

## Guidance to Headteachers and Managers on Violence at Work

### Summary

Serious acts of violence towards staff in the Children's Services Department are relatively infrequent, nevertheless, they do occur. This guidance has been developed as a result of increasing concerns about violence to members of staff, both locally and nationally.

Violence covers a number of areas i.e. verbal abuse and/or threatening behaviour including sexual harassment, as well as acts of physical violence. There is a need to recognise that constant verbal abuse may result in high levels of stress and lead to longer term effects on health.

### Management Action

- Identify staff who are considered to be at risk from violence;
- Assess the activities staff are involved in, including those with other staff, pupils, parents and members of the public;
- Review the working practices, procedures and working environment, in consultation with staff;
- Identify specific problems and devise safer systems of work wherever possible;
- Compile local guidance for staff on the procedures put in place;
- Implement suitable training arrangements for those staff who may be at risk;
- Ensure, so far as possible, that all incidents of violence are reported on the health and safety incident/violence report form;
- Review the local guidance on a regular basis.

### Useful Contacts

Kim Hicks, Senior Health and Safety Adviser	01273 481938
Karen Terry, Health and Safety Officer	01273 481143
Staff Counselling Referral Service	01273 481738

### 1 Introduction

- 1.1 The Children's Services Department recognises the need to address the issue of violence at work. The purpose of this document is to give guidance on how to anticipate and prevent aggressive behaviour. It also sets out to advise and inform anyone who becomes involved in a violent incident, either as a victim or as the headteacher/manager of the person assaulted. The intention is not to alarm, but to raise awareness and produce a safer working environment.
- 1.2 There are many causes of and reasons for violence.
- Poor communication;
  - Mental/ill health;
  - Alcohol/drug abuse.
- 1.3 Employees should always be alert to the possibility that their own behaviour could initiate a violent response. Adopting a challenging posture or attempting to dominate or exert excessive authority over someone will often antagonise and may produce a violent reaction. On the other hand, being over anxious or showing fear may similarly provoke an aggressive response. It should be remembered that stress or over-tiredness often results in reduced levels of toleration, and in some people may result in a loss of control.
- 1.4 Headteachers/managers must encourage the reporting of incidents to ensure that the issues can be identified and risks minimised.
- 1.5 The quality of relationships and communication within department are important. All staff should make themselves aware of how they interact with others and incidents of bullying and harassment must be dealt with in accordance with established procedures. For further information and guidance, see the Dignity at Work Policy.
- 1.6 Headteachers/managers should be clear, consistent to all members of staff. Customer care issues are important as they influence the quality of relationships between staff and the public. It may be advisable to develop a set of standards that visitors can expect from all staff which includes expectations of parent/public behaviour.
- 1.7 A detailed local emergency plan should be drawn up as an effective response to a violent incident/emergency. This should be practiced and documented in the school/service health and safety policy/plan.

### 2 Further information/documentation

- 2.1 The following documents may be useful for headteachers/managers in completing risk assessments and local guidance:
- East Sussex County Council Dignity at Work Policy;
  - Departmental Guidelines on Restraint;
  - Departmental Policy and Guidance on Risk Assessment.

### **3 Training**

- 3.1 The department will continue to offer training in the handling of violent and potentially violent situations for all groups of staff who are likely to be at risk.
- 3.2 The department provides training on risk assessment for Headteachers and managers.

### **4 Staff Counselling Referral Service**

- 4.1 An independent and confidential counselling service is available to any employee who has been the subject of violence at work; this includes physical assault, verbal abuse and sexual harassment. An appointment may be made by telephoning the service on Lewes, (01273) 481738.
- 4.2 Support is also available through the National Association of Victim Support Schemes. These are organised on a local basis and staffed by volunteers. They offer support, counselling and practical assistance to individuals who have experienced distress, loss or inconvenience as a result of crime. They can be contacted through the local Police.

### **5 Legal Redress and Compensation**

- 5.1 Criminal proceedings, involving police action, will usually follow assaults that have led to actual bodily harm, including shock. Lesser assaults will normally require a private prosecution of common assault. Individual employees may wish to take independent legal action privately or through their trade unions or professional associations.

### **6 Further Information and Advice**

- 6.1 Headteachers/managers that require further information and advice can contact the Health and Safety team, County Hall, Lewes, telephone (01273) 481938/481143.

#### Assaults on Members of Staff by Pupils

I know that all headteachers and assistant staff will welcome guidance on action to be taken in cases of violent assaults by pupils. I can confirm that the police are willing to respond quickly and to deal with all cases involving personal injury; the guidance below has been discussed with the teachers' professional associations.

It must be pointed out that police involvement really commences at the level of what is termed an assault occasioning actual bodily harm. In effect, this means an injury more than merely trivial, and includes a hurt or injury, which is calculated to interfere with the health or comfort of the victim. Typical injuries would be black eyes, bruises and scratches.

The most important point to emphasise is that a decision to call the police to investigate a case of assault means a commitment by the school and the member(s) of staff concerned to the following:

- a) full and rapid facilities for the police to take detailed statements;
- b) the criminal prosecution of the pupil concerned, if after considering the facts and all the circumstances, the police officer in charge of the case agrees a prosecution should be brought; and
- c) The giving of evidence in court by the teacher concerned and all other witnesses considered necessary.

You will, therefore, appreciate that once the formal step of reporting a potential criminal case to the police has been taken, neither the school nor the teacher can expect the matter not to proceed to court if the police officer in charge of the case decides that it should.

It may well be, however, that the police will take the view in a particular case that a formal caution would be more appropriate and effective. The power of such a caution, which involves attendance at a police station for interview by a senior uniformed officer, should not be under-estimated.

If the police are to take a case to court, it is very important that theirs should be the first formal investigation into the circumstances, and that this should take place as rapidly as possible after the event. Every hour that elapses will make ultimate success the more difficult. Schools should not organise their own prior 'formal' investigation (taking written statements or interrogating witnesses). This could well embarrass a subsequent police investigation. The member(s) of staff concerned including, where appropriate, the headteacher, should take careful mental note of every word said before (if possible), during and after the incident, including any admissions by the pupil, but otherwise 'freeze' the situation as far as possible until a decision has been taken whether or not to call the police.

This decision to inform the police is the right of the injured party but, of course, in view of its importance to the school, should be taken only after detailed discussion with the headteacher and/or other staff concerned. As already mentioned, time is of the

essence; thus, the decision should be made as quickly as possible. If the police are called, they should be requesting the CID because a crime is being reported.

Upon arrival the police should, of course, be given office facilities to conduct their investigation. If they wish to interview a pupil, the school should attempt to contact the parents. If they cannot be reached, a teacher (either the headteacher or a senior member of staff not involved in the incident) should be present “in loco parentis”. Reservations about interviewing pupils at school are, of course, less strong in cases of assaults by pupils than in other circumstances; the police themselves are very much aware of the Judges’ Rules. The teacher who has been the victim of the assault may wish to be accompanied by the school representative of his professional association or a friend, but the association agree that any difficulties in arranging this should not be allowed to overcome the necessity for an immediate statement by the teacher to allow the investigation to proceed as rapidly as possible.

Although this guidance has concentrated upon assaults by pupils upon teachers, the same principals apply if a member of support staff is assaulted, and if the assault on a member of staff is by an adult.