



Violence towards Staff Policy

September 2021

Date for Review: September 2022

James Montgomery Academy Trust

Statement of intent

The James Montgomery Academy Trust (thereafter referred to as JMAT) is committed to preventing violent behaviour directed towards our staff by parents and pupils. No member of staff will be expected to accept exposure to violence as part of their job role.

The JMAT employs a zero-tolerance policy on violence towards members of staff; under no circumstances is violence towards any member of staff considered acceptable.

This policy relates to violence and aggression directed at staff, in connection with their duties, from parents and pupils. The JMAT's Positive Handling Policy deals with issues regarding staff using reasonable force to restrain pupils.

The philosophy

The JMAT recognises its obligations to minimise the risk of violence to staff at work. We strongly believe that:

- All violence is unacceptable, whatever form it takes and whatever reasons are cited for it
- Dealing with, or being subject to, violent behaviour is not considered to be a failure on the part of the employee.
- Violence is not considered to be an acceptable part of any job, nor is it part of the duties of an employee to accept violent behaviour.

We recognise the potentially damaging effects of violence on individuals, work performance and the JMAT as a whole, and are committed to combating it.

Legal framework

This policy has due regard to statutory legislation including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Education Act 1996
- Local Government (Miscellaneous Provisions) Act 1982

This policy also has due regard to statutory guidance, including, but not limited to, the following:

- HSE et al (2009) 'Preventing workplace harassment and violence'
- DfE (2018) 'Controlling access to school premises'
- DfE (2021) 'Keeping children safe in education'

This policy operates in conjunction with the following JMAT policies:

- Positive Handling Policy
- Staff Code of Conduct
- Health and Safety Policy
- Grievance Procedures and Dignity at Work Policy
- Parental Code of Conduct

Definitions

For the purpose of this policy "**harassment**" refers to when someone is repeatedly and deliberately abused, threatened and/or humiliated in circumstances related to work.

For the purpose of this policy "**violence**" refers to when someone is assaulted in circumstances related to work.

Types of violence, threatening behaviour and abuse understood in this policy include:

- **Verbal abuse and threats** – abusive and aggressive language, oral or written. Verbal abuse, including rude gestures and innuendoes, is the most common types of incident.
- **Physical assault** – assault causing minor injury, such as a graze, minor bruising, reddening of the skin, minor cuts/lacerations, or a more serious injury.
- **Physical abuse** – attempted assault which did not result in physical harm.
- **Sexual assault** – sexual assault resulting in physical harm such as bruising, cuts/lacerations, or more serious injury.
- **Sexual abuse** – inappropriate sexual behaviour not resulting in physical harm.
- **Property damage or theft** – damage to, or theft of, the employee's personal property.

The effects of being threatened or abused vary, violence can cause pain, suffering and even disability or death. Physical attacks are obviously dangerous but serious or persistent verbal abuse or threats can also damage employee's health and well-being through anxiety or stress.

Types of behaviour that are considered unacceptable and will not be tolerated:

- Shouting at members of the school staff, either in person or over the telephone
- Physically intimidating a member of staff, e.g. standing very close to her/him
- The use of aggressive hand gestures
- Threatening behaviour
- Shaking or holding a fist or finger towards another person
- Swearing
- Pushing
- Hitting, e.g. slapping, punching and kicking
- Spitting
- Racist or sexist comments
- Breaching the school's security procedures
- Aggressive and threatening phone calls or emails.
- Aggressive or threatening behaviour towards staff or their families via social media.

This is not an exhaustive list but seeks to provide illustrations of such behaviour.

Roles and responsibilities

The JMAT Board of Directors will:

- Acknowledge its legal duty of care towards school staff and pupils and its responsibility to ensure each JMAT school is a place where both staff and pupils are safe from violence or aggression.
- Ensure the health, safety and welfare of all staff in JMAT schools.
- Ensure all staff likely to be affected are informed, through the headteacher, of any circumstances which are likely to carry a risk of violent or aggressive behaviour.
- Authorise appropriate members of staff to exclude persons behaving inappropriately from the school premises, under Section 40 of the Local Government (Miscellaneous Provisions) Act 1982.
- Maintain a continuing programme of risk assessments of violence towards staff, in close consultation with the headteacher, and ensure identified risks are mitigated where possible.
- Consult with staff and their representatives about risk assessments and actions arising from them.

