



# Castleford Multi Academy Trust (CMAT) Violence Against Staff Policy

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## 1. Introduction

The Health and Safety Executive (HSE) defines workplace violence 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 or threats as well as physical attacks. This policy sets out how Castleford Academy Trust will seek to prevent workplace violence in its schools, and the procedures that will be followed if a violent incident occurs.

As the employer, Castleford Academy Trust has overall responsibility for the health, safety and welfare of staff and students in each academy. The Trust believes that all of its employees have the right to a safe working environment, free from threatening, abusive or violent behaviour, and recognises its legal obligations under the Health and Safety at Work etc. Act 1974, to provide such an environment.

The Trust also acknowledges and accepts its legal duties under the Management of Health and Safety at Work Regulations 1999 to undertake risk assessments that seek to identify and eliminate or reduce the risks to employees’ health, safety and welfare, including the risk from violent or abusive behaviour.

Violence, abuse, assaults or threats of such behaviour can have serious consequences for individuals and schools, and the Trust is committed to taking all necessary steps to prevent such incidents in schools. The Trust will fully investigate and support all employees affected by assaults.

In accordance with the Equality Act 2010 and the public sector equality duty to eliminate discrimination and advance equality of opportunity, monitoring of the procedure will be undertaken to collect information such as: the type and frequency of incidents reported; any areas of concern to be addressed; and any additional training required.

## 2. Responsibilities of the Headteacher and Senior Leadership Team

While CMAT retains overall responsibility for the implementation of this policy, many of the functions to be undertaken at school level will be delegated by CMAT to the Headteacher or appropriate members of the senior leadership team (SLT).

## 3. Responsibilities of all employees

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

## 4. Definitions In this policy

**Assault** - this 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.



**Secondary trauma** - this refers to the potential impact on staff of chronic exposure to working with pupils suffering from unregulated stress.

**Manager** - this includes the Headteacher, members of the Senior Leadership Team and line managers.

**Employee** - this 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** - this includes a guardian or carer.

## 5. Preventing assaults – risk assessment

Each academy will conduct regular and suitable risk assessments in relation to assaults on employees. The risk assessment will be kept under regular 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 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.

Control measures taken to reduce the risk of violence and assault may include but are not limited to: the provisions of alarms for staff; revision of lone working and/or emergency procedures and changes to the working environment such as improved lighting or room layout.

Where the behaviour of an individual pupil 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 pupil behaviour policy has had little or no effect, an individual behaviour risk assessment will be considered.

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

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

The academy will inform all employees of the outcome of the risk assessment (including any relevant pupil behaviour risk assessments), and ensure that this information is included in the induction for all new members of staff.

The academy will monitor the effectiveness of control measures by monitoring incident rates and equality characteristics of staff affected by assaults.



The academy 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 through the provision of training and pupil assemblies.

## 6. Preventing Assault - Liaison with the police

The academy will notify the police and to respond promptly when incidents occur.

The academy may also liaise with the police to address violent incidents within the wider community or within the vicinity of the school. For instance, the school may report concerns about potential dangerous activity, such as knife crime, to the police for further investigation.

## 7. Reporting Procedures

The Trust believes that all assaults against employees should be reported, even if they initially appear trivial. Staff should report any incidents to senior member of staff.

The Trust will record all assaults on employees, monitor this data and make it available to all staff and the recognised trade unions upon request.

Additionally, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), the Trust 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/riddor/specified-injuries.htm](http://hse.gov.uk/riddor/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 result in them being killed or taken to hospital and which are connected with work.

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.

## 8. Procedures 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 employee will be advised to contact their trade union, if they have not already done so.
- The employee's line manager and the Headteacher should be informed of the incident as soon as possible.
- Where required, medical treatment will be sought for the employee. The academy'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).
- In the case of physical injuries, if at all possible, photos should be taken.



- Professional counselling and occupational health services will be offered to the employee by the academy.
- The incident will be recorded and witness statements taken, as soon as possible after the incident.
- The Headteacher will conduct an investigation into 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 the employer, 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 Headteacher, in conjunction with the employer. In cases where the assault was carried out by a pupil, an individual pupil risk assessment will be undertaken. Reference will need to be made to other policies including those addressing pupil behaviour, school security and safeguarding.
- If a member of staff suffers an assault away from their normal workplace, but the assault arises in the course of, and via the performance of, their professional duties, support will be provided via this process.

## 9. Dealing with weapons

If a member of staff has grounds to suspect that a pupil 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 Headteacher will make a decision about whether the pupil should be searched, with or without their consent, referring to the school's confiscation policy and Department for Education (DfE) guidance.

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

## 10. 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 pupils are safe and secure.

If abusive, aggressive or insulting behaviour or language from a parent presents a risk to staff or pupils, or makes them feel threatened, the academy may use 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.



Furthermore, 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.

### **11. Assaults by pupils**

Where an employee is assaulted by a pupil, the pupil's conduct will be dealt with via the academy's pupil behaviour policy. If the pupil remains in school, as part of this process, an individual pupil behaviour risk assessment will also be carried out and the outcome shared with all employees that have contact with the pupil in question. The academy's safeguarding lead will also be consulted following an assault by a pupil as there may be child protection issues to consider.

### **12. Sexual assaults**

The academy'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, nonverbal or physical conduct of a sexual nature and it is unlawful under the Equality Act 2010.

### **13. Incidents within the school vicinity**

Each academy 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 following steps will be undertaken:

- The Headteacher will convene a rapid response meeting with the police. This is particularly important if there is a continuing risk, for instance, if the perpetrator is still at large.
- Counselling will be offered in the aftermath of the incident to the whole school community (staff, pupils and parents).

### **14. Support for victims of assault**

Employees that have experienced an assault will be permitted time off to meet with their trade union representative, 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, the employer will advise them of their additional entitlements to sick pay



for those suffering injury at work (in accordance with section 4, paragraph 9 of the Burgundy Book). Following an injury, the employer 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, the employer will discuss with the employee whether they feel ready to return to their normal duties and advice will be sought from the employer's occupational health provider. Reasonable adjustments will be made in line with OH recommendations.

The employer acknowledges that employees may experience stress and/or anxiety following an assault or arising out of the threat of assault. The Trust will offer counselling for employees following an assault.