

## **ABUSE AGAINST STAFF POLICY**

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## **Introduction**

This policy sets out how London Park School Clapham (LPSC) seeks to prevent workplace violence, and the procedures that will be followed if a violent incident occurs.

LPSC acknowledges the Health and Safety Executive's (HSE) definition of workplace violence as "any incident in which a person is abused, threatened or assaulted in circumstances relating to their work"<sup>1</sup>. This includes physical assault as well as verbal abuse, threats, harassment, and malicious damage to property, whether caused by a student, colleague, parent, or member of the public.

LPSC takes a zero-tolerance approach to all physical attacks against staff.

## **Scope**

This policy applies to all staff employed by LPSC, including fixed-term, temporary, agency staff and/or contractors.

## **Equalities**

LPSC is committed to complying with all relevant employment and equalities legislation and regulations.

An Equality Impact Assessment (EIA) may be undertaken to ensure that the application of this policy does not disadvantage any group with a protected characteristic(s), as defined by the Equality Act 2010.

Any violence or abuse in relation to one or more protected characteristic (age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation) may constitute illegal harassment under the Equality Act 2010.

## **Roles and responsibilities**

LPSC has a duty under the Health and Safety at Work etc. Act 1974 (HASAWA) to provide its staff with a safe and healthy workplace. This includes, but is not limited to, the following:

- a safe system of work
- a safe place of work
- carrying out risk assessments as set out in regulations, and taking steps to eliminate or control these risks
- appointing a 'competent person' responsible for health and safety (competent persons, such as a head of health and safety) to oversee day-to-day safety management, oversee safety inspections, and liaise with staff safety reps
- consulting with health and safety trade union representatives
- providing adequate facilities for staff welfare at work.

All employees have a responsibility to co-operate with the employer on, and follow instructions in relation to, health and safety matters.

## **Definitions in this policy**

'Assault' refers to any form of violent conduct against a member of staff. It may be physical, psychological, sexual and/or verbal. It also refers to threats of and attempted assault of any kind, and includes abuse and threats made via the telephone or via social media. Behaviours associated with assault may include, but are not limited to: hitting, pinching, biting, spitting, swearing, offensive gestures and unwanted physical contact such as unnecessary touching.

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<sup>1</sup> [Violence and aggression at work - Overview - HSE](#)

'Secondary trauma' refers to the potential impact on staff of chronic exposure to working with students suffering from unregulated stress. This can lead to a replication in the adult of similar regulatory, processing, and social disorders as those experienced by the student.

'Manager' includes the head teacher/principal, members of the senior leadership team and line managers.

'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 and contractors employed by the school.

'Parent' includes a guardian or carer.

'School' refers to London Park School Clapham.

### **Preventing assaults – risk assessment**

LPSC will conduct regular and suitable risk assessments in relation to violence and assaults on employees. The risk assessment will be kept under review and updated as necessary.

The risk assessment procedure involves:

- establishing the risk of violence and assault on employees
- considering the risk of stress and/or secondary trauma which arises from working in fear of violence and assault
- taking appropriate steps to remove these risks
- where removal of the risk is not possible, reducing the risk by any necessary changes in working practices or by introducing appropriate protective and supportive measures
- reviewing the risk assessment periodically to ensure it is fit for purpose
- recording the results of the risk assessment.

Control measures taken to reduce the risk of violence and assault may include, but are not limited to:

- lone working policy and emergency procedures
- changes to the working environment such as improved lighting or room layout
- reviewing the behaviour policy to ensure that students exhibiting violent behaviour are treated fairly and equally under the policy, to prevent potential alienation and disaffection, which could fuel further anti-social and violent behaviour.

Where the behaviour of an individual student presents a demonstrable and ongoing risk to the health, safety, and wellbeing to other members of the school community, and implementation of the school's student behaviour policy has had little or no effect, an individual behaviour risk assessment will be considered.

Incidents that will result in a student behaviour risk assessment include, but are not limited to:

- A student carrying out, or threatening to carry out, any form of physical or sexual assault, whether in or outside of the school premises.
- A student is found to be carrying a weapon, or threatens to bring a weapon into school, such as a knife, ball-bearing gun etc.

LPSC will inform all employees of the outcome of the risk assessment (including any relevant student behaviour risk assessments) and ensure that this information is included in the induction for all new members of staff, including supply teachers and staff employed via an agency.

LPSC will monitor the effectiveness of control measures by monitoring incident rates and equality characteristics of staff affected by assaults, and through meaningful engagement with the workforce and their trade union representatives.

