon as possible, to ensure that their voice and experiences are accurately recorded and that they are fully supported,
 - Citation must also be contacted as soon as possible; in case this is a RIDDOR reportable event.
- 7.3 If the assault takes place away from the Trust's site but arises in the course of/the performance of the employee's professional duties, the same support process will be applied.
- 7.4 Any assault which is related to a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) may constitute illegal harassment under the Equality Act 2010.
- 7.5 After an assault of an employee by a student, the employee is not required to teach or supervise the student assailant if this causes discomfort.

8 INVESTIGATION BY THE PRINCIPAL, OR DELEGATED RESPONSIBLE PERSON

- 8.1 The incident must be investigated, and a report of the findings made available to the employee,
- 8.2 The employee must be involved with the reporting process and any areas of disagreement clearly highlighted.
- 8.3 The investigation must also consider the risk of sexual assault and harassment against employees.



9 DEALING WITH WEAPONS

- 9.1 If a student is suspected of possessing a weapon, or there has been an incident involving a weapon, the following actions should take place immediately:
- 9.1.1 Contact On-Call, very high priority, requesting a member of SLT and explaining why. No employee should deal with a weapons incident by themselves,
 - 9.1.2 The member of SLT will make a search decision. This can be with or without the student's consent but must follow the [current guidance](#).
 - 9.1.3 If the student refuses to co-operate the police should be called immediately.
- 9.2 If a student is found to be in the possession of a weapon:
- The police should be called immediately. If the weapon is found before the police have arrived it must be seized and kept in a safe, secure place and handed over to the police when requested,
 - The disciplinary policy BEHAV-01-Behaviour will be followed and, if the student is remaining on roll, a Student Risk Assessment will be produced.

10 CHILD PROTECTION

- 10.1 If a student assaults a member of staff or is directly responsible for a weapons incident issue, then the DSL must be involved as there may be some child protection issues to consider.

11 ASSAULT BY VISITORS/INTRUDERS

A member of SLT must intervene as soon as possible to complete the following tasks:

- 11.1 The police must be called, asking them to attend promptly.
 - 11.2 Other staff and students must be kept safe and secure, away from the assailant.
 - 11.3 If the abusive, aggressive, or insulting language or behaviour is presented by a parent/carer, and it presents a risk to staff or students or makes them feel threatened then the Principal can use common law powers to ban the parent/carer from the premises. The ban can also be enacted under section 547 of the Education Act 1996 which states that it is a criminal offence for a person on school premises without lawful authority to cause or permit a nuisance or disturbance.:
- The ban must be put in writing and sent to the parents/carers, with an opportunity to put forward their views before the ban is made permanent,
 - The letter should state that the behaviour was unacceptable, and that the parents/carers are only allowed on the premises again with an appointment,
 - The letter should make clear that arriving on the premises without an appointment and displaying unreasonable behaviour will be treated as trespass and is likely to be prosecuted,
 - Following representations from the parents/carers, the ban will either be confirmed or removed.



12 WHEN A VIOLENT INCIDENT IMPACTS ON THE TRUST

This incident can have taken place on or off the Trust's premises.

12.1 The Principal will convene a rapid response meeting with the police.

- This is particularly important if there is a situation of continuing risk (e.g., the perpetrator is still at large).

12.2 Counselling will be offered to the whole school community in the aftermath of the incident. The community includes staff, students, and parents.

13 AUTHOR

13.1 The author of this policy is Compliance Officer. They should be contacted for any points of clarification or suggested future amendments.

14 VERSION CONTROL

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