The headteacher will:

- Report the outcome of the risk assessment of violence towards staff to the LGB as required
- Ensure that all staff have read and understood this policy.
- Oversee the implementation of this policy.
- Support victims and alleged perpetrators where necessary.

- Take a zero-tolerance stance towards violence in the workplace and make clear what support is available to victims of violence or harassment.

All members of staff will:

- Follow the procedures for preventing, dealing with, and recording and reporting incidents.
- Report every instance of probable violence and aggression, and any hazards, risks or problems, to the headteacher.
- Assess the risk to themselves in each situation and do their utmost to ensure their own safety.
- Attend training courses and events as required
- Act reasonably and professionally and conduct him/herself in an appropriate manner in the course of their employment.
- Keep evidence of any harassment or violence directed towards them and report incidents without hesitation to the headteacher, or (if the report is against the Headteacher) to the LGB

Staff should always take steps to minimise the possibility of violence in the school. Parents who are known to be violent or aggressive should never be seen by staff unless another adult is present

Preventing incidents

The risk assessment of violence towards staff will be reviewed annually by the Headteacher and the LGB. Staff will receive appropriate training as part of their induction, and follow-up training as required.

Dealing with incidents

Developing skills and techniques in how to defuse and de-escalate confrontation may be beneficial. When dealing with an incident, staff are advised to employ the following strategies:

- Be assertive but not aggressive, polite but firm
- Avoid confrontation in front of an audience. The fewer people that are involved in an incident, the easier for the aggressor to back down without losing face
- Speak calmly without raising their voice
- Seek assistance – for example, ask another, preferably senior member of staff, to help talk things through with the aggressor
- Be mindful of body language - avoid aggressive body language such as hands on hips, wagging fingers, looking down on the aggressor
- Maintain a safe distance from the aggressor
- Think of an escape route, should the need arise
- Walk away, where possible

All incidents will be logged and recorded **on the Health and Safety section of RecordMy on the child's chronology. The staff member logging must ensure that the Headteacher and the JMAT Health and Safety Lead (Jackie Oliver) are tagged into the report on RecordMy.**

The Headteacher should be immediately informed of any incidents, and should liaise with the JMAT **(Health and Safety Lead)** and the police where necessary.

The police should be called via 999, in cases of emergency, where:

- There is danger to life.
- There is a likelihood of violence.
- An assault is in progress.
- The offender is on the school premises.
- An offence has just occurred and an early arrest is likely.

In the event of an emergency, staff should also acquire assistance from a member of the SLT, if available, or the nearest member of staff.

Where police involvement is required, but the incident is not considered to be an emergency, the local police should be contacted on local police non-emergency phone number.

Help, support and counselling are made available to victims of violence at the time of the incident and in the long-term.

Any member of staff or pupil who engages in an act of violence towards another member of staff will be subject to the appropriate JMAT disciplinary procedures.

Any accusations found to be false or malicious will not be tolerated and disciplinary action will be carried out.

Harassment

If a staff member becomes subject to harassment from individual parents or pupils, this may constitute an offence under the Protection from Harassment Act 1997.

In cases of harassment, staff should make records of all incidents in writing, taking note of the date, location, and means of communication.

Staff should inform the headteacher, who will contact the JMAT for advice and support.

Banning from the school premises

Parents will be barred from the school premises if they act aggressively or pose a significant threat to the safety and security of the school community.

The school will remove violent or aggressive individuals from the school site in line with the JMAT Parental Code of Conduct.

Any incident which could warrant an individual being barred from the school premises will be reported to the headteacher. If a person who has been banned subsequently trespasses on the premises and causes nuisance or disturbance, this may be considered a criminal offence under Section 547 of the Education Act 1996.

Recording and reporting incidents

The school will record every **incident and any subsequent actions on the appropriate format on RecordMy**, including witness details, should evidence need to be provided in court.