LPSC will also gather information about the causes of violence in schools and will use this information to inform the risk assessment and prevention process. This process may involve engaging with external bodies and the provision of training and student assemblies.

### **Liaison with the police**

The headteacher and/or the designated safeguarding lead are responsible for contacting the police should there be an assault or violent incident. This will allow the police to be notified and to respond promptly when such incidents occur.

Liaison with the police may also be required to address violent incidents within the wider community or within the vicinity of the school. For instance, the school may report concerns about potentially dangerous activity, such as student knife crime, to the police for further investigation.

### **Reporting procedures**

LPSC believes that all assaults against employees should be reported, even if they initially appear trivial.

LPSC will record all assaults on employees, monitor this data and make it available to all staff. LPSC will ensure all staff are made aware, at regular intervals, of the reporting procedures.

The Violent Incident Reporting form, available at Appendix 1, should be completed as soon as practically possible following a violent/abusive incident or following a threat of violence. The employee will be given as much time as is necessary out of their normal duties to complete the form. Once completed, the form will be passed to the employee's line manager, who is responsible for ensuring it is processed and recorded, and that appropriate action is taken in accordance with this policy.

Additionally, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), LPSC is responsible for reporting the following to the HSE:

- All accidents to employees resulting in deaths or 'specified injuries' (list available at: [hse.gov.uk/specified-injuries.htm](https://www.hse.gov.uk/specified-injuries.htm)).
- All accidents which result in an employee being off work due to injuries for more than seven days.
- All accidents to non-employees which relate to work and which results in them being hospitalised or killed.

### **Procedure to follow if an assault occurs**

If an employee is assaulted or is threatened with assault, the following action will be taken:

- The employee will be allowed to access a private area for as long as necessary following the incident.
- The headteacher should be informed of the incident as soon as possible. The headteacher must inform the principal and governing body of the incident.
- The incident will be recorded, as soon as possible after the incident, in line with the procedures set out in this policy.
- Where required, medical treatment will be sought for the employee. The school's designated first aider will be asked to provide assistance, and further medical treatment assessment sought as necessary (e.g. at hospital or from their GP). The employer will pay all charges (e.g. from a doctor, dentist or optician) that may be incurred following the assault.
- In the case of physical injuries, having obtained consent, photos should be taken if possible.

- Professional counselling services will be offered to the employee, and LPSC will cover the costs.
- The head teacher is responsible for ensuring written statements are taken from the employee, any witnesses, and the assailant (where applicable) as soon as possible following the incident. The statements will be taken and processed in line with the [Advisory, Conciliation and Arbitration Service](#) (ACAS) guidelines. A copy of all statements taken in relation to the incident will be provided to the employee.
- The head teacher will investigate the incident or will delegate this responsibility to a member of the SLT. A report will be produced following the investigation and agreed with the employee. A copy will be retained by LPSC and the manager with responsibility for health and safety. If the assault is being reported to the police, they will also receive a copy of the report.
- Following the incident, the risk assessment will be reviewed by the head teacher, in conjunction with the principal and governing body. In cases where the assault was carried out by a student, an individual student risk assessment will be undertaken. Reference will need to be made to other policies including those addressing student behaviour, school security and safeguarding.

The same procedure applies if a member of staff suffers an assault away from their normal workplace, but the assault arises in the course of/via the performance of their professional duties.

### **Dealing with student possession of weapons**

If a member of staff has grounds to suspect that a student is in possession of a weapon, or there has been an incident involving a weapon, they should immediately inform a member of SLT. Employees are not expected to and should not deal with the incident on their own.

The head teacher will decide whether the student should be searched, with or without their consent, referring to the Department for Education (DfE) guidance (available at: [gov.uk/government/publications/searching-screening-and-confiscation](http://gov.uk/government/publications/searching-screening-and-confiscation)).

If a weapon (deemed excessive in nature or illegal) is found, or the student refuses to co-operate, the police should be called immediately. If a weapon is found during a search before the police have arrived, it should be seized and kept in a safe, secure place until the police arrive.

If a student is found to be in possession of a weapon, the disciplinary policy will be instigated, and an individual student risk assessment will be undertaken. Depending on the circumstances of the incident, sanctions may include exclusion on a temporary or permanent basis.

### **Assaults by visitors/intruders**

In the case of an assault by a visitor or intruder, the manager dealing with the incident will, in the first instance, inform the police requesting their prompt attendance, and ensure that all staff and students are safe and secure. They will then follow the procedure in the lock down policy.

