

# Health and Safety Policy

## Violence and Aggression

Procedure Originator:	P POTTS
Approved By:	P HARRISON
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Audience:	ALL STAKEHOLDERS

## 1. Success Indicators

The following indicators will demonstrate success in this area:

- a) Managers are aware of their responsibilities about the effective management of work related violence.
- b) Unacceptable standards of behaviour and sanctions against unacceptable behaviour are communicated to employees, pupils and members of the public.
- c) Managers are effectively risk assessing and managing the risks associated with work related violence.
- d) Managers share specific information with all relevant employees and external parties.
- e) Employees have received suitable information, instruction and where needed training.
- f) All work related violent incidents are reported by employees.
- g) Managers investigate all work related violent incidents and support employees post incident.
- h) Managers monitor and review local arrangements implemented to reduce the risk of work related violence.

## 2. Overview

There is a legal duty to ensure, so far as is reasonably practicable, that employees are protected from violence and aggression resulting from their work. The Shaw Education Trust views acts of violence and aggression towards its employees or any other persons under its care as unacceptable.

## 3. Management Arrangements

These arrangements will apply to employees and contractors working on academy/Trust premises or when engaged in academy/Trust activities.

Work related violence is behaviour directed by a pupil, their relatives or carers, members of the public, visitors or other person which produces damaging and hurtful effects, physically or emotionally in other people. This includes:

- Assault/abuse causing actual physical injury or distress.
- Verbal or written aggression which offends the individual.
- Damage to property.
- Assault to others including members of an individual's family.
- Stalking.
- Animal attacks.
- Threat or fear of any of the above.

Where the alleged perpetrator is an employee, incidents will be addressed by the Trust's HR policies and procedures.

### **3.1 Risk Assessment**

Managers must consider the potential for violence or aggression as part of the risk assessment process. Where a risk assessment indicates that a significant risk of violence and aggression exists, actions must be taken to reduce the risk as far as reasonably practicable. Measures which prevent the occurrence of violent incidents are preferable to those that reduce the severity of the violent incident.

Managers and employees must work together to identify the potential for violence and aggression that may come from:

- the work environment,
- the job role,
- the actions of other people who work with you,
- the circumstances or individual factors of the pupils with whom you normally expect to work with,
- the methods of communication or the way the service is delivered.

Good information is vital for ensuring the health and safety of persons exposed to the risk of violence. Managers should have access to relevant information including risk assessments, incident history and information relating to specific sites or persons. Communication and information sharing must be encouraged at all levels including external parties such as the police and NHS. Where appropriate information sharing protocols should be developed.

### **3.2 Standards of behaviour**

The Trust believes that everyone has a duty to treat each other with dignity and respect and to behave in an acceptable and appropriate manner. In line with our commitment to equality, we strive to create an environment, free from harassment, where individuals are valued, and cultural differences are understood and appreciated.

Unacceptable standards of behaviour and sanctions against unacceptable behaviour need to be communicated to employees, pupils and members of the public.

Unacceptable behaviour will not be tolerated. Examples of unacceptable behaviour include:

- Offensive language, verbal aggression, swearing, unwanted or abusive remarks which makes individuals feel unsafe.
- Invasion of personal space.
- Brandishing of objects or weapons.
- Physical assaults.
- Offensive gestures.
- Threats or risk of serious injury to employees, pupils or visitors.
- Near misses i.e. unsuccessful physical assaults.
- Stalking.
- Spitting at people.

- Alcohol or drug fuelled abuse.
- Unreasonable and/or abusive behaviour.
- Any of the above linked to destruction of or damage to property.

The Trust recognises it has a duty to promote a safe and healthy working environment to provide support to any employee who is the victim of domestic abuse and to protect employees from the risk of violent attacks from partners, ex-partners or family members while they are at work.

### **The right to use reasonable force**

Employees have a civil right to use reasonable force to defend themselves.