All incidents will be reported to the Headteacher and shared with the JMAT **Health and Safety Lead**. Employees may wish to contact their Recognised Trade Union Representative for support.

Members of staff need to be assured that it is not a sign of personal or professional failure to be attacked or threatened and reminded that underreporting can expose them and other staff to serious risks.

Evidence collected may be used later if court proceedings are brought against an alleged assailant.

Risk Assessments

Carrying out risk assessments will allow schools to review the level of risk in all activities. They will help provide a clear understanding of where the weaknesses lie in the current arrangements for dealing with violence.

Risk assessments may only be carried out by persons who have an appropriate level of competence through training and experience. The level of training must ensure that the persons have an understanding of the principles of risk assessment and are able to instigate prevention or control measures. The persons

who conduct the risk assessments must also be familiar with the work situation where there is a risk of violence.

Risk assessments are better carried out by two to three people rather than one individual. Having evaluated the risk, it will then be necessary to decide whether precautions are already adequate or whether further action is required. Risk assessments will be carried out on individual pupils whose behaviour constitutes cause for concern.

Monitoring, Evaluation and Policy review

The policy will be promoted and implemented throughout the JMAT schools.

This policy will be assessed for its implementation and effectiveness **annually** by the **DSL** and the **Health and Safety Lead**.

The scheduled review date for this policy is **September 2022**.

APPENDIX 1

Risk Assessment

| Violence towards Staff | PREMISES | DATE | Ref: | | | | | | | | |
|--|--|------|----------|----------------|---|---|---|---|---|---|---|
| RISK ASSESSMENT for Operation / Activity | | | | | | | | | | | |
| Violence towards Staff | | | | | | | | | | | |
| Hazards Noted | Existing Controls | S | L | R | Further Controls Required | S | L | R | | | |
| Stress | Where known offenders, policy determines staff should not act alone | | | | Specific Stress policy in school or for individual | | | | | | |
| Reputation | Staff informed of de-escalation techniques | | | | Training is made available to all staff | | | | | | |
| Property damage to school | Ensure staffing levels are appropriate with levels of hierarchy | | | | Complaint policy and vexatious complaints policy | | | | | | |
| Personal damage/loss | Following the Code of Conduct in school and correct use of facilities | | | | CCTV and security | | | | | | |
| Physical injury | Staff informed of de-escalation techniques and observance of schools policies and protocols e.g. Positive Handling, Lone Working Consider own body language and ensure non-confrontational | | | | Staff should be aware of the environment and possible hazards within it e.g. Objects easily thrown/ Lanyards Team teach techniques to be applied. | | | | | | |
| Dealing with aggrieved / irate adult | | | | | | | | | | | |
| Dealing with known substance misuser | | | | | | | | | | | |
| Adults with history of mental health issues | | | | | | | | | | | |
| Other | | | | | | | | | | | |
| KEY: S = Severity - 1, First Aid 2, Reportable 3, Permanent Disability 4, Fatality 5, Multiple Fatality L = Likelihood - 1, Negligible 2, Low but possible 3, Possible but not likely 4, Probable 5, Highly Likely R=RISK (S multiplied by L) - 1-4 = Low, 5-12 = Medium, over 12 = High | | | | | | | | | | | |
| <u>Who is Affected</u> | | | | | <u>Numbers Exposed</u> | | A | B | C | D | E |
| Employees, Contractors Suppliers Visitors Young Persons Lone workers Disabled Public New/Expectant Mothers Children Intruders | | | | | A, 1 B, 2-5 C, 6-20 D, 21-100 E, 100+ | | | | | | |
| <u>Specific assessment required</u> | | | | | | <u>PPE Required</u> | | | | | |
| COSHH Noise Manual Handling PPE Fire Lead Vibration Young Persons | | | | | | Hard Hat Protective footwear Hi-Vis clothing Gloves Eye Protection Hearing Protection Overalls Respiratory Protection | | | | | |
| Detailed Method Statement Required | | Yes | No | OTHER (state): | | | | | | | |
| Signed | | Name | Position | | Review Date | | | | | | |