If abusive, aggressive, or insulting behaviour or language from a parent presents a risk to staff or students, or makes them feel threatened, schools have common law powers to bar the parent in question from the premises. If a bar on a parent is deemed necessary, this will be put in writing, giving the parent a formal opportunity to put forward their views before the bar is made permanent. Following any representations from the parent, the bar will be confirmed or removed.

It is a criminal offence under section 547 of the Education Act 1996 for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance. It also allows for the removal and prosecution of any person believed to have committed the offence. Therefore, in cases where the assailant is known (including if they are a parent), a letter will be sent stating that their behaviour is unacceptable, and they are no longer permitted to come onto the premises in the future without an appointment. If they

do persist in entering the school premises and displaying unreasonable behaviour, they will be treated as a trespasser and will be liable to prosecution.

### **Assaults by students**

Where an employee is assaulted by a student, whether on/off school premises, the student's conduct will be dealt with via the school's student behaviour policy. The student will be removed from lessons and isolated from other students. Behaviour sanctions, including suspension or permanent exclusion, may be required. A fixed term suspension may be necessary to investigate the circumstances around the assault. As part of this process, an individual student behaviour risk assessment will also be carried out and the outcome shared with all employees that have contact with the student in question. LPSC's safeguarding lead should also be consulted following an assault by a student as there may be child protection issues to consider.

Where a student has assaulted an employee and they return to school, the member of staff will not be required to teach or supervise the student in question if they do not feel comfortable doing so.

### **Sexual assault/harassment**

The employer's risk assessment will also specifically consider the risk of sexual assault and harassment against employees. Sexual harassment is defined as 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, non-verbal or physical conduct of a sexual nature, and it is unlawful under the Equality Act 2010.

### **Incidents within the school vicinity**

LPSC will also consider the risk of violent incidents, such as knife crime, not occurring directly on the school premises but in the wider vicinity of the school. The risk assessment will consider the possibility of such incidents occurring, and whether violent incidents have previously occurred in the community. If there are concerns about criminal or dangerous activity taking place, the police will be contacted.

If a violent incident occurs that impacts on the school, such as one involving knife crime, the head teacher will convene a rapid response meeting with the police. This is particularly important if there is a continuing risk e.g., if the perpetrator is still at large.

Counselling will be offered in the aftermath of the incident to the whole school community (staff, students, and parents).

### **Support for victims**

Employees that have experienced an assault in school or relating to school duties will be permitted paid time off to meet with the police, legal counsel and to attend court if necessary.

If the employee sustains an injury arising from an assault at work, and it is necessary for them to take sick leave, LPSC will advise them of their additional entitlements to sick pay for those suffering injury at work. Following an injury, LPSC will also provide the employee with advice on the prospects of obtaining compensation through the Criminal Injuries Compensation Authority and will offer assistance in making and pursuing an application where appropriate.

Following an assault, LPSC will discuss with the employee whether they feel ready to return to their normal duties, and advice will be sought from LPSC's occupational health provider. If the employee is not able to complete their normal duties, arrangements will be made for amended/temporary duties. For instance, a reduced timetable or shortened working hours.

LPSC acknowledges that employees may experience stress and/or anxiety following an assault or arising out of the threat of assault. LPSC will offer and pay for employees to attend counselling following an assault. The employee will receive paid time off from work during normal working hours to attend counselling.

### **Record keeping**

LPSC will ensure that individual records and information about violence at work are managed appropriately in accordance with data-privacy requirements under the General Data Protection Regulations (GDPR).

## **Appendix 1**

### **Violent incident reporting form for LPSC**

Name of Employee \_\_\_\_\_

Date of incident \_\_\_\_\_ Time of incident \_\_\_\_\_

Did the incident involve verbal abuse?	<b>Y</b>	<b>N</b>
Did the incident involve a threat of violence?	<b>Y</b>	<b>N</b>
Did the incident involve actual violence?	<b>Y</b>	<b>N</b>

Did an injury occur because of the incident?	<b>Y</b>	<b>N</b>
Was medical attention sought because of the injury?	<b>Y</b>	<b>N</b>
Were the police notified of the incident?	<b>Y</b>	<b>N</b>

Do you believe that this violent incident was carried out in relation to one or more protected characteristic (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation) and which may constitute illegal harassment under the Equality Act 2010?

**Y**                      **N**

Please describe the incident in detail. If an injury was sustained because of the incident, please describe the injury and any medical attention that was required. Attach any photographs that are available.

Continue on a separate sheet if required.

Signature of employee \_\_\_\_\_

Date \_\_\_\_\_

*Once completed, please pass the form to your line manager who is responsible for ensuring it is processed and recorded, and that appropriate action is taken.*