### **3.3 Physical Intervention**

In some settings the use of physical intervention is authorised where it is necessary for the protection of any employee, pupil or any other person who may be present. Restrictive physical intervention must only be used as a last resort where the risk of physical injury is imminent or to avoid further injury. Employees who undertake physical intervention must be provided with the appropriate level of information, instruction and where appropriate training.

### **3.4 Incident reporting**

An employee who has been the subject of violent/abusive behaviour must report the incident to their line manager as soon as is practicable. Employees must report all incidents of violence or aggression, even if they are of a minor nature. If an injury resulted from an incident the accident book must also be completed.

Academies have access to Staffordshire Health Safety and Wellbeing Service Online Incident reporting tool which assists in recording incidents, managing local investigations and monitoring trends.

Where it is not practical to record every incidence of minor verbal aggression managers must put in place a local system for recording brief details of any incidents of perceived minor verbal aggression reported by their employees. The record should be a summary of the incident and should include date and time of incident, name of employees involved, name of aggressor and a brief description of what was said and the circumstances. This summary record should be kept on site or with the line manager and will be audited by the academies Senior Leadership Team.

All incidents must be investigated thoroughly by the line manager as soon as possible after the event. Information from the investigation should be used when carrying out a post incident risk assessment.

### **Post incident management**

Even with effective risk management strategies in place, incidents of violence, aggression and abuse at work may still occur. It is therefore an essential that appropriate procedures are in place following an incident.

The support that employees must receive will include:

- As a priority support with their immediate needs e.g. first aid or medical treatment.
- A debriefing for all employees directly involved. Debriefing allows the details of the incident to be established and provides emotional support. The intention of debriefing is to create a supportive system for employees to learn from the experience and to enhance the development of good practice. A record of the debrief including the support provided and actions required should be made.

### **Police Involvement**

The role of the police in connection with violence and aggression falls into 3 main areas:

- (a) During an incident the employee or member of the Senior Leadership Team may make a judgement that assistance from the police is required. In these circumstances urgent help should be sought from the police by telephoning 999. Employees must be aware that the police will take charge of the whole incident upon their arrival.
- (b) Following an incident, at the request of an employee, the police may be asked to investigate any potential criminal act. It is for individual to decide whether they wish to make such an approach to the police. If the incident involves pupils, colleagues need to be aware of the inability of some pupils to understand their own actions and their potential consequences and therefore to be held legally responsible for their actions.
- (c) Employees have a civil right to report an incident to the police and their manager will inform them of that civil right during the debrief. In some cases, it may be appropriate to report an incident to the police without requesting that they investigate but so that they can issue a crime reference number. The employee can, if they wish, proceed with a claim to the Criminal Injuries Compensation Authority (CICA).

### **Prosecution and Legal Assistance**

- (a) If criminal charges are brought and any employee is required to give evidence in court, then paid leave of absence will be granted.
- (b) Whether or not the police prosecute, an employee may themselves pursue the matter by taking private legal action against the assailant.
- (d) Employees may seek legal advice from their trade union/professional association who may decide to provide the necessary finance to enable private proceedings to go ahead.

## **4. Training and Information**

Managers are required to identify the training needs of their team as part of the ongoing risk assessment process. It is important that training records are monitored, and refresher training is provided as required.

Training can prevent conflict situations from arising or escalating into violence. Such training should enable employees to recognise and leave situations that they consider unsafe. Management of violence training needs to be directly relevant to the employee group.

Training records must be retained in line with the Shaw Education Trust Retention Schedules.

### **5. Monitoring and reviewing these arrangements**

Managers must monitor the effectiveness of control measures and ensure that they are implemented and working effectively. Risk assessments should also be reviewed following significant changes or if there is reason to suspect the assessment is no longer valid e.g. after an incident. It is good practice to review risk assessments annually.

### **6. Record Keeping**

Once a risk assessment is no longer valid it must be kept in line with the Shaw Education Trust Retention Schedule.

### **7. Health and Safety – Further Information**

Guidance - Risk reduction and control measures for lone working and violence & aggression.

Health and Safety Policy – Lone Working