



Violence at Work Policy

Highcliffe 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.
 - 1.2.1 This procedure has been agreed following consultation with the recognised Trade Unions by Dorset County Council and adopted by Highcliffe School as an Academy.

2 Scope

- 2.1 This policy is applicable to all employees of Highcliffe School who suffer physical or verbal abuse during the course of their duties from Students, 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 2013 (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 Highcliffe School believe that all violence to employees at Highcliffe 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 Information will be available to members of the public in the form of a statement that violence is unacceptable and the governors of Highcliffe 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 Headteacher 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 schools to establish any pattern of violence from particular areas.
- 4.5 Guidance on the reporting of incidents and reporting forms can be found in the Accident Reporting Policy and Procedure on the schools website under policies.
- 4.6 Where serious threats are made to an employee in the course of his/her employment, the Headteacher 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.
- 4.7 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. Highcliffe School, and the wider County Council where appropriate, 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 Students which may be supported and/or influenced by the parent/carer.



- 5.2 Risk Assessments should be carried out in Highcliffe 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.

Where the risk assessment identifies that the risk(s) may not be contained within the setting of Highcliffe School, it may be appropriate to share information with colleagues as outlined in Paragraph 4.4 above.

Further information and guidance on the risk assessment process is available on the staff area of the schools website under Health and Safety advice. Further information on the risks of lone working, together with guidance for lone workers is available at the same location.

- 5.3 It is recognised that the behaviour of some Students may present particular challenges to employees. Specific advice can be gained via the schools Head of Particular Needs.

6 Legal position

- 6.1 Physical restraint used in self-defence 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 Highcliffe 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 Highcliffe 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 the County Council's Staff Counsellor (purchased by Highcliffe School), for those employees who feel they may benefit from this service. The Staff



Counsellor may wish to discuss with the employee the need and mechanism for specialist post incident support.

- 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:
- Student Behaviour policy
 - Exclusion policy (if separate from above)
 - SEN policy

8 Review

- 8.1 This policy will be reviewed periodically by the Local Authority and amendments recommended to the Governing Body for adoption as appropriate.

This policy should be read in conjunction with the school's Safeguarding Policy and Procedures (including Child Protection). All our practice and activities must be consistent and in line with the

Highcliffe School: Violence at Work Policy Oct 2013

MDS



Highcliffe School

Safeguarding Policy and Procedures noted above. Any deviations from these policies and procedures should be brought to the attention of the Headteacher so that the matter can be addressed.